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Eparchy of Saint Maron of Brooklyn
Policy to Address Claims of Sexual Abuse of Minors
by Priests and Deacons
Reviewed and Revised
March 14, 2022

As Catholics and Maronites, we consider the welfare and protection of our children a sacred responsibility. We hereby promulgate the following Eparchial norms as an implementation of *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* approved by the Congregation for Bishops on December 8, 2002.

Definitions:

Sexual Abuse of a minor includes sexual molestation or sexual exploitation of a minor; the acquisition, possession or distribution of pornographic images of a minor; and other behavior by which an adult uses a minor as an object of sexual gratification.

For purposes of this policy, a minor shall be construed to include anyone who has not attained the age of eighteen (18) years as well as anyone who lacks the use of reason regardless of his or her actual chronological age.

Response:

The healing of victims, their families and their community from the effects of sexual abuse by church leaders begins when the allegations of such abuses are received. When victims decide to disclose the abuse, it is important that the response they receive be compassionate and non-judgmental.

Anyone receiving an allegation of abuse will respond in a pastoral, supportive manner, leaving investigative concerns to those who serve in that role.

An allegation will be received without initial judgment as to the truth of the complaint. No intimation of blame will be made by the initial recipient of information. Individuals making allegations will be supported positively in their decision to disclose.

The Eparchial Bishop will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons. This Assistance-Coordinator will assess and respond to the immediate and long-term needs of the alleged victim and family, the alleged offender, parish communities and others that are affected by the disclosure of sex abuse.

The assistance-coordinator will serve as a consultant to the Eparchial Bishop and the Review Board regarding the treatment needs of clients.

Any individual wishing to report a claim of sexual abuse is encouraged to contact the Victim Assistance Coordinator, Rosanne Solomon at:

109 Remsen Street, Brooklyn, NY 11201, Tel: (617) 327-1317, RosanneSolomon@gmail.com

Review Board:

The Review Board is a predominantly lay board composed of a variety of professionals duly appointed to assist the Eparchial Bishop in a strictly confidential and consultative capacity. It will have no final decision-making authority, which authority will continue to reside exclusively with the Eparchial Bishop.

Board Functions:

1. To advise the Eparchial Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry;
2. To review Eparchial policies for dealing with sexual abuse of minors;
3. To offer advice on all aspects of sexual abuse cases, whether retrospectively or prospectively.

Membership:

The Review Board, established by the Eparchial Bishop, will be composed of no less than five members of outstanding integrity and good judgment in full communion with the Church. The majority of the board will be laypersons not in the employ of the Eparchy. These will include:

1. A person with particular expertise in the treatment of sexual abuse of minors
2. A parent
3. A parish pastor/administrator
4. An attorney
5. An individual with investigative experience

The Eparchial Bishop may deem it desirable that the Promoter of Justice participate in the meetings of the Review Board. The Vicar General and Eparchial Attorney may participate in the annual meeting of the Review Board but are not considered members of the Board.

Appointment:

Appointments shall be for terms of five years, which can be renewed by the Eparchial Bishop and shall continue until a successor is appointed. An appointment can be terminated at the will of the Eparchial Bishop.

All Review Board members will adhere to the rules of strict confidentiality with regard to all deliberations and information received.

Reporting:

In all cases of alleged or suspected or known child abuse committed by a priest or deacon, the Eparchy will comply with all applicable civil laws in respect to reporting the allegations and will cooperate with civil authorities in the investigation.

Any priest or deacon, who knows from the external forum that a minor has been sexually abused, is required to report that knowledge or suspicion to the Eparchial Bishop in accordance with the norms of canon law and to the civil authorities.

Investigation:

When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (*Code of Canons of the Eastern Churches [CCEO]*, c. 1468). The purpose of the Eparchial investigation is to ensure that the Eparchial Bishop has a complete, thorough, and accurate report of the alleged incident. The investigation will be conducted by an investigator appointed by the Review Board. The investigator will report his findings in writing to the Eparchial bishop and to the Review Board.

The accused will immediately be called by the Eparchial Bishop or his delegate and be made aware of the allegation against him and the identity of the accuser. The accused will remain in his position until the initial investigation is completed, which is to be done as expeditiously as possible. All appropriate steps shall be taken to protect the reputation of the accused and the accuser during the investigation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation.

When there is sufficient evidence that sexual abuse of a minor has occurred, the Eparchial Bishop will notify the Congregation for the Doctrine of the Faith. The Eparchial Bishop shall then apply the precautionary measures mentioned in *CCEO*, c. 1473 that is, remove the accused from the sacred ministry or from any ecclesiastical office or function. The Eparchial Bishop may impose or prohibit residence in a given place or territory, and prohibit the public participation in the Most Holy Eucharist pending the outcome of the process.

In every case involving canonical penalties, the processes provided for in canon law will be observed, and the various provisions of canon law will be considered.^a Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, the Eparchial Bishop will follow the directions of the Congregation on

^aCf. *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.

how to proceed.^b If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the Eparchial Bishop shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons.

For the sake of due process, the accused is encouraged to retain the assistance of civil and canonical counsel. When necessary, the Eparchy will supply canonical counsel to the cleric.

The Eparchy will conduct a judicial process of the case according to the appropriate canons and practice of the Church. The accused 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 Eparchy and the accused.

In every instance, the Eparchy will advise and support a person's right to make a report to public authorities.

Ministry/Service:

No priest or deacon removed from an Eparchial position for allegations of sexual abuse of a minor will return to ministry or service before their case is assessed and fitness is determined by the Eparchial Bishop in consultation with the Review Board. The safety of children is the paramount consideration governing the formation of recommendations regarding the future ministry of one accused of abuse.

An allegation of sexual abuse of a minor made against a priest or deacon will be deemed established if, with due respect for the provisions of canon law:

1. The accused individual admits to conduct defined by this policy as sexual abuse.
2. A civil court of criminal law finds the accused guilty of a crime that consists of conduct defined by this policy as sexual abuse, or the accused pleads guilty or no contest to a crime that consists of conduct defined by this policy as sexual abuse.
3. The appropriate ecclesiastical tribunal finds the accused guilty of the crime.

When an act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants.

At all times, the Eparchial Bishop has the executive power of governance, through an Administrative act, to remove an offending priest or deacon from office, to remove or restrict his faculties, and to limit the exercise of his ministry. For the sake of the common good and observing the provisions of canon law, the Eparchial Bishop shall exercise this power of governance to ensure that any Priest or Deacon who has committed an act of sexual abuse of a

^bArticle 16, of the 2010 Revised Procedural Norms for the *Moto proprio Sacramentorum sanctitatis tutela*.

minor as described above shall not continue in the active ministry.

The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the Eparchial Bishop 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.

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 the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken by the Eparchial Bishop to restore the good name of the priest or deacon falsely accused.

No priest or deacon who has committed an act of sexual abuse of a minor will be transferred for ministerial assignment to another eparchy/diocese or religious province.

Before a priest or deacon is transferred for residence to another eparchy/diocese or religious province, the Eparchial Bishop shall forward, in a confidential manner, to the local bishop or religious superior of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.

The Eparchial Bishop will not consider receiving a priest or deacon into the Eparchy from another jurisdiction without previously obtaining the necessary information regarding the moral and civil record of the priest or deacon in question.

Prevention:

The Eparchy of Saint Maron has promulgated a *Code of Ethics and Integrity in Ministry* to be adhered to all persons in positions of trust in the Eparchy.

All Eparchial programs designed to certify clerics, eparchial employees, and volunteers who serve children on a regular basis will include segments that address child sexual abuse. The training curriculum will include information concerning: signs and symptoms, dynamics of child abuse, impact of child abuse, intervention strategies, reporting requirements and community resources.

Screening:

The Eparchy has undertaken the full psychological screening of all potential candidates for the priesthood and diaconate, as well as for the subdiaconate, in order to assess their suitability for ministry by identifying, to the extent possible, potential problems in the areas of sexuality and personal maturity. The identification of potential problems regarding sexuality shall disqualify a potential candidate from being admitted to formation.

A protocol has also been adopted to screen clerics coming from outside the Eparchy of Saint Maron before an assignment is given or confirmed to minister within the Eparchy by the Eparchial Bishop. The protocol includes a background check and full psychological evaluation

of each cleric seeking to exercise ministry in the Eparchy.

Closing: It is the fervent prayer of all that the application of these policies in specific cases will never be necessary. Nonetheless, it is important for Catholics of this Eparchy and the priests and deacons who serve them to know that their Eparchy is prepared to support them during difficult times. Promulgation of these policies demonstrates, in a small way, the commitment of the Eparchy to the protection of the children and young people it serves.

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Name	Signature	Date