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February 15, 2007

Francis Cardinal George, O.M.I.  
Archbishop of Chicago  
155 East Superior Street  
Chicago, Illinois 60611

**Re: Report of Advice and Actions Taken  
on Consultants' Recommendations**

Your Eminence,

We have worked with you and your staff over the past eight months on critical issues related to the Archdiocese's response to allegations of child sexual abuse by clerics (priests and deacons). These issues were identified in the published independent consultants' reports from Defenbaugh & Associates and Terry D. Childers. You asked us to examine and evaluate the implementation of the recommendations contained in the reports as well as to suggest enhancement of the Archdiocese's response.

**Introduction**

We discussed the consultants' findings and recommendations with you and your staff and offered our frank advice about specific recommendations. We also reviewed pertinent materials and reports of actions taken by the Archdiocese. We expressed continuing and overriding concern that the safety of children be paramount in all considerations. We acknowledged that the process rights of the accused clerics need to be respected. We believe our discussions were heard and received with proper care and consideration. Our recommendations and subsequent Archdiocesan actions, as reported to us, reflect our advice and input.

As we conclude this process, we want to summarize now our advice about the most important areas of concern related to the Archdiocese's response to the recent allegations of clerical sexual abuse of minors and the actions the Archdiocese has taken to implement our advice. Attachments describing the specific recommendations contained in each consultant's report together with the action taken are appended to this letter. We are also appending copies of the relevant reporting protocols the Archdiocese maintains with the Cook and Lake County State's Attorneys and the Illinois Department of Children and Family Services.

### **Temporary withdrawal from ministry of a cleric accused of abuse**

We advised that in all cases involving an allegation of the sexual abuse of a minor by an active cleric, the cleric should immediately be withdrawn from ministry pending the outcome of any investigation by public authorities and the Archdiocesan process. (In the past, it had been Archdiocesan practice in some cases to allow the accused cleric to remain in place with monitoring during an investigation.) The Archdiocese agreed and has implemented this in practice. Policy revisions will include this requirement.

### **Reporting and Follow-up**

We advised that there should be one number to call when someone wants to report abuse, request information or is unsure how to report. This number should be published broadly and frequently. A related concern is that there are too many obscure acronyms: Professional Conduct Advisory Committee (PCAC), Professional Responsibility Administrator (PRA), Professional Review Board (PRB), etc. Individuals responsible for processing allegations need to have self-evident titles and the overall office needs to be identified more clearly; e.g., Office for the Protection of Children and Youth. Job functions should be clearly evident from the job titles. We concluded that some restructuring and streamlining of offices may be necessary. The Archdiocese agreed and has restructured these offices under the administrative supervision of the Director of the Archdiocesan Office for the Protection of Children and Youth. The Office of Professional Responsibility has been renamed the Office for Child Abuse Investigations and Review and the Professional Responsibility Administrator is now the Director of the office. The professionals involved in these processes have been regrouped and relocated to this central office at 737 N. Michigan Ave. A central number (800-994-6200) for reporting the sexual abuse of minors by clerics has been established and has been broadly publicized. The Archdiocesan web site and *The Catholic New World* have been disseminating this information for some months.

In light of the deficiencies noted in the consultants' reports regarding the processing of the McCormack matter, we evaluated the manner of consultation with the Archbishop in the event of an allegation of clerical sexual abuse of a minor. Over the years it has been an effective practice in the Archdiocese that information related to clerical sexual misconduct is communicated to the Archbishop in three ways. The first and most important is the independent Review Board. The Review Board makes primary recommendations to the Archbishop regarding the safety of children and current fitness for ministry of the accused cleric.

The second channel of communication is the internal Professional Conduct Administrative Committee, chaired by the Chancellor, which is comprised of the staff involved in the administration and management of all other aspects of a clerical sexual abuse matter. We understand the PCAC utilizes an administrative Work Flow Chart when an allegation is received to insure that its various responsibilities (notification to

civil authorities, victim assistance, community outreach, communications, etc.) are undertaken promptly and fulfilled.

The third channel of communication is the Vicars for Priests who advise the Archbishop on issues related to the health and welfare management of the cleric involved. It is imperative that all involved are committed to these processes so that all relevant information is brought to the attention of the Cardinal.

We advised that the Work Flow Chart be reviewed and enhanced and that the PCAC process be confirmed. We support the need for a revised and explicit checklist that is rigorously applied when an allegation comes in, especially when an alleged victim, still a minor, is involved. This checklist should include the sequence of actions to be taken, by whom, and with the timeline, starting on the first day, of decisions to be made. We specifically refer to the process for communicating and deciding about the temporary withdrawal of a cleric pending further investigation. The checklist must include reporting to public authorities. The Archdiocese reports that it has reviewed and revised the Work Flow Chart. The responsibility identified in the flow chart should be the subject of periodic training, review and distribution.

### **Investigations**

We recommended that trained investigators be retained in the investigation of allegations of the sexual abuse of minors to expedite investigation and add to the effectiveness of the Office for Child Abuse Investigations and Review. Professional investigators have been interviewed for possible future use. In recent investigations, professional investigators with law enforcement backgrounds were used by the administrator to gather information. This is expected to continue.

### **Cooperation with civil authorities**

State's Attorneys Since 2003, the Archdiocese has maintained written reporting and communications protocols with the State's Attorneys of Cook and Lake counties. This is to facilitate the reporting of all allegations of sexual misconduct with minors. The relationships were established to insure consistency and effectiveness in reporting that would be difficult to maintain if the Archdiocese attempted to report directly to police in the numerous municipalities in Cook and Lake counties. We agree with this process. We understand that all allegations of sexual misconduct with minors have been reported pursuant to the protocol and we find this practice to be appropriate.

The Department of Children and Family Services In February 2006, the Archdiocese and DCFS established a Joint Protocol entitled Commitment to Improving Child Safety and Protection. Pursuant to the protocol, the Archdiocese agreed to report all allegations of sexual misconduct with minors to DCFS, even if not required to do so under the Abused and Neglected Child Reporting Act (ANCRA), and to defer to and cooperate with DCFS investigations. Further, the Archdiocese agreed to share relevant information regarding substantiated past allegations in order that DCFS may determine if

any children are currently at risk. We are advised that the agreement with DCFS contemplates an annual review to evaluate its effectiveness. We recommend that be done to make sure the protocol remains effective and appropriate and particularly to confirm that the Archdiocese maintains the primary responsibility to investigate allegations brought by adults as DCFS is precluded from doing so under ANCRA.

### **Training and compliance**

We advised that the mandated reporting requirements established by ANCRA and the Archdiocese's internal reporting policies must be emphasized continuously. Archdiocesan training programs have been enhanced. Nevertheless, training and retraining must occur with regularity. Both lay and clerical personnel of the Archdiocese of Chicago must be accountable for noncompliance. In addition, all of the prevention programs—Virtus, Child Lures, background checks, Child Abuse and Neglect Tracking System, etc., must be vigorously administered.<sup>1</sup> The Archdiocese agreed and has been conducting continuous training over the past months. We are advised that more than 59,000 criminal background checks have been completed. Over 56,000 employees and volunteers have completed Virtus training. 185 parishes have indicated compliance with the child education program, Child Lures. 200,000 children and young people have received this training. The Archdiocese has hired a former senior employee of DCFS with experience in managing training programs to serve as Director of Safe Environment in the Office for the Protection of Children and Youth. The Vicar General has advised all clerics that prevention training is mandatory. The Auditors for the United States Conference of Catholic Bishops Office for the Protection of Children and Young People reviewed all compliance programs during a weeklong onsite visit in October 2006 and reported that the Archdiocese is in full compliance with the specific requirements of the Charter for the Protection of Children and Young People.

The Chancellor will report annually on the fulfillment of these requirements. The new Director of Safe Environment will prepare a mission statement that describes these reporting and training enhancements and make clear that there will be accountability for failure to comply with the requirements. We recommend that training programs emphasize that failures to comply with statutory or internal reporting requirements will be acted upon, either by reporting to public authorities in the case of mandated reporters or internal discipline. The committee emphasizes that any failure to report, whether external or internal, should result in disciplinary action. The Archdiocese has developed a mission statement for the Professional Conduct Administrative Committee and established a process to evaluate continuously internal misconduct management programs.

### **Status of clerics, residential programs and supervision**

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<sup>1</sup> The Virtus Program is an interactive program designed to increase public awareness about child sexual abuse and to provide adults with the knowledge and tools needed to help prevent and respond appropriately to child sexual abuse. The Child Lures School Program identifies the common lures used by predators in crimes against children and adults. Recognizing and identifying these lures can better protect children.

The committee notes that the Childers evaluation of the Archdiocesan supervision programs was conducted from the perspective of an expert in the administration of probation programs for convicted sex offenders. These offenders are subject to the continuing jurisdiction of the courts and for that reason failure to comply with conditions of probation can result in enforceable penalties, including the return to prison. As a private organization, dealing in the main with clerics who have not been found guilty by any secular authority, the Archdiocese does not possess these powers. Compliance with Archdiocesan supervision protocols for clerics is essentially voluntary. Nevertheless, the evaluator's specific recommendations are helpful and should be implemented to the extent possible so that clerics understand they are accountable for their behavior.

In this context, the committee first considered whether the Archdiocese should attempt to supervise offending clerics at all, recognizing that withdrawal from ministry takes away public priestly rights and faculties. Can these clerics be separated from the clerical state as a consequence of their misconduct, either by way of laicization under canon law or voluntary resignation? We were advised that the involuntary laicization (removal of a cleric from the clerical state) is a determination of the Holy See under canon law and requires unequivocal documented proof. In any event, the laicization process would only be available in cases that have completed the canonical process and would not apply to clerics whose cases are pending. It is our understanding that, as a practical matter, laicization is granted in all but the extraordinary case, only with the agreement of the cleric involved. It is also important to note that we were informed that about 18 men out of 1450+ living Archdiocesan clerics require supervision. Thirteen are age sixty-five or older. Several are infirm and seven reside in retirement or nursing homes.

Nevertheless, the Archdiocese needs to maintain as effective a program as possible to supervise clerics involved in these processes. We believe that the existing Archdiocesan programs for supervision of these clerics, while far from perfect as noted by the evaluator, constitute a sincere and practical attempt to fulfill this moral responsibility. As one of our members noted, limited supervision is better than no supervision as would be the case if the men lived freely in the community. We also noted that the Archdiocesan supervision programs far exceed that which is required of registered convicted sex offenders under state law. We also recognize that the supervision of sex offenders is a societal issue generally and that the Archdiocese is not alone in questioning the effectiveness of supervision programs.

We recommend that efforts should be made to encourage younger clerics determined to have engaged in clerical sexual misconduct to resign voluntarily with appropriate opportunities for continuing treatment. Ways should be found to enforce more restrictive living conditions for those who will not resign. Many of the evaluation recommendations have been implemented. Specifically, security at Koenig Hall has been improved, external surveillance cameras have been installed, on-site full-time supervision has been enhanced. The local authorities are consulted and advised. On-site personnel in

other residences have been fully briefed on the specifics of each cleric's offenses. Programs for treatment and therapy are being enhanced to recognize the nature of the behaviors involved. The Archdiocese has reviewed the supervision programs of other dioceses across the country to create more restrictive congregate living situations. The Archdiocese continues to explore what further improvements can be implemented. The Archdiocese is working to clarify what is canonically possible in terms of involuntary laicization.

### **File integration, consolidation and review**

We advised that all files be reviewed and that a unified cleric personnel system be created, which integrates all clerics' records. The Archdiocese has conducted a review of all the files of all living Archdiocesan priests for any information about previous child abuse not already known. They report that no instances of information that have not been acted on were identified in any file. This exercise of reviewing all files is the first step in the construction, now underway, of an integrated, unified records management and file system for clergy.

### **Conclusion**

From our review of all of these issues, we believe that policies and practices have been changed to address and correct confusion and inadequacies in the areas of withdrawal from ministry, mandated reporting and precision in roles, responsibilities and assignments. We are assured by the Archdiocese that compliance in safety programs has improved and enhanced training of reporters and programs for children has occurred. The Archdiocese needs to continue with this high level of engagement. We still remain concerned about the supervision/monitoring system. We urge the Archdiocese to seek to persuade canonical authorities to permit involuntary laicizations in cases where abuse has been founded and affirmed by the Holy See.

We hope that the varied professional and personal perspectives of the members of the committee have been helpful in identifying and confirming action to be taken. We appreciate the competence and dedication of the people involved in administering these most difficult issues, including the ability to admit and reflect upon mistakes. We note that none of us is aware that any diocese or archdiocese has exceeded the efforts and/or structural changes made in this Archdiocese to meet these most sensitive issues.

From all that we have seen, we might best conclude by suggesting that, in the consideration of any issue regarding sexual abuse of minors, the question first be asked, "How will this decision impact the protection of children?" We are confident that if this primary concern drives the decision-making related to sexual misconduct with children, the action taken will be responsible and appropriate.

Thank you for the opportunity to be of assistance to the Church. If we can be of further assistance in the future, we would be pleased to do so.

Respectfully submitted,

The Ad Hoc Committee

Mary Anne Brown

Rev. John Collins

Julia Quinn Dempsey

Michael J. Howlett, Jr.

Joseph J. Iacono

Joseph G. Klest

Ronald P. Laurent

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Attachments

# ARCHDIOCESE OF CHICAGO

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Jimmy M. Lago  
Chancellor



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## **ARCHDIOCESE OF CHICAGO AD HOC ADVISORY COMMITTEE**

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Hon. Michael J. Howlett, Jr.  
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**KEY FINDINGS OF INDEPENDENT DUE DILIGENCE  
REVIEW BY DEFENBAUGH & ASSOCIATES, INC.  
JANUARY 2007**

ISSUE	RECOMMENDATION	ARCHDIOCESAN ACTION
1. ANCRA compliance issues.	1. Issues related to compliance with ANCRA must be reported to Archdiocesan Office of Legal Services and to the State's Attorney.	Information provided to State's Attorney. Meeting with Cook County State's Attorney office on 7/5/06. The discussion was confirmed by letter.
	2. Establish a training curriculum for employees on reporting requirements. Require written acknowledgement of reporting requirements.	Archdiocese has created the full-time position of Director of Safe Environment within the Office for the Protection of Children and Youth to enhance and oversee Archdiocesan training programs. The Archdiocese has hired a former official of DCFS with experience in the management of training programs to serve as the director.
	3. Establish liaison with Child Advocacy Center for training.	See action note above. Staff has met with representatives of the Child Advocacy Center to consider opportunities for services and support.
	4. Develop new policies and procedures in concert with DCFS Safety Plan and other DCFS policies and procedures.	DCFS protocol in place.
2. Resigned priests with substantiated allegations could pose a threat to children.	1. Continue to establish an effective liaison with DCFS.	The Professional Responsibility Administrator (now the Director of the Office for Child Abuse Investigations and Review) is in regular contact with DCFS investigators to share relevant information on cases.
	2. Prioritize closed cases for resigned priests for appropriate DCFS investigation and action.	DCFS has completed a review of all substantiated allegations of sexual misconduct by priests with minors.
3. Delayed notification of 3 days to Cardinal George regarding the arrest of a priest.	Cardinal George should take appropriate administrative action.	Appropriate changes have been made to confirm reporting and notification to Cardinal George. Chancellor has been designated the lead person in all misconduct cases. Other personnel involved in the administration of such cases have been made aware of the responsibility to report to Cardinal George immediately.
4. Archdiocesan officials did not follow policy in notification of Cardinal George of the arrest of Fr. McCormack.	Cardinal George should take appropriate administrative action.	See action note above.
5a Non-action created situations in which children were placed at risk.	Priests, employees and parishioners must report any allegation of misconduct which may have any undertone of a possible sexual misconduct nature.	Policy revision to clarify the definition of an allegation and the responsibilities of a mandated reporter in process. Training issues on reporting to both DCFS and internal reporting have been addressed through enhanced training programs and a publication ( <u>Children Matter Network</u> ) distributed to all parishes, schools and through the Archdiocesan website.
5b. Information existed in the seminarian files that could have	1. All allegations of misconduct on the part of a seminarian must be documented and maintained	This is currently the policy of the Archdiocese.

ISSUE	RECOMMENDATION	ARCHDIOCESAN ACTION
influenced the actions taken by Archdiocesan officials at the onset of the Fr. McCormack case.	in his personnel file.	
	2. Seminarian files should be transferred to the diocese/eparchy for which he is being ordained.	The seminary records and retains school records in accordance with state law. All academic and formation information is shared with the sending diocese on a regular basis throughout the tenure of the seminarian.
	3. Seminaries and universities training people for ministry should publicize standards of ministerial behavior and appropriate boundaries.	All students in Archdiocesan training programs sign the Archdiocesan Code of Conduct, undergo a background check and receive Safe Environment training. Any students at local universities or institutions of higher education who volunteer or work in Archdiocesan parishes, agencies or schools are also required to comply with those standards.
	4. All types of files for all living archdiocesan priests should be reviewed for any allegations of misconduct.	File review has been completed.
6. School personnel have not received sufficient training regarding what to do upon receipt of an allegation.	Establish a more robust training curriculum on mandated reporters and their responsibilities.	See action note above re: Director of Safe Environment.
7. An inadequate definition of an “anonymous” allegation resulted in action on that complaint not being taken.	1. An allegation that can be followed up to acquire adequate information must be reported to and acted on by the Professional Responsibility Administrator.	Current policy reflects this recommendation. Additional revisions in process.
	2. The policy on anonymous allegations must be included in training curriculum of Archdiocesan staff.	This topic has been included in training curriculum for misconduct management staff.
8. “ Memos to file” were found to be incomplete. They did not document action taken or to whom such memos may have been copied.	All documents should clearly indicate the action taken toward resolution of the issue and a listing of copies distributed.	This topic has been included in training curriculum for misconduct management staff.
9. Delayed reporting of derogatory information that resulted in an inappropriate appointment of Fr. McCormack as a Dean.	Appropriate policies and procedures must be in place that not only insure prompt reporting but also thorough investigation.	File review procedures have been changed to prevent such errors in the future.
10. Not all staff members and volunteers at Our Lady of the Westside had completed Virtus training. The child education (Child Lures) program was not fully implemented at the school. There have been only 12 volunteers who have done criminal background checks.	1. Archdiocese should provide immediate resources to ensure completion of Safe Environment training.	More than 59,000 criminal background checks have been completed. Over 56,000 employees and volunteers have completed Virtus training. 185 parishes have indicated compliance with the child education program, Child Lures. 200,000 children and young people have received this training. Our Lady of the Westside has completed this training.
	2. The Archdiocese should establish proper oversight of all school personnel to ensure compliance with policies, Charter and Norms, and safe environment programs.	The Office of Catholic Schools and The Office for the Protection of Children and Youth are responsible for compliance with policies, Charter and Norms and Safe Environment Programs. Pastors, principals and Directors of Religious Education have been specifically notified of their responsibility for compliance.
	3. Immediately institute the Child Lures program at Our Lady of the Westside school.	Child Lures has been completed at both Our Lady of the Westside campuses.
	4. Advise National Review Board auditors to review the status of safe environment program compliance with volunteers.	The Archdiocese requested that the National Review Board do a complete onsite audit. The audit was conducted in

ISSUE	RECOMMENDATION	ARCHDIOCESAN ACTION
		2006. The auditors found the Archdiocese to be in full compliance.
11. An allegation of sexual abuse of a minor at a protestant Church has been brought to the attention of the Archdiocese.	The Archdiocese should affect appropriate liaison with that church.	Allegation was reported to appropriate church officials and to DCFS.
12. The Archdiocese failed to implement protocols established for monitoring priests who are accused of sexual misconduct with a minor.	The Archdiocese should conduct a thorough review of monitoring and establish sound protocols for such supervision.	An independent review by Terry Childers has been completed. The status of those recommendations is contained in a separate report to the Ad Hoc Committee.
13. Past file reviews have been incomplete and ineffective in identifying allegations or problematic behavior.	Conduct an independent file review.	File review has been completed. No unaddressed allegations of sexual abuse were discovered.

14. Post revised policies on the Archdiocesan website.	Conduct periodic reviews of website to ensure information is current and accurate.	Website review has been done and a process for periodic review of website has been established.
15. RADAR, the archdiocesan designed Access database that tracks all elements of misconduct with minors, needs to be upgraded.	1. Upgrade to Access 2002 from older version of Access.	Database technology has been reviewed and enhanced. Information Technology office is considering further enhancements.
16. PRA provides written materials to person making an allegation as to their right to contact public authorities.	PRA should provide a copy of Policies, Section 1100, but also a document, which delineates methods for contacting public authorities.	This recommendation has always been the policy and practice of the Professional Responsibility office.
17. Archbishop was not notified of the allegation and arrest of Fr. McCormack until 3 days after his return to the Archdiocese.	The Archbishop should be included in the copy count of the notification memos.	Appropriate changes have been made in reporting and notification to Cardinal George. Chancellor has been designated the lead person in all misconduct cases. Other personnel involved in the administration of such cases have been made aware of the responsibility to report to Cardinal George immediately.
18. PRA review of files must be upgraded.	1. All files are to be reviewed including seminary files.	This recommendation has been implemented.
	2. All files are to be reviewed for relevance by the PRA rather than the owner of the file.	This recommendation has been implemented.
	3. PRA should document the results of such file review to indicate both positive and negative results.	This has been the practice of the Office of Professional Responsibility.
19. A review of Fr. Bennett file found no indication of whether interim action, to include temporary withdrawal or restrictions had been considered or recommended to Cardinal George.	PRA should document any interim action decision or recommendation. If other Archdiocesan officials were consulted, their input should also be documented.	This recommendation has been implemented.
20. Delays in removing Fr. Bennett from his pastoral duties were due to him not having been provided with canonical counsel.	1. Canonical counsel should be identified and assigned at about the same time as such advice is given regarding civil counsel.	This recommendation has been implemented.
	2. Canonical counsel should be obtained from outside the Archdiocese and this should be included in the Policies of the Archdiocese.	This recommendation has been implemented.
	3. The Cardinal should immediately remove a priest or deacon from pastoral duties as soon as there is reasonable belief to suspect the allegation is true and particularly after recommendation of the PRA.	This recommendation has been implemented.
21. No specific time parameters are given for DCFS to complete its	Archdiocese should revisit protocol with DCFS to ensure that the Archdiocesan investigation can	An evaluation of our experience has been prepared and an annual review of the

investigation.	begin within a reasonable time period and appropriate action can be taken.	protocol with DCFS will take place.
22. All personnel with access to RADAR do not use it.	Mandate use of RADAR and provide refresher training.	Use of RADAR and appropriate training is in process. The Vicar General and the Director of Communications have been trained in retrieving information. Further training is being implemented.
23. Documentation on information presented to the Review Board in the Fr. Bennett case was incomplete.	Copies of reports presented to the Review Board during the Initial Review should be included in the appropriate case files.	This recommendation has been implemented.
24. Documentation in investigative files included only substantive information.	All investigative activity should be documented including activity that failed to produce any results.	This is now the practice of the Office for Child Abuse Investigations and Review.
25. Assignment of a trained investigator would enhance investigative results and speed up the process.	Use retired law enforcement investigators.	The Director of the Office for Child Abuse Investigations and Review is utilizing retired law enforcement officers as investigators.
26. File review failed to locate reports by PRA and provided to the Review Board during the Review for Cause.	Implement a procedure whereby a copy of the reports presented to the Review Board during the Review for Cause are included in appropriate case files.	This protocol has been implemented.
27. The Work Flow Chart is not in concert with Section 1100 of the policies.	Work flow chart should accurately reflect steps currently being followed during an investigation and Section 1100 should reflect the sequence of these steps.	The revision of Section 1100 is in process. The Work Flow Chart has been updated. Final updates when the work on Section 1100 is completed.
28. Step # 17 is missing from Work Flow Chart.	Review Work Flow Chart for accuracy and clarity.	Numbering error has been corrected.
29. Professional Conduct Administrative Committee, (PCAC) is mentioned in Section 1100 but without an official mandate, mission, or specific authority.	Delineate an official mandate, mission and authority.	Mission statement has been adopted.
30. The function of PCAC during the review process is unclear.	1. Delineate an official mandate, mission and authority. Include membership composition and procedures.	Mission statement has been adopted. The Chancellor has been designated Chair of PCAC.
	2. Responsibilities of PCAC with respect to their involvement in the Review Process should also be delineated and included in Section 1100.	Mission Statement has been adopted. Policy revision in process.
31. Administrative Checklist is a comprehensive and practical document to ensure policies and procedures are followed.	1. Review the Checklist (Work Flow Chart) for compliance with current policy and then use the checklist as a management tool.	The Work Flow Chart replaced the checklist. Revisions and updates have been made to the Work Flow Chart as a management tool. This is an internal document for administrative use.
	2. Establish a tickler system to review and revise Work Flow Chart.	A tickler system has been established for continuing review of the Work Flow Chart.
32. PRA is not provided equal access to all personnel-related files during file review.	1. All policies and procedures are to be in concert with each other.	Policy review and revision is near completion. Director of Office for Child Abuse Investigations and Review currently reviews all files. The Chancellor assures compliance with file production.
	2. PRA should have same access to all files to personally review for relevant information.	This recommendation has been implemented.
33. There are several investigative steps undertaken prior to the Initial Review.	1. Work Flow Chart delineates actual process currently being followed. Section 1100 of the policies needs to reflect these processes.	Policy review and revision in process.
	2. Revise the Administrative Checklist to correspond to Work Flow Chart.	The Work Flow Chart is the updated version of the Administrative Checklist and is now used for internal management.

**SUMMARY OF RECOMMENDATIONS REGARDING  
THE TERRY D. CHILDER'S REPORT  
(Abuser Supervision System)  
JANUARY 2007**

<b>ISSUE</b>	<b>CHILDER'S RECOMMENDATIONS</b>	<b>ARCHDIOCESAN ACTIONS</b>
<b>1. Collaborative system of supervision.</b>	Replace current monitoring system with a more proactive system of supervision, which includes a case management team with a Case Manager. The specifics of a collaborative supervision system will include regular meetings of the case management team, and written responsibilities for supervisors.	Changes have been made to supervision system. For example, supervisors have been given a summary of the history of the person he or she is supervising as well as copies of all required forms and reports. Following ad hoc committee recommendations regarding supervision, a new supervision system with a Case Manager is being developed.
<b>2. Supervision protocols</b>	Establish supervision protocols for each priest. Such protocols will include the daily log system, residency requirements, overnight stays outside of the residence, vacation protocols, methods of accountability for protocols, and individual protocols for each removed priest that are specific to his situation. Name proscriptions against pornography and install software that allows for monitoring of internet use. Case management Team should be responsible for readjusting the level of supervision predicated upon the priest's compliance with protocols, treatment progress, etc.	Protocols for each priest have been reviewed and revised. The Director of the Office for Child Abuse Investigations and Review and the Vicars for Priests have met with each removed priest to establish new interim protocols. Implementation will be completed upon establishment of an Archdiocesan supervision program. There are proscriptions against pornography. Protocols have been adjusted based on compliance with established protocols for each removed priest.
<b>3. Daily logs</b>	Improve the daily log system to include corroboration of self-reported activities, standardization of completion and submission of logs, and reporting of incidental contact with minors.	The daily log system has been improved utilizing many of the suggestions from this report. Revisions have been made to the daily log system and standardization of submission requirements has been implemented. The Case Manager will be responsible for corroborating the self-reported activity of the removed priest.
<b>4. Travel/Vacation Notification</b>	Travel/vacation requests are to be submitted in a timely fashion. The priest must travel with an approved and trained supervisor. The daily log must be completed while traveling and verified by the supervisor. Travel may not be allowed to countries known to have a flourishing child sex trade such as Thailand, Philippines and India.	Processes for approving travel requests have been tightened and implemented. Approval of the supervisor and orientation of the supervisor are now required. Travel to countries such as those named will be prohibited though no such requests have been made. Completion of daily logs while traveling has always been required.
<b>5. Residences</b>	Establishment of appropriate residences for all removed priests with proper safeguards. Proper notification of others should be required. Key systems and other supervision tools should be in place for each residence.	Establishment of appropriate residences for each removed priest is central to supervision planning. Implications for local communities must be addressed and respected. Directors of current residences have received substantive information about each priest in the residence including history and individual protocols. At Koenig Hall, security has been enhanced with installation of video monitoring system and a new key system. All employees have received the necessary information. Children and youth do not participate in programs at the Retreat House.
<b>6. Sex offender specific evaluations and treatment.</b>	Implement sex offender specific evaluation and treatment for each priest removed from ministry. Utilize treatment professionals who are identified on the Sex Offender management Board approved providers list. Frequency and modality of treatment should be part of each priest's protocol.	Treatment programs are being re-evaluated to include sex offender appropriate evaluation and treatment. Treatment transition issues will be addressed. Group therapy opportunities will be evaluated. Consideration will be given to the use of a single therapist for these treatment services for the Archdiocese who would then meet regularly with the Case Manager.
<b>7. Clinical polygraphy</b>	Clinical polygraphy has become a standard tool to detect deception regarding compliance with protocols, etc.	Archdiocesan officials have met with officials in the Archdiocese of Philadelphia and are evaluating

		new supervision protocols enacted in Philadelphia. Philadelphia protocols include clinical polygraphy.
<b>8. Periodic drug testing</b>	Removed priests should submit to to periodic drug testing. If abuse of drugs or overuse or abuse of alcohol is detected, referral is made for substance abuse counseling and the counselor becomes part of the Case Management Team.	Drug testing has been mandated on rare occasions when substance abuse is suspected. Immediate referral to substance abuse counselors and alcohol treatment programs has always been our process when drug or alcohol abuse is detected
<b>9. Record Keeping</b>	Central file should be maintained by Case Manager on history and all aspects of supervision.	Central files with all of this information are maintained in the Office For Child Abuse Investigations and Review. Ongoing communication occurs with each supervisor.
<b>10. Training</b>	All staff who deal with removed priests should receive extensive training in sex offender management.	The Director of the Office for Child Abuse Investigations and Review is evaluating a proposal for sex offender management training. The Office for Child Abuse Investigations and Review and supervisors have attended training sessions. Proposals to implement training for all misconduct management staff are being evaluated.

## AMENDED MEMORANDUM OF UNDERSTANDING

This amended memorandum reflects the understanding of the Catholic Bishop of Chicago (the “Archdiocese”) and the State’s Attorneys of Cook and Lake Counties, Illinois (the “State’s Attorney”) regarding communication between the Archdiocese and the State’s Attorney of information related to allegations of sexual misconduct with minors by clerics. It amends the Memorandum of Understanding established in October 2003. Nothing in this memorandum is intended to change, waive, modify or diminish in any way the rights and obligations under the law of any of the parties, including the requirements of the Abused and Neglected Child Reporting Act (“ANCRA”). Rather, this memorandum is intended to facilitate the transmittal of information which might otherwise be subject to protracted legal process, in order that children are protected and the civil authorities have the information necessary to perform their legitimate duties.

### Background

In 1993, the Archdiocese implemented its Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry (the “Policies”). Pursuant to the policies, archdiocesan employees and agents are required to report all allegations of clerical sexual misconduct with a minor as required by ANCRA and to the Professional Responsibility Administrator (the “Administrator”). The Administrator, in turn, is obligated to cooperate with civil authorities in any investigation (Policies § 1104.2). In 2003, the Congregation for Bishops approved a Charter for the Protection of Children and Young People and Essential Norms for Diocesan Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons. The Charter and Norms confirm that diocesan representatives are to report allegations of clerical sexual misconduct with minors to the appropriate authorities and cooperate with official investigations (Charter Article 4, Essential Norms §11).

## Notification and Cooperation

Pursuant to the applicable laws, policies, charter and norms, the Administrator promptly will notify the State's Attorney in writing of any allegation of clerical sexual misconduct with a minor.<sup>1</sup> The report normally will include, to the extent known: the name, address, date of birth and age of the person making the allegation; the name, address, date of birth, ministry status and history of the cleric involved as well as current clerical status and current address; the date and location of the alleged occurrence, and any other information that may be available.

The report normally will be completed within 48-72 hours. If the report takes longer than 48-72 hours the State's Attorney will be notified of that fact. If the alleged victim is currently a minor, the report will take place immediately. The State's Attorney will receive and maintain the information in a secure manner reflecting that the information is preliminary and unverified.

The Archdiocese will cooperate with any investigation or request for further information by the State's Attorney or other law enforcement agency.

In the event the State's Attorney determines that no further investigation or action is warranted, the information provided by the Archdiocese and others will be kept confidential. If, in the judgement of the State's Attorney, a crime has been committed but prosecution is time-barred, that determination will be communicated to all of the parishes. In the event the State's Attorney conducts an investigation, the Archdiocese is not aware of the investigation and the investigation does not result in the filing of a criminal charge, the State's Attorney will inform the Archdiocese of the matter to the extent allowable by law in order that the Archdiocese may act to protect children.

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<sup>1</sup> In the course of interviewing an individual making an allegation of sexual misconduct with a minor, the Administrator provides written information describing the individual's opportunity to report the matter to civil authorities. This information includes the name and contact information for the Department of Children and Family Services and the Cook and Lake County State's Attorneys.

In the event another agency, including but not limited to the Department of Children and Family Services, conducts an investigation the Archdiocese shall inform the State's Attorney of the existence of such investigation and/or action taken.

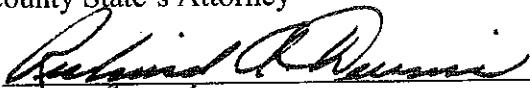
#### Legal Issues

In the event the Archdiocese is unable to provide certain information by reason of law or legal privilege, it will advise the State's Attorney that it is withholding information and the reason for doing so. If the parties are unable to resolve the question, the State's Attorney, in its sole discretion, may utilize legal process to compel production of the information and the Archdiocese may respond to that process as a legal matter. The parties recognize that in some cases a judicial determination may be necessary to resolve an issue and the parties agree to facilitate the review of such a matter by the appropriate court.

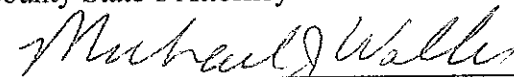
#### Conclusion

The Archdiocese will maintain a record of allegations referred to the State's Attorney. Representatives of the Archdiocese and State's Attorney will meet regularly to review and discuss any issues regarding the clarity of this understanding or effective transmittal of information. In the event the Archdiocese or State's Attorney determine to change its practice regarding anything described in this memorandum, it shall advise the other party of its intent to change and the reasons for it prior to effecting the change. If the parties agree to make a change in any practice described in the understanding, the change should be incorporated into the understanding in a writing signed by the parties.

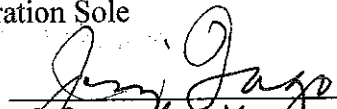
Richard A. Devine  
Cook County State's Attorney

by:   
date: 3/17/06

Michael J. Waller  
Lake County State's Attorney

by:   
date: 3-16-06

Catholic Bishop of Chicago, a  
Corporation Sole

by:   
date: March 14, 2006

Amended Memorandum of Understanding March 14, 2006


**COMMITMENT TO IMPROVING CHILD SAFETY AND PROTECTION**  
**Joint Protocol for the Archdiocese of Chicago and the Department of Children and  
Family Services**

**2/22/2006**

1. All relevant materials, such as training manuals and Internet website information of the Archdiocese of Chicago will highlight the DCFS hotline number, and the state mandated reporting law. DCFS will provide mandated reporter training to Archdiocese staff, if requested.
2. The Archdiocese of Chicago will immediately report to the DCFS Hotline all allegations of child abuse when it involves its clergy, employees, and volunteers according to the requirement of ANCRA.
3. The Department of Children and Family Services will take the lead in all child abuse investigations involving any clergyman, employee, or volunteer of the Archdiocese. The Department will provide to clergy all the required due process rights, such as notice and hearing. The Archdiocese of Chicago will suspend its own investigation until DCFS has completed its child abuse and neglect investigation. Nothing contained in this Joint Protocol shall be construed to prohibit the Archdiocese of Chicago Office of Professional Responsibility from receiving allegations of child abuse and the Office of Assistance Ministry from providing assistance to those who may have been abused; but in no event shall any report to the Office of Professional Responsibility relieve or absolve the mandated reporter of his/her obligation to immediately call the hotline.
4. The Department of Children and Family Services shall provide the Archdiocese of Chicago with interim notifications and reports, as required by ANCRA.
5. The Archdiocese of Chicago will cooperate with the Department of Children and Family Services to put into place a safety plan that ensures the protection of children during the investigation of an allegation against a clergyman, employee, and/ or volunteer. Similarly as it does with all child care institutions, the Department will design the terms and conditions of the safety plan and work with the Archdiocese so that children are safe and protected.
6. The Archdiocese of Chicago and the Department of Children and Family Services may agree that the safety plan might require the imposition of conditions that require the temporary removal of the clergyman until the investigation has been completed and a finding has been determined.
7. Within 48 hours of the conclusion of a child abuse and neglect investigation of a clergyman or employee of the Archdiocese of Chicago, the Department of Children and Family Services will provide the finding in writing to the Archdiocese of Chicago so that the Archdiocese can make a determination of the status of that clergyman or employee.
8. If the allegations are indicated, the clergyman and/or employees will be placed on the State Central Registry as required by law, which will likely result in restrictions in employment and access to children.
9. Once an indicated finding has been sustained through the administrative hearing process, the Archdiocese of Chicago will impose a safety plan for the duration that the indicated

perpetrator remains on the State Central Register and continues to be an active or inactive clergyman, including retired clergymen.

10. Going forward, the Archdiocese of Chicago agrees that it will report any allegations of past child abuse and neglect, including sexual abuse, even if the person who was allegedly abused is no longer a minor.
11. The Archdiocese of Chicago also agrees to share relevant information with the Department about abuse allegations already brought by adults alleging child abuse and neglect, including sexual abuse when they were minors, to help in assessing whether there might be continuing risk to children.
12. The Archdiocese of Chicago shall modify its internal personnel rules and procedures to comport with this joint protocol
13. At least once annually the parties shall review this Joint Protocol to ensure that it remains relevant to the safety of children. In the event the Archdiocese of Chicago or the Department of Children and Family Services determine to change its practice regarding anything described in this Joint Protocol, it shall advise the other party of its intent to change and the reasons for it prior to effecting the change. If the parties agree to make a change in any practice described in the understanding, the change should be incorporated into the understanding in a writing signed by the parties. Nothing in this Joint Protocol is intended to change, waive, modify or diminish in any way the rights and obligations under the law of any of the parties.

  
Bryan Samuels, Director, DCFS

  
Jimmy M. Lago, Chancellor, Archdiocese



October 23, 2006

Francis Cardinal George  
Archdiocese of Chicago  
PO Box 1979  
Chicago, IL 60690-1979

Attention: Cardinal George

Based on the analysis of the results of the 2006 Full Audit of the Archdiocese of Chicago, you have been found to be in compliance with the Charter for the Protection of Children and Young People.

The conclusions reached as to the compliance of your Diocese with the Charter for the Protection of Children and Young People are based on the completeness and accuracy of the information furnished by the Diocese to The Gavin Group, Inc. during the course of this audit.

Sincerely,  
William A. Gavin  
The Gavin Group, Inc.

One Seal Harbor Road. Suite 704 Winthrop, Massachusetts 02152 Tel: 617-539-1717.  
Fax: 617-539-1126 Email: bgavs@aol.com



Español >> Polish >>

- ▶ Reporting Child Abuse
- ▶ Policies
- ▶ Protection of Children and Youth
- ▶ Covenant to Protect Children
- ▶ Seminarian and Deacon Candidate Programs
- ▶ Office of Professional Responsibility
- ▶ Access to Information
- ▶ Healing

**The Children Matter Network is a partnership created to promote and protect the dignity of children.**

**REPORTING CHILD ABUSE**  
**Department of Children and Family Services Hotline**  
**1-800-25-ABUSE**  
**1-800-358-5117 (TDD)**

*In 2005, the Archdiocese of Chicago incorporated the Child Lures Prevention School Program in parish Religious Education classes and in religion classes in Catholic elementary schools. This program educates children on safety prevention in the areas of sexual exploitation, abduction, Internet crime, drugs and school violence.*

*The two testimonies below come from parents of children in these classes who saw the benefit of this important element in their child's education.*

### PARENT TESTIMONY 1

Thank you for speaking to the 8th grade students about Myspace. Thought I'd share the feedback from my 8th grade daughter. My daughter was attending a program at our church. Her adult teacher took the opportunity to enlighten the children about some of the dangers of the popular Myspace site. My daughter and I did not discuss what was said on the way home, but as soon as she walked into the house she announced that she was removing herself from Myspace. She was warned of the dangers many times by her Dad and I. However, I think when it came from her teacher it held more weight and she listened. I am here today to tell you that after removing herself from Myspace six months ago, she has never gone back to it, and this was a decision she made all on her own. Thank you. I am forever grateful for her teacher and my daughter for listening and taking herself off the site.



Image courtesy of the Child Lures Prevention School Program

[Visit The Children Matter Network](http://www.childrenmatter.org)  
[www.childrenmatter.org](http://www.childrenmatter.org)

