

Part One: Policies and Procedures

ARTICLE 4

Principles for Communications

On Communications

USCCB, *Charter for the Protection of Children and Young People*, §7, 'Dioceses/eparchies are to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by ministerial misconduct involving minors.'

Principles of Transparency and Openness

4.1 Diocesan communications are to reflect transparency and openness, exercised within the context of legitimate protection of the reputation and privacy of persons and the common good of the Church (cf. *Code of Canon Law*, c. 223).

4.1.1 Diocesan communications should promote the development of cooperative and open relationships. To that end, the Diocese will communicate appropriately with the Christian faithful, the general public, and members of the media regarding complaints of sexual abuse of minors.

4.1.2 The Diocese will not enter into any confidentiality agreements except for grave and substantial reasons brought forward by the person seeking assistance and noted in the text of the agreement (USCCB, *Charter*, §3).

4.1.3 The Moderator of the Curia will oversee communications with a parish, parish school, or diocesan institution affected by a complaint of sexual abuse of a minor. The Moderator of the Curia will offer timely and pastorally appropriate information, in accord with these policies and procedures. The Moderator of the Curia will also coordinate contact with the media concerning complaints of sexual abuse of a minor by clergy or diocesan or parish personnel or volunteers. In making these communications, the Moderator of the Curia will consult with the Board of Review.

4.2 The investigation of a complaint of sexual abuse of a minor will be kept as confidential as the circumstances of an individual case allow, in order that the reputation of both the complainant and the accused are protected.

4.2.1 The Diocese will ensure that the complainant and accused person receive appropriate and timely information pertaining to any relevant actions taken by the Diocese.

4.2.2 Due care will be taken so that the good reputation of any person is not endangered by the communication of information during an investigation or canonical process related to a complaint of sexual abuse of a minor. The Diocese will strive to balance its doctrinal and canonical responsibilities to protect the good reputation, rights, and privacy of all persons involved with the common good of the Church (cf. *Code of Canon Law*, cc. 220; 223; 1717 §2). The Diocese will also be mindful of the grave responsibility to avoid anything that might give occasion for others to form false judgments about an accused person, including rash judgment, detraction, and calumny.

4.2.3 The Diocese will not make a public announcement concerning the initial receipt of a complaint of sexual abuse of a minor or the progress of an investigation, canonical trial, or administrative process, unless the Bishop, after consultation with the Board of Review, determines that the public good so requires.

4.2.4 When a complaint becomes public knowledge, the Diocese will offer no comment prior to the completion of its investigation other than a simple confirmation that a complaint has been received, that an appropriate report has been filed with civil authorities, and that the complaint is being investigated in accord with Church law (cf. *Code of Canon Law*, c. 1717 §2; USCCB, *Essential Norms*, §6).

4.2.5 The Diocese will observe Church law on communication concerning a penal process for a delict that is reserved to the Congregation for the Doctrine of the Faith (*Code of Canon Law*, c. 1455 §1, 3; Pope John Paul II, *SST*, §25).

On Confidentiality

4.3 Information generated in connection with an investigation of alleged sexual abuse of a minor will be maintained in a confidential manner to the extent allowable by law.

- 4.3.1 The following persons will have access to the information:
- The delegated investigator and members of the investigative team;

- Members of the Board of Review, tribunal officials, and canonical assessors;
- The proper ordinary of a non-incardinated cleric, member of an institute of consecrated life, society of apostolic life, or personal prelature.

4.3.2 The Diocese will disclose such information as may be required by law, or pursuant to a lawfully issued subpoena or court order.

On Communicating the Results of the Process

4.4 The Diocese will announce the restrictions or penalties lawfully imposed upon a person who is found to have committed an act of sexual abuse of a minor.

4.4.1 At the conclusion of an investigation, canonical trial, or administrative process, the Moderator of the Curia will coordinate the announcement of any lawful restrictions placed on the ministry, work, or service of the accused, after consultation with the Board of Review.

4.4.2 When a person is acquitted following an investigation, the Moderator of the Curia will, again after consultation with the Board of Review, coordinate the announcement of any steps to be taken to restore him/her to ministry, work, or service, and every possible step will be taken to restore the good name of the person falsely accused (USCCB, *Essential Norms*, §13).