

# To Be Safe and Secure

## A Message to Victims of Sexual Misconduct

If you are a victim of sexual misconduct by a person ministering on behalf of the Church, please contact the Archdiocese of Indianapolis, 1400 N. Meridian St., Indianapolis, Indiana 46202, 317-236-1548, or 800-382-9836, ext. 1548 or [victimassistance@archindy.org](mailto:victimassistance@archindy.org).

A report can also be made online at [www.archdioceseofindianapolis.ethicspoint.com](http://www.archdioceseofindianapolis.ethicspoint.com). You do not have to give your name.

You will be asked to meet with the victim assistance coordinator and, if a cleric is being accused, canon law requires that a priest must also be present at that meeting. The meeting can take place at the Archbishop O'Meara Catholic Center in Indianapolis or at another mutually agreed upon location.

At all times, your report to us will be considered confidential other than as required by this policy.

You will be asked for relevant details of the incident, such as the name of the accused, the date or approximate date of the incident, and what happened.

The Church is concerned for your spiritual and emotional welfare and wants to help heal whatever spiritual or emotional wounds you may have suffered as a result of the sexual misconduct. Every individual is different in her or his ability to deal with the aftermath of sexual misconduct. Most individuals benefit from professional counseling, and the archdiocese will cover reasonable out-of-pocket costs, in accordance with the Policy on the Care of Victims/Survivors of Sexual Misconduct, for such counseling provided by an approved licensed therapist with an approved treatment plan.

The Church is also concerned for the safety and well-being of others, especially children, endangered adults, and vulnerable adults. Your courage and cooperation in reporting incidents of sexual misconduct by those ministering on behalf of the Church will help us keep others safe and secure.

When allegations of misconduct involve a person younger than 18 when the sexual misconduct occurred or a person who is considered an endangered adult as defined by Indiana state law, the archdiocese must report the incident to civil authorities. It will be necessary to give your name to those authorities, but they are required by law to hold your identity in confidence.

The victim assistance coordinator will keep you informed as the investigation proceeds and will check in with you for as long as needed to see how you are doing.

**Policies and Procedures, Standards of Behavior  
For the Protection of Children, Endangered Adults, and Vulnerable Adults  
from Sexual Misconduct  
by Those Ministering on Behalf of  
the Archdiocese of Indianapolis**

September 16, 2024

Archdiocese of Indianapolis  
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Indianapolis, Indiana 46202-2367

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**The process:**

*What to expect if you are a victim of sexual misconduct and report the incident to the Archdiocese of Indianapolis:*

If you are a victim of sexual misconduct by a person ministering on behalf of the Church, please contact the archdiocesan Victim Assistance Coordinator, , Archdiocese of Indianapolis, 1400 N. Meridian St., Indianapolis, Indiana 46202, 317-236-1548, or 800-382-9836, ext. 1548 or [victimassistance@archindy.org](mailto:victimassistance@archindy.org).

A report can also be made online at [www.archdioceseofindianapolis.ethicspoint.com](http://www.archdioceseofindianapolis.ethicspoint.com).

In making your report you will be asked for relevant details of the incident, such as the name of the accused, the date or approximate date of the incident, and what happened. While your report is considered confidential, the information provided may give rise to a report to law enforcement and/ or Department of Child Services/ Child Protective Services.

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The victim assistance coordinator and/ or the chancellor or his designee will keep you informed as the investigation proceeds and may check in with you, as needed, to see how you are doing.

### **Policies and procedures at a glance**

The Archdiocese of Indianapolis takes immediate and decisive action on all accusations of sexual misconduct in accordance with the pertinent provisions of the “Charter for the Protection of Children and Young People,” the “Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons,” “Motu Proprio by the Supreme Pontiff Francis *Vos Estis Lux Mundi*”, (“Norms”), long-standing archdiocesan policy, civil law, and Church law.

These policies and procedures deal with sexual misconduct, which is broader than sexual abuse. Sexual misconduct is understood to include sexual abuse, child abuse, abuse of endangered adults or vulnerable adults, child pornography, grooming behavior, sexual harassment, and sexual exploitation. These policies and procedures also concern themselves with all Church personnel—not just clerics. They pertain to priests and deacons, lay employees, religious, and volunteers working or ministering on behalf of the archdiocese. These policies and procedures also pertain to students, coaches, parents, and sports team participants and include sexual misconduct between such individuals.

In all cases involving allegations of sexual misconduct by any of the above identified individuals, it is the policy of the Archdiocese of Indianapolis to:

- ❑ Respond promptly to all allegations of sexual misconduct.
- ❑ Reach out to victims and their families and communicate our sincere commitment to their spiritual and emotional well-being.
- ❑ Initiate a preliminary investigation and, if appropriate, promptly relieve the alleged offender of any duties.
- ❑ Report the incident, when appropriate, to proper civil authorities and cooperate with the investigation.
- ❑ Initiate an internal investigation, as required by the Norms, and present findings to the Archdiocesan Review Board, which will, in turn, make recommendations to the archbishop based upon its findings and/or the findings of civil authorities.

- Deal as openly as possible with members of the community with due regard to the respect owed to the privacy and reputations of all persons involved and with regard to Church law.

All archdiocesan clergy, lay employees, religious, and volunteers and religious working or ministering on behalf of the archdiocese shall comply with all pertinent Indiana reporting laws and archdiocesan reporting requirements:

- Clergy, religious, employees, and volunteers shall report any suspected instance of child abuse to two entities: Child Protective Services and the archdiocese. Indiana law requires reporting to Child Protective Services (Hotline: 800-800-5556) or to a local law enforcement agency.
- Clergy, religious, employees, and volunteers shall report any suspected instance of endangered adult abuse to two entities: Adult Protective Services and the archdiocese. Indiana law requires reporting to Adult Protective Services (Hotline: 800-992-6978) or to a local law enforcement agency.

Archdiocesan policy requires reporting all suspected or alleged incidents of sexual misconduct to the archdiocese’s victim assistance coordinator (317-236-1548, 800-382-9836, extension 1548, or [victimassistance@archindy.org](mailto:victimassistance@archindy.org)), who serves as the archbishop’s personal representative to victims and the faith communities in which sexual misconduct has occurred. A report can also be made online at [www.archdioceseofindianapolis.ethicspoint.com](http://www.archdioceseofindianapolis.ethicspoint.com). You do not have to give your name.

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## Abbreviations used in this document

AAS: Acta Apostolicae Sedis (Acts of the Apostolic See), the journal of record of the Holy See

CCEO: Codex Canonum Ecclesiarum Orientalium (Code of Canons of the Eastern Churches): church, or canon, law for the Eastern Catholic Churches, e.g., the Byzantine Catholic Church

CIC: Codex Iuris Canonici (Code of Canon Law)—church, or canon, law for the Western, or Roman, Catholic Church

USCCB: United States Conference of Catholic Bishops—the bishops’ conference for the United States of America

## **Definitions**

**Archdiocese:** The Roman Catholic Archdiocese of Indianapolis, including all parishes, schools, agencies, and institutions with direct accountability to the archbishop of Indianapolis.

**Child/Minor:** An individual who has not yet reached his or her 18th birthday.

**Child abuse:** Any form of intentional or malicious infliction of injury that damages a child’s physical, moral, or mental well-being. Child abuse includes sexual abuse of, or sexual misconduct with, a child or other individual who is legally incompetent.

**Church personnel:** Any volunteer, coach, employee, religious, or cleric working or ministering on behalf of the Archdiocese of Indianapolis.

**Cleric:** An ordained man; a man in holy orders; a deacon (transitional or permanent), priest, or bishop.

**Endangered Adult:** “An individual who is at least eighteen (18) years of age and is incapable by reason of mental illness, mental retardation, dementia, or other physical or mental incapacity of managing or directing the management of the individual’s property or providing or directing the provision of self-care.” Indiana Code 12-10-3-2

**Endangered adults** are defined by Indiana law as “at least eighteen (18) years of age and incapable by reason of mental illness, intellectual disability, dementia, habitual drunkenness, excessive use of drugs, or other physical or mental incapacity of managing or directing the management of the individual’s property or providing or directing the provision of self-care.” Indiana Code 12-10-3-2,

**Faculties:** permission that is required to exercise a specific power of holy orders. For instance, a priest needs faculties, or permission, from an ecclesiastical superior (usually the local bishop) to hear confessions, witness marriages, and preach.

**Fiduciary relationship:** A relationship of trust in which one person places complete confidence in another. The relationship can be formal and legal as well as moral and personal. In a fiduciary relationship, one party, called the fiduciary, possesses superior knowledge or training compared to the other party whose trust the fiduciary enjoys.

**Grooming Behavior:** The process of building an emotional connection with a child, endangered adult or vulnerable adult and/or family members/guardians and the relevant institution to gain their trust for the purpose of committing sexual abuse or misconduct.

**Policy on the Care of Victims/Survivors of Sexual Misconduct.** This policy describes the processes and procedures used in providing appropriate pastoral care and treatment to victims/survivors of Sexual Misconduct. The policy describes how the Archdiocese reimburses the cost of outpatient counseling and expenses of spiritual assistance and how the treatment is coordinated with Treatment Providers. Please see Appendix II to review the policy.

**Professional relationship:** A relationship between a cleric, religious, employee, or volunteer working or ministering on behalf of the archdiocese and any person to whom such cleric, religious, employee, or volunteer provides counseling, pastoral care, spiritual direction, spiritual guidance, mentoring, teaching, or any fiduciary relationship in which the parties to the relationship receive or exchange confidential or privileged information.

**Reason to believe:** A person is said to have “reason to believe” an accusation when evidence that, if presented to individuals of similar background and training, would cause those individuals to believe it is more likely than not that the person had been abused.

**Religious:** a man or woman living a consecrated life in community with others under a rule of life recognized by the Church, i.e., brothers, sisters, nuns, and priests who are members of canonically established religious orders, congregations, or religious institutes.

**Review Board, Archdiocesan:** A confidential advisory body to the archbishop that assists the archbishop in assessing the credibility of allegations of sexual misconduct by Church personnel and in recommending the fitness for ministry of Church personnel accused of sexual misconduct. The “Charter for the Protection of Children and Young People” requires the establishment of a review board in every diocese and eparchy in the United States and the U.S. Virgin Islands.

**Sexual abuse:** Sexual abuse includes sexual molestation or sexual exploitation and other behavior by which the individual uses a child, endangered adult or vulnerable adult as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these policies, procedures, and standards of behavior do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment. (1) Thus, the norm to be considered in assessing an allegation of sexual abuse of a child, endangered adult, or vulnerable adult is whether conduct or interaction qualifies as an external, objectively grave violation of the sixth commandment. (2) A canonical offense against the sixth commandment; and (3) the conduct or interaction need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, moral responsibility for a canonical offense is “presumed upon external violation ... unless it is otherwise apparent.”(4) Ultimately, it is the responsibility of the archbishop, with the advice of the Archdiocesan Review Board, to determine the gravity of the alleged act.

**Sexual exploitation:** The development of—or the attempt to develop—a sexual relationship between a cleric, religious, employee, coach, volunteer, or youth and any person with whom he or she has a pastoral, counseling, mentoring, or other peer or fiduciary relationship. Sexual exploitation exists whether or not an individual consents to the relationship. Sexual exploitation

includes, but is not limited to, activities such as intercourse; kissing; touching the breasts, genitals, or buttocks; dating during the course of a professional relationship; verbal suggestions of sexual involvement; or sexually demeaning comments.

**Sexual harassment:** Unwelcome or offensive behavior between individuals because of gender where there is a pastoral, employment, mentoring, fiduciary, counseling, coaching, or peer relationship. Such behavior includes but is not limited to sexually oriented humor or language, questions or comments—unrelated to a professional relationship—about sexual behavior or preference, undesired physical contact, inappropriate comments about physical appearance, or repeated requests for social engagements that create an intimidating, hostile, demeaning or offensive environment defined by the professional relationship.

**Sexual/Boundary violations:** Any behavior that can reasonably be considered a violation of the Code of Conduct (see Appendix I or <https://www.archindy.org/abuse/index.html>) including but not limited to unauthorized communications with children, endangered adults or vulnerable adults through social media.

**Sexual misconduct:** Conduct that includes sexual abuse of children, endangered adults, or vulnerable adults, sexual exploitation, child pornography, sexual/boundary violations or sexual harassment.

**Substantiated:** An allegation of sexual misconduct is said to be substantiated, or established, when:

- ❑ the accused admits to or does not contest allegations, or
- ❑ there is credible evidence that sexual misconduct has occurred, or
- ❑ facts known at the time of the investigation and review of an allegation indicate that it is more probable than not that sexual misconduct has occurred. (In determining whether a case is substantiated, considerable weight should be given to the victim's or victims' allegations.)

**Victim Assistance Coordinator:** The person appointed by the archbishop to act as his personal representative in the immediate pastoral care of persons who report that they are victims of sexual misconduct by Church personnel.

**Vulnerable Adults:** A person eighteen years of age or older who is unable or unlikely to report abuse without assistance because of impairment of physical or mental function, emotional status or deprivation of personal freedom, which may be due to an abuse of power, even if the relationship is between adults that in fact, even occasionally, limits their capacity to intend to or to want or in any way resist the offense.

*Footnotes:*

1 - CIC, c. 1395 §2

2 - USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995, p. 6

3 - CIC, c. 1395 §2

4 - CIC, c. 1321 §3; Cf. CIC, cc. 1322-1327

## **I. To promote healing and reconciliation with victims/survivors of sexual misconduct by church personnel**

### **Article 1: Pastoral outreach**

The Archdiocese of Indianapolis will reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to victims is for healing and reconciliation. This outreach includes the provision of counseling, spiritual assistance, support groups, and other social services, consistent with the Policy on the Care of Victims/Survivors of Sexual Misconduct. In cooperation with social service agencies and other churches, support groups for victims/survivors and others affected by sexual misconduct will be fostered and encouraged by the archdiocese and its parish communities.

Through pastoral outreach to victims and their families, the archbishop or his personal representative will offer to meet with them, to hear their experiences and concerns, and to share the “profound sense of solidarity and concern” expressed by Pope John Paul II in a 2002 address to the cardinals of the United States and officers of the United States Conference of Catholic Bishops. This pastoral outreach by the archbishop or his delegate will also be directed to faith communities in which the sexual misconduct occurred.

### **Article 2: Responding to allegations of sexual misconduct**

The archdiocese will respond promptly to any allegation where there is reason to believe that sexual misconduct involving Church personnel has occurred.

#### *Victim assistance coordinator*

An archdiocesan victim assistance coordinator will aid in the immediate pastoral care of persons who report that they are victims of sexual misconduct by Church personnel.

#### *Review board*

The Archdiocesan Review Board is a confidential advisory body to the archbishop. The majority of its members are lay persons not in the employ of the archdiocese. The board will assist the archbishop in assessing the credibility of allegations and fitness for ministry and will regularly review archdiocesan policies and procedures for dealing with sexual misconduct by Church personnel.

Also, the board can review matters both retrospectively and prospectively and give advice on all aspects of responses required in connection with these cases.

Final decisions with respect to the recommendations of the review board are reserved to the archbishop.

### **Article 3: Confidentiality agreements**

The archdiocese will not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim/survivor and noted in the text of the agreement.

## **II. To guarantee an effective response to allegations of sexual misconduct by church personnel**

### **Article 4: Reporting sexual abuse of children or endangered adults to civil authorities**

The Archdiocese of Indianapolis will report all allegations of sexual abuse of children or endangered adults to public authorities. The archdiocese will cooperate in any investigations in accordance with the law of the jurisdiction in question.

The archdiocese will fully cooperate with public authorities in reporting cases even when the alleged victim is no longer a minor.

In every instance, the archdiocese will advise victims of their right to make a report to public authorities and will support this right.

### **Article 5: Sexual misconduct by clerics**

When an allegation of sexual misconduct by a priest or a deacon is received, a preliminary investigation, in harmony with canon law (5), will be initiated and conducted promptly and objectively. The chancellor will determine how the investigation shall proceed. The chancellor may engage the investigative team which may include the victim assistance coordinator and the vicar for clergy, religious, and parish life coordinators plus one or more of the following individuals: the director of human resources, general counsel, review board investigator, and other professionals. A private investigator may be retained to investigate allegations and produce a report to the investigative team. If this investigation so indicates, the archbishop will both notify the Congregation for the Doctrine of the Faith and apply the precautionary measures mentioned in the Code of Canon Law, canon 1722, i.e., relieve the alleged offender promptly of his ministerial duties.

The alleged offender may be requested to seek, or urged voluntarily to comply with, an appropriate medical and psychological evaluation, so long as this does not interfere with the investigation by civil authorities.

If the accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person wrongly accused.

When sexual misconduct by a priest or a deacon is admitted or is established after an appropriate process in accord with canon law, the following will pertain:

- Subject to the provisions of canon law, the offending priest or deacon will be permanently removed from ministry for even a single act—past or present—of sexual abuse of a child, endangered adult, or vulnerable adult. Removal from ministry may include dismissal from the clerical state, if the case so warrants. In keeping with the stated purpose of the “Charter for the Protection of Children and Young People,” an

offending priest or deacon will be offered professional assistance for his own healing and well-being, as well as for the purpose of prevention.

- In every case involving canonical penalties, the processes provided for in canon law must be observed. (6) For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the archdiocese will supply canonical counsel to a priest or deacon.
- Also provided for in canon law are the following: a request by the priest or deacon for dispensation from the obligation of Holy Orders and the loss of the clerical state or a request by the archbishop for dismissal from the clerical state without the consent of the priest or deacon (cf. Canonical Delicts).
- If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender is to lead a life of prayer and penance. If he is a priest or deacon, he will not be permitted (as appropriate):
  - to celebrate Mass publicly or to administer the sacraments
  - to wear clerical garb
  - to present himself publicly as a cleric.

When canonical penal processes are not appropriate or cannot be applied, the archbishop has at his disposal at all times his executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly or diaconal ministry. Because sexual abuse is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the archbishop shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a child, endangered adult, or vulnerable adult as described above shall not continue in active ministry.

**Article 5.1: Sexual misconduct by non-clerical Church personnel**

When the preliminary investigation of a complaint against a non-cleric so indicates, the person will promptly be relieved of his or her duties.

The alleged offender may be referred for appropriate medical and psychological evaluation, so long as this does not interfere with the investigation by civil authorities.

If an allegation of sexual misconduct by a lay employee, a volunteer, a coach, a student, or a religious brother or sister is substantiated, the Archdiocesan Review Board may be consulted for recommendations to the archbishop that the accused never again be permitted to be engaged in parish, school, sporting, or other activities, including work or ministry on behalf of the archdiocese.

If an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person wrongly accused.

**Article 5.2: Sexual misconduct by minors**

In the situation of a child who is sexually abused by a minor, the minor who is accused of abuse will be removed from the school and all extra-curricular activities at parish and/or the school until the investigation has been completed and a determination has been made regarding the

safety risk posed by the accused minor. The accused minor can attend Mass under the supervision of parents or guardians.

It is the policy of the Archdiocese of Indianapolis that all allegations of sexual abuse no matter the age of the alleged abuser will be reported to Child Protective Services or a local law enforcement agency.

**Article 6: Observance of archdiocesan standards of behavior**

All Church personnel who have regular contact with children, endangered adults, or vulnerable adults are to strictly observe the Code of Conduct listed in the Appendix.

**Article 7: Communications policy**

The communications policy of the Archdiocese of Indianapolis will reflect a commitment to transparency and openness with regard to sexual misconduct by Church personnel—clerics, religious, employees, coaches, and volunteers working on behalf of the archdiocese.

However, this commitment will be carried out with due regard to the respect owed to the privacy and reputations of all persons involved—accused, alleged victims, and others—and with respect to Church law. (7)

News media inquiries regarding allegations of sexual misconduct by Church personnel should be directed to the Catholic Communications Center of the Archdiocese of Indianapolis: 317-236-1585 or 800-382-9836, extension 1585. A copy of the detailed communications procedures is available upon request from the Catholic Communications Center.

*Footnotes:*

5 - CIC, cc. 1717-1719

6 - cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; cf. Letter from the Congregation for the Doctrine of the Faith, May 18, 2001

7 - Canon 220: No one is permitted to harm illegitimately the good reputation which a person possesses nor to injure the right of any person to protect his or her own privacy.

Canon 1717.2: Care must be taken so that the good name of anyone is not endangered from this investigation [preliminary investigation in the penal process].

**III. To protect the faithful in the future**

**Article 8: Ongoing safeguards**

As a matter of policy:

- Education and counseling opportunities shall continue to be made available to Church personnel as part of the archdiocese's continuing education and training of Church personnel.

- “Safe environment” programs will continue to be offered to children, youth, parents, priests, deacons, religious, employees, volunteers and others about ways to make and maintain a safe environment for children, endangered adults, and vulnerable adults.
- Criminal background checks shall be required of all clerics, religious, employees, coaches, sport officials, and volunteers who have regular contact with children, endangered adults, or vulnerable adults.
- Adequate screening and evaluative techniques will be employed in deciding the fitness of candidates for ordination.
- A letter from religious superiors shall continue to be required before a religious is accepted for ministry in or on behalf of the archdiocese and, in the case of a cleric, before he is given faculties (authorization to perform priestly or diaconal functions).
- A letter from the local bishop shall continue to be required before a priest or deacon who is incardinated with another diocese in the United States or another country is accepted for ministry in or on behalf of the archdiocese and before he is given faculties.

References shall continue to be required as part of the hiring process. Reference checks must be made on all potential employees.

Through the publication and distribution of these policies, procedures, and standards of behavior and through other means of communications, the archdiocese will make clear to clergy, religious, employees, volunteers, and all members of the community the standards of conduct for persons ministering on behalf of the archdiocese with regard to sexual abuse.

**Article 9: Guidelines for transfer of clergy and religious**

No priest or deacon who has committed an act of sexual misconduct with a child, endangered adult, or vulnerable adult may be transferred for ministerial assignment to another diocese or religious province. Before a priest or deacon can be transferred for residence in another diocese or religious province, his bishop or religious ordinary shall forward, in a confidential manner, to the local bishop and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any act of sexual misconduct with a minor and any other information that he has been or may be a danger to children, endangered adults, or vulnerable adults. (8)

**Article 10: Review of formation programs**

The archdiocese will systematically review its priestly and diaconal formation programs in keeping with the recent United States Conference of Catholic Bishops document Basic Plan for the Ongoing Formation of Priests (2001) and other pertinent documents so as to assist priests and deacons in the living out of their vocation.

**Article 11: Indiana reporting requirements**

Indiana law requires that any individual who has reason to believe that a child is a victim of abuse or neglect must report immediately to:

- The local Child Protective Services agency (Hotline: 800-800-5556), or
- A local law enforcement agency.

Under Indiana law, it is a criminal act not to make such a report. This law applies to *all adults without exception*.

In the case of doubt as to whom to notify, call the victim assistance coordinator of the Archdiocese of Indianapolis: 317-236-1548 or 800-382-9836, extension 1548 or [victimassistance@archindy.org](mailto:victimassistance@archindy.org).

Indiana law also requires that any individual who has reason to believe that an endangered adult is the victim of battery, neglect, or exploitation must report immediately to:

- The local Adult Protective Services agency (Hotline: 800-992-6978), or
- A local law enforcement agency.

Under Indiana law, it is a criminal act not to make such a report. This law applies to *all adults without exception*.

In the case of doubt as to whom to notify, call the victim assistance coordinator of the Archdiocese of Indianapolis: 317-236-1548 or 800-382-9836, extension 1548 or [victimassistance@archindy.org](mailto:victimassistance@archindy.org).

#### **Article 12: Applicability of policies to religious communities**

Priests and other persons belonging to religious orders, congregations, or religious institutes who minister on behalf of the Archdiocese of Indianapolis must also follow archdiocesan reporting procedures regarding sexual misconduct. If a report is made concerning a member of a religious order, congregation, or religious institute, an additional report must be made immediately to the person's religious ordinary, for example, the provincial. This report will be made by the vicar for clergy, religious, and parish life coordinators or victim assistance coordinator unless it has already been made by the alleged victim or his/her family.

#### *Footnotes:*

8 - Cf. National Conference of Catholic Bishops and Conference of Major Superiors of Men, Proposed Guidelines on the Transfer or Assignment of Clergy and Religious, 1993

#### **IV. Procedures**

##### *Following a report to the victim assistance coordinator*

Upon receipt of a report of an incident involving sexual misconduct, the victim assistance coordinator will immediately take the following steps:

- Gather appropriate information.
- Make the required report to Child Protective Services or Adult Protective Services and/or the appropriate law enforcement agencies in accordance with Indiana law.
- Prepare a written report that shall be promptly presented to the chancellor.

The chancellor shall be responsible for the management and the flow of information, concerning an allegation of sexual misconduct. The chancellor directs an investigation that will be assisted

by the Investigative Resource Team, as needed. This group serves as staff to the Archdiocesan Review Board and conducts the investigation to assist the board in making its recommendations to the archbishop. The chancellor convenes this group, which may consist of the chancellor; vicar for clergy, the general counsel; the promoter of justice; the director of human resources; and other professionals as needed.

The individuals serving as resource team members will be determined on a case-by-case, as-needed basis. If the accused is a cleric, canon law requires that a priest be a member of the resource team.

The review board itself will comprise at least five persons, one of whom is a priest who is an experienced and respected pastor; the majority of the board is comprised of laity who are not employed by the archdiocese. The review board will be chaired by a lay person who is not employed by the archdiocese. These persons, appointed by the archbishop, are to be of outstanding integrity and good judgment and in full communion with the Church. At least one member should have particular expertise in the treatment of the sexual abuse of children, endangered adults, and/or vulnerable adults. Members are appointed for five years, which can be renewed.

The archdiocesan promoter of justice or another canonist shall participate in the meetings of the review board.

The work of the review board is confidential. Its meetings, records and reports are privileged as attorney work product, records prepared in anticipation of litigation and attorney client communications where the archdiocesan attorney attends each meeting to render legal advice.

Here are the general courses of action that may be taken by the Investigative Resource Team after careful review on reported incidents of sexual misconduct by Church personnel. (It should be noted that reports of alleged sexual misconduct by their very nature must be treated as separate and unique incidents. This requires some variation in the course of action taken.)

If the team determines that the reported conduct does not fall within the definitions of sexual misconduct but does potentially represent unprofessional or inappropriate conduct or conduct leading to an impression of impropriety, then the vicar for clergy, religious, and parish life coordinators or the director of human resources will ensure that there is a follow-up discussion with the accused individual. Follow-up action may involve a written warning or loss of employment or volunteer service if there were violations of the Code of Conduct listed in the Appendix. The victim assistance coordinator will provide information to the alleged victim and his/her family regarding archdiocesan procedures pertaining to reports of misconduct. When appropriate, the Chancellor may offer appropriate assistance, including therapy and counseling. Such care will be coordinated by the care coordinator, who will assist with referrals and manage care provided by licensed therapists and counselors pursuant to an approved treatment plan.

If the Investigative Resource Team determines that the reported conduct does, in fact, fall within the definitions of sexual misconduct, the chancellor shall arrange:

:

- for support and information to the victim and his/her family regarding archdiocesan procedures pertaining to reports of misconduct and offer appropriate assistance in accordance with the Policy on the Care of Victims/Survivors of Sexual Misconduct
- in the case of child abuse or endangered adult abuse, will report the allegation to the appropriate Child Protective Services agency, Adult Protective Services agency, or law enforcement agency in accordance with civil law

Again, if there is reason to believe that the sexual misconduct incident is a case of child abuse, a report to the victim assistance coordinator does not relieve an individual of the obligation of reporting the incident to Child Protective Services (800-800-5556), Adult Protective Services (800-992-6978) or local law enforcement agency as required by Indiana law.

#### *Process involving clerics and violations of the Norms*

The Investigative Resource Team, acting as staff to the Archdiocesan Review Board, will prepare a report for the board and present the facts as it has gathered them to the board for review. If the review board substantiates the allegation that a cleric or other individuals covered by the Norms, has abused a child, endangered adult, or vulnerable adult, the board is to notify the archbishop. With this notification, the board may include recommendations on action or actions that the archbishop should eventually take.

If the case and the investigation so warrant, the archbishop will notify the Congregation for the Doctrine of the Faith that sufficient evidence exists of sexual abuse of a child, endangered adult, or vulnerable adult and that canonical penal processes should be invoked.

The archbishop shall then apply the precautionary measures mentioned in canon 1722—i.e., removal of the accused from ministry or from any ecclesiastical office or function, imposition or prohibition of residence in a given place or territory, and prohibition of public participation in the Mass—pending the outcome of the process.

The alleged offender may be requested to seek and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the archdiocese and the accused.

When even a single act of sexual abuse of a child, endangered adult, or vulnerable adult by a cleric is admitted or is substantiated after an appropriate process in accord with canon law, the offending cleric is to be permanently removed from ecclesiastical ministry, including dismissal from the clerical state, if the case so warrants.

In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered.<sup>(9)</sup> Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the archbishop how to proceed.<sup>(10)</sup> If the case would otherwise be barred by prescription (e.g., a statute of limitations), because sexual abuse of a minor is a grave offense, the archbishop shall apply to the Congregation for the Doctrine of the

Faith for a dispensation from the prescription, giving appropriate pastoral reasons for the dispensation request.

For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the archdiocese will supply canonical counsel to a priest or deacon.

If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender is to lead a life of prayer and penance. If he is a priest or deacon, he will not be permitted (as appropriate):

- to celebrate Mass publicly or to administer the sacraments
- to wear clerical garb
- to present himself publicly as a cleric.

The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the archbishop may request of the Holy Father the dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the priest or deacon.

#### *Administrative acts*

At all times, the archbishop has at his disposal his executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of ministry. Because sexual abuse by a cleric is a crime in the universal law of the Church (11) and is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the archbishop shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a child, endangered adult, or vulnerable adult as described above shall not continue in active ministry. (12)

#### *Process involving nonclerics working or ministering on behalf of the archdiocese*

If an accusation of sexual misconduct by a nonclerical religious (brother, sister, nun), a lay employee, a lay volunteer, or a minor is substantiated, the review board will inform the Archbishop of their findings. The Archbishop will take steps to reduce the risk of harm to others by the noncleric and will consult with the review board as he deems appropriate.

If an accusation of sexual misconduct by a lay employee is substantiated, the review board may recommend to the archbishop that the employee be terminated and never rehired, and every effort be made to see that he or she is never allowed to volunteer in any capacity that involves contact with children, endangered adults, or vulnerable adults on behalf of the archdiocese in any ministry.

If an accusation of sexual misconduct by a lay volunteer is substantiated, the review board may recommend to the archbishop that the accused be relieved of his or her volunteer position and every effort be made to see that he or she is never permitted to be employed by any parish, school or agency of the archdiocese nor be permitted to volunteer in any capacity that involves

contact with children, endangered adults, or vulnerable adults on behalf of the archdiocese in any ministry.

#### *Unsubstantiated allegations*

If the review board determines, after careful review and consultation, that the allegations of sexual misconduct cannot be substantiated or that they are false, the board may recommend to the archbishop that:

- The accused be notified that the allegations have been found to be unsubstantiated or false and promptly remove any restrictions that may have been placed on the accused's duties or status.
- The alleged victim and/or the family are notified of this determination.
- The accused be provided with appropriate assistance and support to allay any personal hurt or injury to reputation that may have resulted from the unsubstantiated or false accusation.
- The accused's religious superior be notified if the accused is a member of a religious order, congregation, or religious institute.

#### *Pastoral outreach*

In all cases, the archdiocese shall reach out to victims and their families in a pastoral way. Likewise, persons falsely accused shall be provided for.

#### *Reporting to, cooperating with, civil authorities*

The archdiocese will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors or endangered adults to civil authorities and will cooperate in their investigation. In every instance, the archdiocese will advise and support a person's obligation to make a report to public authorities.

#### *Protection of rights*

Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

#### *Footnotes:*

9 - cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001

10 - Article 13, "Procedural Norms" for Motu proprio Sacramentorum sanctitatis tutela, AAS, 93, 2001, p. 787

11 - CIC, c. 1395 §2; CCEO, c. 1453 §1

12 - The archbishop may exercise his executive power of governance to take one or more of the following administrative actions (CIC, cc. 381, 129ff):

- He may request that the accused freely resign from any currently held ecclesiastical office (CIC, cc. 187-189).

- Should the accused decline to resign and should the archbishop judge the accused to be truly not suitable (CIC, c. 149 §1) at this time for holding an office previously freely conferred (CIC, c. 157), then he may remove that person from office observing the required canonical procedures (CIC, cc. 192-195, 1740-1747).
- For a cleric who holds no office in the archdiocese, any previously delegated faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1), while any de iure faculties may be removed or restricted by the competent authority as provided in law (e.g., CIC, c. 764).
- The archbishop may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present (CIC, c. 906). The archbishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments for the good of the Church and for his own good.
- Depending on the gravity of the case, the archbishop may also dispense (CIC, cc. 85-88) the cleric from the obligation of wearing clerical attire (CIC, c. 284) and may urge that he not do so for the good of the Church and for his own good.

Approved by Most Reverend Charles C. Thompson

Archbishop of Indianapolis

September 2024

## Appendix I

### **Archdiocese of Indianapolis Code of Conduct (Revised January 2025)**

As a community of faith, we are committed to safeguarding our children and endangered or vulnerable adults.\* The following rules and regulations reflect that commitment and apply to clergy, seminarians, religious, employees, coaches, sports officials and volunteers.

#### I will:

- Safeguard children, endangered adults, and vulnerable adults entrusted to my care at all times.
- Treat everyone with respect, patience, integrity, courtesy, dignity, and consideration.
- Complete safe environment training and read bulletins.
- Avoid situations where I am alone with a child, endangered adult, or vulnerable adult at church/school activities and meet with them in areas that are visible and accessible to other adults.
- Refrain from giving inappropriate, personal gifts to children, endangered adults, and vulnerable adults.
- Avoid all unnecessary physical contact, especially when alone with a child, endangered adult, or vulnerable adult.
- Obtain permission from a parent/guardian before contacting a child via social media or before posting pictures, video, or other information that may identify him or her.
- Conscientiously avoid the appearance of impropriety.
- Always maintain a professional attitude when dealing with children, endangered adults, and vulnerable adults, avoiding emotional attachment and maintaining professional boundaries.
- Report suspected abuse or neglect to civil authorities (Indiana Child Protective Services hotline: 800-800-5556 or Indiana Adult Protective Services hotline: 800-992-6978) or to a local law enforcement agency and to the archdiocese (victim assistance coordinator: 800-382-9836, ext. 1548). Report any violations of this code of conduct to the victim assistance coordinator. Confidential reports to the archdiocese can also be made online at [www.archdioceseofindianapolis.ethicspoint.com](http://www.archdioceseofindianapolis.ethicspoint.com). You do not have to give your name.
- Cooperate fully in any investigation of abuse of children, endangered adults, or vulnerable adults.
- Maintain confidentiality in conformity with federal and State laws

#### I will not:

- Use, possess, or be under the influence of alcohol or any controlled substance while overseeing children at any church/school activities or ministering to endangered adults or vulnerable adults.
- Be alone with minors in a residence, sleeping facility, locker room, rest room, dressing facility, other closed room, or isolated area that is inappropriate to a ministry relationship.
- Use, possess, or be under the influence of illegal drugs.
- Allow children to have and/or use alcohol, tobacco/vape materials, illegal drugs or illegal substances.
- Use profanity or engage in behavior that is harassing or degrading to others.
- Acquire, use, possess, or distribute any material that is pornographic in nature including child pornography. This includes, but is not limited to: pictures, videos, movies, social media, websites, magazines, or written material.
- Allow children to have or assist them in gaining access to any pornographic materials, including child pornography. This encompasses all forms of pornography, written, visual or otherwise, including but not limited to: websites, movies or other printed materials. Additionally, I will not allow children to have or assist them in gaining access to other inappropriate\*\* forms of writing or visual media including, but not limited to: websites, movies, or printed materials.
- Use my position to exercise unreasonable or inappropriate power, influence or authority.
- Engage in physical, psychological, written or verbal harassment.

- Possess, while on church, school or archdiocesan property or at a function held at these sites, a weapon such as a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Endangered adults* are defined by Indiana law as “at least eighteen (18) years of age and incapable by reason of mental illness, mental retardation, dementia, or other physical or mental incapacity of managing or directing the management of the individual’s property or providing or directing the provision of self-care.”

*Vulnerable adults* are defined as “a person eighteen years of age or older who is unable or unlikely to report abuse without assistance because of impairment of physical or mental function, emotional status or deprivation of personal freedom, which may be due to an abuse of power, even if the relationship is between adults that in fact, even occasionally, limits their capacity to intend to or to want or in any way resist the offense.”

\*\*not suitable or in accordance with the teachings of the Catholic Church

**Appendix II**  
**POLICY ON THE CARE OF**  
**VICTIMS/ SURVIVORS**  
**OF SEXUAL MISCONDUCT**

THIS STATEMENT OF POLICY, adopted by the Roman Catholic Archdiocese of Indianapolis is to offer to reimburse the cost of outpatient counseling and expenses of spiritual assistance for anyone reporting to have been sexually abused by a representative of the Archdiocese. The Archdiocese offers reimbursement as part of its pastoral mission with the simple goal to promote emotional and spiritual healing. Regardless of when the abuse may have occurred, a victim/survivor and/or immediate family members may receive reimbursement without having to offer proof that the abuse occurred or that the Archdiocese was legally responsible. The following guidelines are intended to inform victims/survivors and their Treatment Provider and/or spiritual director about the scope, duration and prerequisites for reimbursement. Reimbursement is an expression of the Church's desire to promote healing and the wellness of its members and is not an admission of legal liability. Additionally, treatment assistance is provided for a time to assist victims/survivors or immediate family members through a particularly difficult period. As a condition of receive reimbursement, each victim/survivor shall acknowledge the receipt of this policy and accept its terms and conditions.

**1. COUNSELING ASSISTANCE**

Outpatient Clinical Mental Health Treatment: Initial Six Sessions: The Archdiocese will pay the uninsured/ out of pocket costs for an initial six (6) sessions of outpatient mental health treatment by a Treatment Provider of the victim's/survivor's choice who is a licensed mental health professional and meets the general criteria for health insurance reimbursement, hereinafter ("Treatment Provider"). The Archdiocese recommends that the victim/survivor select a Treatment Provider appropriately experienced in the treatment of trauma associated with sexual abuse. Victims/survivors can receive assistance in finding a Treatment Provider from a sexual assault center or another agency with expertise in responding to sexual abuse issues or from the Archdiocese through the Care Coordinator.

**2. VICTIM ASSISTANCE COORDINATOR**

The Victim Assistant Coordinator ("VAC") is a person appointed by the archbishop to act as his personal representative in the immediate pastoral care of persons who report that they are victims of sexual misconduct by Church personnel. The VAC is a licensed mental health professional experienced in sexual abuse treatment who receives initial reports from victims /survivors. Qualifying victims /survivors shall be referred to the Care Coordinator for referral to approved clinicians.

**3. CARE COORIDNATOR**

The Care Coordinator ("CC") is a person appointed by the chancellor to arrange for pastoral care of persons who report that they are victims of sexual misconduct by Church personnel. The Care

Coordinator is a licensed mental health professional experienced in sexual abuse treatment. The Care Coordinator receives form the VAC qualifying victims /survivors for coordination of their care through approved clinicians.

#### **4. CLINICAL ASSESSMENT**

The Clinician is a licensed mental health professional experienced in sexual abuse treatment who is selected by the Archdiocese to provide an assessment and care and treatment when appropriate. The Clinician will consult with the Care Coordinator and the Review Board as necessary. If a victim/ survivor or other individual provided for in this Policy requires additional care or treatment following the initial six (6) sessions of outpatient mental health treatment the victim/survivor will be requested to undergo an assessment by the Clinician to establish: (a) diagnosis, (b) initial treatment plan and (c) recommendation of a therapist trained in EMDR and/or other trauma therapy to provide future treatment. The purpose of the assessment is to confirm that the treatment is necessary, is related to the abuse, is productive, and is oriented toward an identified goal of wellness. The Clinician may be selected and identified as the appropriate therapist for future care and treatment.

#### **5. REVIEW BOARD**

The Review Board is a confidential advisory body to the Archbishop that assists the Archbishop in assessing the credibility of allegations of sexual misconduct by Church personnel and in determining the fitness for ministry of Church personnel accused of sexual misconduct. In addition, the Review Board oversees the pastoral outreach to make sure that all victims/ survivors are treated fairly and consistently. The Review Board reviews appeals of request for treatment that had not been approved by the Care Coordinator.

#### **6. REIMBURSABLE SERVICES**

A. Initial Sessions: The costs eligible for reimbursement under this policy are those reasonable and customary charges for outpatient mental health sessions by a licensed Treatment Provider that may not otherwise be reimbursed by an individual's health insurance (e.g., deductibles, co-pays, charges for sessions exceeding the number allowed by the insurance policy, and the like).

B. Additional Treatment: After a victim/survivor has completed the initial six (6) sessions of archdiocesan reimbursed mental health treatment, the Archdiocese will pay for additional sessions provided that the Treatment Provider is: (a) experienced in sexual abuse treatment and trained in trauma and/or Eye Movement Desensitization and Reprocessing (EMDR) therapy, (b) is willing to follow the International Society for Traumatic Stress Studies ("ISTSS"): *"Expert Consensus Treatment Guidelines for Complex PTSD in Adults"*, (c) experienced in providing care to the individual's age group, (d) approved by the Care Coordinator, and (e) the Treatment Provider provides a treatment plan every six (6) months in advance of delivering care.

C. Treatment Providers. It is the Treatment Provider's responsibility to consult with and provide written treatment plans to the Care Coordinator and receive authorization prior to providing

additional sessions pursuant to this policy. Any recommendations by the Treatment Provider for treatment adjuncts (e.g. more than once weekly outpatient therapy, evaluation/prescriptions/monitoring of psychotropic medications, treatment with another therapist, or highly specialized treatment interventions) shall be presented to the Care Coordinator and pre-approval is required. The Treatment Provider shall obtain the consent of his/her client prior to contacting the Care Coordinator.

D. Interrupted or Return to Treatment: The effects of childhood sexual abuse may or can persist throughout one's lifetime and a return for some limited counseling may be necessary at times. The diocese will continue to support the victim/survivor during these difficult periods. If a victim/survivor returns to counseling within two years of the date of the last session, four (4) sessions of reasonable and customary pocket expenses will be reimbursed. Four (4) session every two years can be approved without additional treatment plans. Any additional sessions must receive pre-approval as outlined above. If a victim/survivor has been away from treatment for over two years, then six (6) sessions will be paid before pre-approval is necessary. It is the responsibility of the Treatment Provider to assure that the individual is indeed a victim of sexual abuse for which the archdiocese has previously offered support. A victim/survivor may change Clinicians only with the approval of the Care Coordinator.

E. Prolonged Treatment: In order for a victim/survivor to continue to receive treatment assistance beyond twenty-four months or at any time the Care Coordinator or Review Board questions the need for further treatment, the individual must agree to be reevaluated by the Second Opinion Clinician. The purpose of this evaluation is to ascertain that the need for ongoing treatment is truly the result of sexual abuse by a representative of the church. Since this assistance is not meant to be life-long, the diocese will direct those so disabled to other sources of assistance. In each of these cases the diocese must have determined the allegation(s) to be substantiated or admitted. The Second Opinion Clinician report will be reviewed by the Care Coordinator who will advise the Review Board relative to ongoing treatment.

D. Reimbursable Expenses: Reimbursable Expenses are that portion of the Treatment Expenses that are out of pocket to the victim/survivor and does not include that portion of the cost of services that is covered by insurance or otherwise reimbursable to victim/survivor by a third-party payor. If a victim/survivor elects not to seek reimbursement from a payment source available to the victim/survivor, such as Medicare, Medicaid, or any other payment source, the Archdiocese shall only reimburse the amount after the deduction of such amounts that would have been reimbursable had the Recipient elected to seek reimbursement from the third-party source.

E. Treatment Expenses: Treatment Expenses are the usual and customary charges for outpatient medical care, outpatient therapy, prescription monitoring of psychotropic medications, outpatient counseling, spiritual assistance services that are provided on a fee for service basis and approved by the Care Coordinator. Treatment Expenses must be related to the treatment of a physical, emotional, or mental health condition(s) that was caused by the sexual misconduct. The Archdiocese shall not reimburse Treatment Provider for any expenses related to conditions that existed on or before the date of the abuse ("Pre-existing Condition") or for conditions that developed after the abuse, to the extent that the conditions does not relate to sexual abuse ("Unrelated Subsequent Condition"). The

Archdiocesan Review Board reserves the right to make the determination of whether a condition is a Pre-existing Condition or an Unrelated Subsequent Condition, in its sole discretion.

F. Reimbursement of Medication: The Archdiocese will only reimburse for medications that are prescribed by the Treatment Provider or by a medical provider working with the Treatment Provider. Only medications that are prescribed to address the symptoms related to the abuse and described in the treatment plan will be reimbursed. For medications that meet this criterion, the Archdiocese will reimburse the co-pay or the full out of pocket cost of medications that are not covered by insurance, Medicare, Medicaid or any third party payor. Reimbursement is dependent upon the victim/survivor participating in counseling or other treatment pursuant to a current treatment plan. Receipts for medication must be submitted for reimbursement within 180 days of being filled.

## **7. GENERALLY NON-REIMBURSABLE SERVICES**

A. Inpatient Treatment: In an effort to provide assistance to the greatest number of victims/survivors, inpatient treatment generally is not covered. In very rare cases with compelling circumstances and a substantial review by the Care Coordinator in consultation with other experts in the field, inpatient treatment may be covered on a limited basis.

B. Alternative Treatments: If a victim/survivor seeks reimbursement for outpatient treatment from an unlicensed mental health provider, or seeks unrecognized, non-clinical or experimental treatment, it is the Treatment Provider's responsibility to consult with the Care Coordinator and receive authorization prior to providing sessions pursuant to this policy. In general, treatment that is not recognized in the literature as sound trauma treatment methods will not be covered by this policy.

C. Travel: Travel and similar attendant costs associated with treatment are not covered.

D. Missed or Unauthorized Sessions: Missed sessions and unauthorized sessions for treatment which requires pre-approval are not covered under this policy and will not be reimbursed.

## **8. SPIRITUAL ASSISTANCE**

The spiritual health of victims/survivors is an important part of their healing. This is another area in which the Archdiocese will assist victims/survivors who desire to restore or develop their spirituality. The reasonable out of pocket cost of one spiritual direction session per month with a trained spiritual director may be covered. Spiritual direction will be reviewed annually or as determined by the Chancellor. The costs for one spiritual weekend retreat per year may be reimbursed. Attendance at a weekend retreat or spiritual program requires review by the Chancellor and pre-approval. The costs that will be covered are the program registration, room and board. Travel is not covered.

## **9. APPEAL PROCESS**

When the Care Coordinator has denied support for adjunct treatment of any kind, the victim/survivor may appeal this decision by having their Treatment Provider contact the Care Coordinator to request an appeal. The request for the adjunct treatment is then reviewed by the Review Board. All

appeals must be in writing and supported by the Treatment Provider. The victim/survivor must be willing to release his/her treatment records to the Review Board and provide them with any reasonable information necessary for them to provide an informed recommendation. There are no appeals beyond this process. Because this program is voluntary and offered as an expression of the Church's compassion, the final decision remains with the Archdiocese.

## **10. ADDENDUM**

The Archdiocese assumes no legal responsibility for the payment of treatment and reserves the right to modify or discontinue this reimbursement policy without notice. The Archdiocese anticipates that this policy will remain available to those who are victims/survivors of abuse, according to the terms specified above. In any case(s) where the victim/survivor seeks civil redress of his/her claim(s) through litigation or threat of litigation, the threat or pursuit of such litigation shall not be the occasion for withdrawal of the treatment reimbursement outlined in these Guidelines. In any case(s) that the Archdiocese reaches an agreement with the victim/survivor or is bound by an adjudication of the victim/survivor's claim, such agreement or adjudication shall be the exclusive source of the Archdiocese's legal obligation, if any, for reimbursement for treatment. In such case(s) these Guidelines shall not apply.

## **11. GUIDELINES AND INFORMATION FOR TREATMENT PROVIDERS**

The Archdiocese is not a health insurer, but as part of its pastoral mission offers reimbursement to individuals who have disclosed victimization by clergy or others associated with the Diocese. Treatment Providers must be professionally licensed and reimbursable mental health Treatment Providers. Submission of a current curriculum vitae, copy of professional license and proof of current malpractice insurance to the Care Coordinator will be required. The Archdiocese encourages but does not require victims/survivors of abuse to seek initial treatment from Treatment Providers exhibiting expertise in treating the trauma associated with sexual abuse. Coverage under this policy includes outpatient mental health treatment for up to a total of six (6) standard fifty-minute sessions (one 90801 intake and subsequent 90806 or 90847 sessions). All reasonable and customary charges for mental health treatment not reimbursable by the person's health insurance are eligible for reimbursement by the Archdiocese (e.g., deductibles, co-pays, charges for sessions exceeding the number allowed by the insurance policy and the like) in accordance with this Policy. Persons without health insurance will be eligible for coverage of all reasonable and customary charges for mental health treatment. Any recommendations for treatment adjuncts (e.g., evaluation/prescription/ monitoring of psychotropic medication, inpatient treatment, highly specialized treatment treatments, etc.) shall be presented to the Care Coordinator and pre-approval is required. Charges for missed sessions and unauthorized sessions for treatment which requires pre-approval are not covered under this policy and will not be paid. Invoices for services sent to the diocese by the Treatment Provider should include: name and address of the Treatment Provider, name of client, dates of service, provider's federal tax number or social security number, date of additional sessions authorized by the Care Coordinator, and billed amount. Invoices are to be submitted within 30 days of the treatment date unless other arrangements have been approved. Invoices exceeding 90 days of the treatment date will not be paid.

## **12. DEFINITIONS**

- A. **Victim/Survivor:** For the purposes of this policy, someone who reports having been sexually abused by a member of the clergy or a representative of the Archdiocese.
- B. **Clinician:** A licensed clinician, experienced in the area of sexual abuse treatment, who will assist the Archdiocese in providing an initial assessment in order to provide the best possible care for victims/survivors. The role of the Clinician is described throughout this document.
- C. **Initial Six Sessions:** The first Six (6) archdiocesan reimbursed fifty-minute sessions with a Treatment Provider.
- D. **Treatment Covered:** The kinds of treatment which the Archdiocese will pay for either directly to the Treatment Provider or by reimbursing the victim/survivor.
- E. **Inpatient Treatment:** Treatment that is provided in a residential setting, i.e. hospital or other treatment facility including intensive outpatient programs.
- F. **Outpatient Treatment:** Treatment that is provided to an individual who is not a patient in a hospital or treatment facility.
- G. **Second Opinion Clinician:** A licensed clinician, experienced in the area of sexual abuse treatment, who will assist the Archdiocese in providing a second opinion assessment when the treatment assistance is beyond twenty-four months or at any time the Care Coordinator or Review Board questions the need for further treatment.
- H. **Spiritual Direction:** Consultation relative to spiritual matters with a trained person associated with a recognized spiritual tradition or a retreat experience within a recognized spiritual tradition.
- I. **Counseling or Treatment Assistance:** For the purposes of this policy, counseling or treatment assistance is payment for treatment for a limited period of time.
- J. **Treatment Plan:** Is a care plan created by a Treatment Provider presented to the Care Coordinator for approval every six (6) months in advance of delivering care.
- K. **Treatment Provider:** Is a licensed clinician, experienced in the area of sexual abuse treatment, who is approved by the Care Coordinator to provide care and treatment. The role of the Treatment Provider is described throughout this document.

**RECIPIENT:**

I have read and understand the terms and conditions of the Archdiocesan Policy on Care of Victims / Survivors of Sexual Misconduct. I understand that all payments are voluntary, and the Archdiocese can at any time withhold payment or change the terms of any benefits payable pursuant to this policy. I further understand that if any provider that I am seeking treatment from does not cooperate with this Policy that payments may be withheld. Finally, I understand that if I disagree with any decision made by the Care Coordinator regarding reimbursement or care/treatment recommendations, that I may request a review of the issue by the Archdiocesan Review Board as my only recourse.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**TREATMENT PROVIDER:**

I have read and understand the terms and conditions of the Archdiocesan Policy on Care of Victims / Survivors of Sexual Misconduct. I understand that all payments are voluntary, and the Archdiocese can at any time withhold payment or change the terms of any benefits payable pursuant to this policy. I further understand that this policy is not a contractual obligation or an agreement to pay me for my services. I understand that the Recipient identified above is the only person liable for payment of the expenses of the care I am or will provide to the Recipient.

\_\_\_\_\_  
Signature

Name of Treatment Provider: \_\_\_\_\_

Date: \_\_\_\_\_

**Adopted:** \_\_\_\_\_