

**ARCHDIOCESE OF OKLAHOMA CITY  
POLICY REGARDING  
THE ABUSE OF MINORS  
BY CHURCH PERSONNEL**

Children are among our very greatest gifts from God. They are entrusted to their parents, families, and churches to be educated and formed in the ways of Christ and His Church. Indeed the call to share the Faith with our children is among the most sacred duties of the clergy and lay faithful alike. It is also true that children are vulnerable and must be protected from evil. Our churches have been viewed as safe places and Catholics have placed a sacred trust in their clergy and lay ministers. For this reason we are appalled and deeply anguished when we learn that this sacred trust has been violated by clergy or lay ministers who have abused children entrusted to their care.

In the years that this policy has been in force it has evolved as our understanding and awareness of sexual abuse of minors has evolved. What was once thought to be a rare if not unheard of crime has now proven to be a far more prevalent and complex evil in our world. Our sincere and heartfelt apology for past crimes, for past failures to respond effectively and for failures to initiate appropriate preventative measures requires us to develop and update policies that address these issues.

We must note too that efforts at preventing abuse of minors are more fundamental than this policy which outlines our response to allegations of abuse. For this reason we ask that all Catholics work aggressively with Church leadership in their parishes and in our Archdiocese in those efforts aimed at preventing abuse. Cooperating with tasks such as reference checks, background screening, and following appropriate guidelines and policies when dealing with children are all of the greatest importance. However, when efforts at prevention fail us we need a clear and consistent approach to respond appropriately to an actual allegation of sexual misconduct.

It is only in recent years that we have come to understand the extent of this problem, the tremendous suffering experienced by the victims of childhood abuse, and the extent to which we oftentimes have failed them. We ask their forgiveness and promise them our future vigilance in the hope that no child entrusted to our care will ever be harmed in this way again.

**Scope of the Policy  
Subjects of Allegation**

This policy is applicable to Priests and Deacons who live or minister in our Archdiocese, men and women who belong to Roman Catholic Religious Orders and who are ministering in our Archdiocese, and the lay employees and volunteers of the Archdiocese and its parishes and other entities who are subject to the Archbishop in their ministries.

Allegations against the Archbishop are beyond the scope of this policy. Any allegations of misconduct on the part of the Archbishop are to be directed to the Vicar General who contacts the Papal Nuncio and the Department of Human Services (D.H.S.) as required by Oklahoma State Law.

Pastoral Agents

- A) For the Immediate Administrative Response: One of the Vicars General.
- B) For the Ongoing Pastoral Response: The Pastoral Response Team.
  - 1) A Pastoral Delegate of the Archbishop directs the Pastoral Response Team. He or she also is known as the Chairman of the Pastoral Response Team.
  - 2) Composition of the Pastoral Team should include Priests, psychologists, canon lawyers, civil lawyers, and others as deemed necessary or useful by the Archbishop or Pastoral Delegate. As far as possible the individual members of the Pastoral Team

assigned to provide pastoral care to the alleged victim, the victim's family, the parish or Catholic entity involved, etc., shall be different from the members of the Pastoral Team assigned to provide pastoral care to the alleged perpetrator.

#### **The Policy**

It is the policy of the Archdiocese of Oklahoma City that all allegations of abuse of minors by Church personnel shall be dealt with in accord with the norms set out in this policy. All personnel of the Archdiocese must comply with applicable state and local laws and the procedures outlined in this document. The following procedures are designed to conform to the requirements of civil, criminal and canon law (the Law of the Roman Catholic Church). The Pastoral Team has developed procedures and recommendations for implementation in conformity with the provisions of this policy to deal with the psychological, pastoral and spiritual dimensions of the procedures to be followed.

In both civil and canon law, persons accused of crimes are presumed innocent until proven guilty. Because of the provisions of Canon 220 of the Code of Canon Law which deals with persons--right to privacy and protection from defamation of character, all the proceedings in this policy are confidential. There is always the possibility of false or mistaken accusations and unsubstantiated claims, made for whatever reason. It is important for all Archdiocesan personnel to know that both civil and canon law provide penalties for the crime of falsehood in which individuals become victims of false denunciation and calumny. However, the presumption of innocence does not preclude the Archdiocese from taking prudent action before an investigation is complete.

This policy provides the procedures to be followed in the event that allegations of abuse of minors by Church personnel arise. All Church personnel should read this document carefully and be aware of its contents. Any Church personnel reading this document with knowledge of unreported abuse of minors, whether perpetrated by himself/herself or others and no matter how long ago the incident occurred should contact the Vicar General who will activate the provisions of this policy.

#### **Step 1: The Immediate Administrative Response**

Oklahoma law requires that anyone having reason to believe that a minor may have been abused shall report the matter promptly to the county office of the Department of Human Services. The Archdiocese strongly affirms and supports this obligation to report suspected abuse. It should be noted that officials with the D.H.S. will oftentimes refer the persons making such reports to the appropriate police department rather than accepting the report themselves. Consequently all Church Personnel in the Archdiocese including volunteers, are to report all suspected incidents of child abuse to the Department of Human Services, or if instructed to the police, as required by law. When the alleged perpetrator is a member of the personnel of the Archdiocese or any of its parishes or entities, the accuser also shall convey the allegation immediately to one of the Vicars General (no matter where the alleged incident may have occurred) who then immediately takes the following actions in the following sequence:

- 1) The Vicar General informs the person reporting the complaint or allegation that the Archdiocese has both a policy and procedure to be followed in this matter and that this procedure will now be activated. He also informs the caller of the Oklahoma State law requiring the caller to report the allegation to the proper civil authorities if the caller has not already done so. He further suggests that the caller report the matter to the appropriate public officials and that he, the Vicar General, intends to report it to them promptly.

2) Vicar General next contacts the Archbishop, to whom he provides the details as known, including the identity of the alleged perpetrator and the alleged victim, and providing him also with the means of contacting the person reporting the complaint or allegation. The Vicar General also notifies the Pastoral Delegate, the Archdiocesan attorney, the Archdiocesan Business Manager, and the Archdiocesan Spokesperson of the case at hand.

3) The Vicar General strictly adheres to the provisions of the mandatory reporting law of the Oklahoma Statutes (Title 10 Oklahoma Statutes Section 7103, see Appendix) by contacting the Oklahoma Department of Human Services Child Abuse Hotline (841-0800 in Oklahoma City; 1-800-522-3511 statewide). As long as the alleged victim is a minor at the time when the allegations come to light (under 18 years of age), all allegations of abuse must be reported, even when the alleged acts are not of recent occurrence.

4) If the accused is a religious, the Vicar General contacts the major religious superior to apprise him or her of the allegation and that the Archdiocesan policy for handling such complaints has been activated. Similarly if the accused is a deacon, lay employee or volunteer, the Vicar General contacts his or her ministerial employer or ministerial supervisor to inform him or her of the complaint, the Archdiocesan policy for handling such complaints and the possibility of administrative suspension of the deacon, lay employee or volunteer.

5) The Vicar General, Pastoral Delegate, Archbishop, or a suitable person chosen by them contacts the accuser and the parents or guardians of the alleged victim to offer help and to inform them of the administrative steps which the Archdiocese has taken. When and if the parents and Pastoral Team judge it appropriate and helpful the Pastoral Delegate offers help to the alleged victim, perhaps using a properly trained delegate such as a psychologist or counselor.

6) The Vicar General advises the accused to enlist his or her own legal counsel independent of that of the Archdiocese. If the expense of necessary legal counsel is not covered by the Archdiocesan insurance carrier, and the accused is a priest who lacks the financial means to hire a suitable attorney, a request for funds from the Priests' Welfare Fund may be submitted to the Vicar General.

7) The Vicar General or the Pastoral Delegate contacts the accused and offers pastoral care. The Archbishop or Vicar General mandates an appropriate relocation of the accused and takes steps to deny the accused access to the place where the alleged abuse occurred, if such actions are deemed necessary and appropriate. The Archbishop, the Vicar General and the Pastoral Delegate should avoid extensive discussion of the allegations with the accused. The accused may be placed on administrative leave with or without pay and in the case of a priest his temporary residence will be determined by the Archbishop or Vicar General. Such leave will remain in effect until the Department of Human Services or police department has concluded its investigation and decided whether or not to file charges against the accused. If charges are filed by the District Attorney, the leave continues until the criminal law issues have been fully resolved.

8) The Vicar General shall compile a report verifying that each of these steps has been taken. This report shall be submitted at least verbally to the Archbishop and Archdiocesan attorney within 48 hours of first learning of the allegations. Where appropriate, the Archbishop will instruct the Pastoral Delegate to assemble the Pastoral Team. The Pastoral Team in frequent dialogue with the Archbishop, will oversee the pastoral care of the alleged victim and his or her family, the alleged perpetrator, the accuser, parishes of the alleged victim and/or alleged perpetrator, the greater Catholic community and the general public.

9) The Archdiocesan Spokesperson will be updated frequently by the Vicar General and/or Archbishop as the facts of the case become known. Church leaders have been criticized for refusing to share information with the media or for providing information that was too limited or offered too late. It is the role of the Archdiocesan Spokesperson to share appropriate information with the media as well as with the pastors of parishes. This will require a balancing of the right to privacy of all parties with the right of the people of the Archdiocese and wider public to receive appropriate information.

**Step 2: The Ongoing Pastoral Response**

*Phase 1: While the civil and/or criminal investigation is still in process:*

- 1) Coordinating insofar as possible his efforts with the investigating officer assigned to the case by the District Attorney, the Pastoral Delegate attempts to contact the family of the alleged victim to reiterate the offer of pastoral help. He also offers to provide pastoral help to the person reporting the alleged abuse. When deemed appropriate and helpful by the Pastoral Team and the alleged victim's parents or guardians, he also offers to arrange pastoral help for the alleged victim.
- 2) While the civil and/or criminal investigation is still in progress the Pastoral Team shall avoid taking steps which might further traumatize the alleged victim, or complicate the investigation. Therefore no canonical investigation should be initiated until after the civil or criminal investigation and/or trial has been completed. In this phase of the case the Pastoral Team shall concern itself with the pastoral care of the alleged victim and his or her family, the alleged perpetrator, the accuser, and the parish or other groups which have been affected.
- 3) The Pastoral Team, through a separate member assigned exclusively for this purpose, attempts to provide the alleged perpetrator with whatever pastoral help can be provided under the circumstances of the case.
- 4) All clergy, Church employees and volunteers are to refrain from public comments regarding the case and all media personnel must be directed to the Archbishop or designated Archdiocesan Spokesperson for information regarding the case. The spokesperson responds in the name of the Archdiocese to all inquiries regarding the case.
- 5) The Pastoral Team takes appropriate steps to deal with the parish and/or other relevant groups.

*Phase 2: After the civil or criminal investigation and/or trial has been completed:*

- 1) Pastoral measures to be taken by the Pastoral Team regardless of the results of the civil or criminal investigation:
  - a) If deemed appropriate by the Pastoral Delegate, he writes the alleged victim and his or her family, and the accuser, reaffirming the concern of the Archdiocese for their well-being and reiterating the desires of the Archdiocese to provide appropriate help.
  - b) The Pastoral Team offers the accused appropriate care. If it appears to the Archbishop that he or she would benefit from specialized care, this may be provided at Archdiocesan expense.
  - c) The Pastoral Team offers ongoing ministry to the parish, school, office, or other ministerial environment in which the alleged abuse has taken place.
- 2) Administrative measures to be taken by the appropriate administrative superior upon completion of the civil or criminal investigation:
  - a) If the accused is found to have abused a minor, whether in criminal, juvenile, or civil court, the following administrative measures will be taken:
    1. Lay employees will be terminated; volunteers will be dismissed;

2. Deacons' canonical faculties to function as a minister in the Catholic Church will be suspended by the Archbishop;
  3. Priests' canonical faculties to function as a minister in the Catholic Church will be suspended by the Archbishop;
- b) If the accused is not prosecuted but nevertheless is found to be partially imputable for indiscreet actions which fall short of criminal acts, the following measures may be taken:
1. Lay employees and volunteers will be subject to dismissal.
  2. Deacons' faculties will be suspended.
  3. Priests' faculties will be suspended, at least temporarily while they are provided a thorough psychological evaluation and if necessary treatment. A priest's future role in pastoral ministry will be determined by the Archbishop in consultation with treatment experts and the Pastoral Team.
- c) If the accused priest or deacon is exonerated fully of the charges, the following measures will be taken
1. If at all possible, the wrongfully accused will be restored to his ministry. If it appears that his ministerial credibility in the previous apostolate has suffered serious damage through no fault of his own, he will be offered transfer to another ministry.
  2. The Archdiocese will assist the wrongfully accused cleric in finding appropriate care to help him deal with the trauma of being subjected to the proceedings involved in this investigation.
  3. Efforts will be sought to repair the damage done to the reputation of the accused.
- d) If the accused religious, lay person or volunteer is exonerated fully of the charges, the following measures will be taken:
1. Effort will be made to restore the accused to his or her previous ministry. If a return to the previous ministry is, not possible, the Pastoral Team will try to assist the accused in finding another ministry.
  2. The Archdiocese will assist the accused religious, layperson or volunteer in finding appropriate care.
  3. Efforts will be sought to repair the damage done to the reputation of the accused.

*Phase 3: If a priest or deacon has been convicted and after he has returned from incarceration and/or has been placed on probation, the following applies:*

- 1) The cleric's faculties will be suspended and the cleric will be dealt with and provided for according to the Code of Canon Law.
- 2) The Archbishop may elect to use the Pastoral Team, directed by the Pastoral Delegate, to oversee the ongoing pastoral and psychological care and after-care of perpetrators.

#### **Conclusion**

While all hope and pray that the provision of this policy will not have to be applied, it is a fact that allegations of abuse of minors are becoming more frequent in today's society. Should allegations arise regarding the behavior of Church Personnel in the Archdiocese of Oklahoma City, the provisions of this policy shall be followed carefully. It must be recalled that all persons are deemed innocent until proven guilty. With justice and charity all parties involved in these matters must receive suitable pastoral care and protection. The provisions of this policy are hereby declared to be a part of the particular Legislation of this Archdiocese. Given at Oklahoma City, Oklahoma, on December 10, 1991, and revised most recently on February 22, 2002.

**Most Reverend Eusebius J. Beltran, Archbishop of Oklahoma City**

**Rev. John A. Steichen, Chancellor**

**Appendix**

*Definitions*

**Minor (Child):** In both canon and civil law a child is any person under the age of eighteen (18) years except any person convicted of a crime specified in Section 7306-1.1 of this title or any person who has been certified as an adult pursuant to Section 7303-4.3 of this title and convicted of a felony. In canon law a minor is also anyone who habitually lacks the full use of reason (e.g., the mentally retarded). Canons 97 and 99. Title 10 Oklahoma Statutes Section 7302.

**Abuse:** In criminal law child abuse is any harm or threatened harm to a child's health, safety or welfare by a person responsible for the child's health, safety or welfare including sexual abuse and sexual exploitation, including damage to his physical or emotional welfare resulting from non-accidental physical or mental injury, sexual abuse sexual exploitation, or negligent treatment or maltreatment. Sexual abuse includes but is not limited to rape, incest and lewd or indecent acts or proposals made to a child as defined by law, by a person responsible for the child's health, safety or welfare Sexual exploitation includes but is not limited to allowing, permitting or encouraging a child to engage in prostitution as defined by law, by a person responsible for the child's health safety or welfare or allowing, permitting, encouraging, or engaging in the lewd, obscene or pornographic photography, filming, or depicting of a child in those acts as defined by the state law, by a person responsible for the child's health, safety, or welfare Title 10 Oklahoma Statutes Section 7102.

*Mandatory reporting law of the Oklahoma Criminal Code: Title 10 Oklahoma Statutes Section 7103.*

"... and other person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect, shall report the matter promptly to the Department of Human Services. Such reports may be made by telephone, in writing, personally or by any other method prescribed by the Department. Any report of abuse or neglect made pursuant to this section shall be made in good faith.

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