



## **Procedures When Sexual Misconduct is Reported**

The Catholic Church expects all those who work and minister in the name of the Church to live chaste and moral lives, respecting in every way the gift of sexuality. Inappropriate sexual activity abuses not only the gift of sexuality but also the power and authority of the pastoral role. Sexual misconduct by anyone who serves in the Church is a serious violation of sacred trust.

In order to preserve a safe environment, the Diocese of Fort Worth requires all ministers, employees and volunteers of the Diocese, its parishes, schools and other agencies to be in compliance with the requirements of the *Charter for the Protection of Children and Young People (the "Charter")* by abiding by the Fort Worth Diocesan *Code of Conduct*. Any proven allegation of sexual abuse of a minor will permanently disqualify any individual from ministry in the name of the Church. Other forms of sexual misconduct may also result in termination of service in the church.

Refer to the Diocese of Fort Worth website, [www.fwdioc.org](http://www.fwdioc.org), for policies and procedures about the diocesan Safe Environment Program. The Office of Child and Youth Protection routinely updates this website with information and helpful resources.

### **How to report suspected cases of child abuse or neglect**

The law<sup>1</sup> requires *any person* who has cause to believe that a child has been or will be abused or neglected to file a *non-accusatory* report to Child Protection Services (CPS). The person making the non-accusatory report shall keep the alleged abuse or neglect confidential and shall not discuss the matter with others except as required by law. Immunity from prosecution is granted to those individuals who file a non-accusatory report in good faith concerning suspected child abuse or neglect. This immunity may not extend to statements that are not part of the reporting or investigation process. Therefore, the individual should be very careful about making such statements except for the purpose of reporting or investigating the matter.

A report must be made **IMMEDIATELY – WITHIN 48 Hours** – to the Texas Department of Human Services (TDHS) or CPS: **Call 1-800-252-5400**. The person making the report needs to identify, if known:

- The name and address of the child;
- The name and person responsible for the care, custody, or welfare of the child; and
- Any other pertinent information concerning the alleged or suspected abuse or neglect.

Keep a written record of the information above, as well as to whom the report was made and on what date. Ask Child Protective services to provide you with a **CASE NUMBER** and include it in your documentation. You may use the Diocesan Form *Confidential Notice of Concern* to help you file this report.

Allegations by parents, guardians, or children themselves of sexual abuse, or any abuse, will be treated most seriously and will never be dismissed. If the person alleged to be responsible for suspected abuse is a minister, employee or volunteer in the Diocese of Fort Worth, then you must also notify the Pastor of your parish, the Principal of your Catholic School, the Victim Assistance Coordinator, the Director of Human Resources, the Chancellor/Moderator of the Curia, or the Bishop. Call the Catholic Center at 817-560-3300 for more information or to report the allegation to the Diocese. Be advised that calling the Catholic Center does not satisfy your obligation to report the matter to CPS.

### **How to report suspected cases of sexual misconduct**

Your first obligation is to report child abuse to CPS. If you suspect a church minister, employee or volunteer is involved in sexual misconduct (including but not limited to sexual abuse), then Diocesan policy requires that you report the person to your supervisor (if applicable and not the suspect), the Pastor of your parish, the Principal of your Catholic School, the Victim Assistance Coordinator, the Director of Human Resources, or the Chancellor/Moderator of the Curia. The Diocesan report may be made by telephone, electronic messaging, or in writing. If you have reported the matter to CPS, then immediately send a copy of your written report to the Victim Assistance Coordinator and the Chancellor/Moderator of the Curia of the Diocese.

When an allegation of sexual misconduct is reported to the diocese, the Chancellor/Moderator of the Curia will take appropriate action, including but not limited to:

- Reporting immediately to civil authorities if the sexual misconduct involves a minor and it has not been reported

by the person notifying the diocese;

- Removing an individual from office even when a single act of sexual abuse with a minor is substantiated;
- If safety and/or circumstances warrant, removing from ministry any individual accused of sexual misconduct pending positive determination of guilt;
- Authorizing the Director of Human Resources to investigate allegations of sexual misconduct by any employee or volunteer;
- Not knowingly transfer an individual who has committed an act of sexual abuse with a minor to another diocese/eparchy or to a religious province;
- If the allegation is made about a priest, deacon or religious no longer working in the Diocese of Fort Worth, making the accusation known to the bishop of the other diocese/eparchy or to the Major Religious Superior of the accused; and
- Convening the Conduct Review Board, if appropriate.

## **Care for the Victim of Sexual Abuse**

The Diocesan *Victim Assistance Coordinator* provides pastoral care and support to all victims of sexual abuse, including assistance to access counseling, support groups, and spiritual direction resources. Whenever appropriate, the Victim Assistance Coordinator also provides similar assistance to victims' family members. Assistance and support will vary with circumstances and may be provided in consultation with mental health professionals. The Sexual Abuse Hotline phone number is **817-560-2452 x900**.

## **Care of the One Who Reports Sexual Misconduct**

Although mainly focusing on care for victims of sexual abuse, the Victim Assistance Coordinator also offers assistance to the person reporting the misconduct. When the accused is an employee or volunteer, the Victim Assistance Coordinator directs the accuser to *Human Resources*, the diocesan department responsible for protecting and supporting the person who accuses another of sexual misconduct.

## **Care for the One Who is Accused of Sexual Misconduct**

The Diocese of Fort Worth is compassionate toward both the accused and the accuser. Furthermore, the diocese will make every attempt to protect the legal rights of the accused and observe all canonical and civil laws. The diocesan response to an allegation is in no way a judgment of the accused, and innocence is presumed unless facts prove otherwise.

The Human Resources Department will promptly and thoroughly investigate the allegation. In some situations, private investigators may be retained by the Diocese. Upon completing the investigation, the Director of Human Resources will file a written report to the Chancellor/Moderator of the Curia.

The Chancellor/Moderator of the Curia may convene the *Conduct Review Board*<sup>ii</sup> in some instances. The board reviews all the steps taken in the investigation of the allegation. Once the review is completed, the board reports its recommendations to the Chancellor/Moderator of the Curia.

The Chancellor/Moderator of the Curia files a written report to the Bishop, who makes the final decision regarding the disposition of the accused.

In the case of sexual misconduct with a minor by a cleric, the steps required by Canon Law and by instructions from the Holy See will be followed, not excluding laicization.

## **Care of the Christian Community Affected by Sexual Misconduct**

The diocese has special concern for parishes, schools, agencies and other church communities served by personnel accused of sexual misconduct. While respecting the privacy of those directly involved in an allegation, when an incident becomes public, every effort will be made to communicate with, inform and assist the local community.

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<sup>i</sup> Texas Family Code, Chapter 261

<sup>ii</sup> Following the instructions of the *Charter*, the *Conduct Review Board* of the Diocese of Fort Worth generally includes at least one experienced pastor and four conscientious lay people not in the employ of the diocese. One member has expertise in the treatment of the sexual abuse of minors.