

**POLICY OF
THE ARCHDIOCESE OF SANTA FE
ABUSE AWARENESS TRAINING FOR
ADULTS
RELATING TO SEXUAL MISCONDUCT
AND SEXUAL HARASSMENT**



First Publication – July 1, 1990

Revised May 12, 1994

Revised March 25, 1997

Revised June 11, 2000

Revised October 4, 2002

Revised June 8, 2003

Revised August 6, 2006

Revised November 1, 2014

Revised March 15, 2019

TABLE OF CONTENTS

SECTION I. GENERAL POLICY

1.1	Introduction	1
1.2	General Policy	2
1.3	Compliance; Abuse Awareness Training for Adults	2
1.4	Programs for Children and Youth	3
1.5	Background Checks	3
1.6	Employees	3
1.7	Volunteers	4

SECTION II. THE LAW AND OBLIGATION TO REPORT ABUSE

2.1	Obligation to Immediately Report an Alleged Incident of Sexual Misconduct	4
2.2	New Mexico Laws Regarding Reporting Sexual Abuse of Children	4
2.3	Where to Call	5
2.4	When Abuse is Suspect in Archdiocesan Schools	6
2.5	When Abuse is Suspected in Other Parish Situations	6
2.6	Sexual Misconduct , Child Sexual Abuse and Abuse and Neglect of a Child	6
2.7	Sexual Harassment	7
2.8	Reporting an Alleged Incident of Sexual Harassment	8

SECTION III. INVESTIGATION AND VICTIM ASSISTANCE

3.1	The Victim Assistance Coordinator (VAC)	9
3.2	Investigating Report of Sexual Misconduct with Minors	10
3.3	Records of Investigation	10
3.4	Rights of the Accuser and the Accused	10
3.5	Response to an Accuser Through Counseling, Spiritual Assistance, Support Groups . . .	11

3.6 Media Contact 11

SECTION IV. THE INDEPENDENT REVIEW BOARD (IRB) (Norms 4 and 5)

4.1 Functions of the Independent Review Board 11

SECTION V. THE CARE OF VICTIMS, FAMILY, PARISH, SCHOOL AND COMMUNITY

5.1 Abuse Affects Everyone13
5.2 Caring for the Victim 13
5.3 Counseling 13
5.4 The Accused 14

SECTION VI. SEXUALLY ABUSIVE PRIESTS AND DEACONS

6.1 Allegations Against a Priest or Deacon of Sexual Misconduct with a Minor 14
6.2 Administrative Leave 15
6.3 Termination from Ministry 16
6.4 Sexual Misconduct with an Adult17

SECTION VII. RELIGIOUS ORDER PRIESTS AND DEACONS

PRIESTS AND DEACONS FROM OTHER DIOCESES

SEMINARIANS; PERMANENT DIACONATE CANDIDATES

AND NON-ORDAINED

7.1 Religious Order Priests, Diocesan Priests and Deacons Coming into or leaving the
Archdiocese of Santa Fe. 17
7.2 Non-Ordained Religious Coming into the Archdiocese ... 18
7.3 Permanent Deacon Candidates and Seminarians 18

SECTION VIII. GUIDELINES FOR PRIESTS

8.1 General Guidelines for the Ordained 18
8.2 Pertaining to Minors19
8.3 Pertaining to Adults20
8.4 Brotherly Concern 20
8.5 Restricted Priests and Deacons.....20

SECTION IX. CONCLUSION

9.1 General Statement21

ADDENDUM I

State and County Resources 22

ADDENDUM II

Who Must Attend Abuse Awareness Training for Adults 23

ADDENDUM III

CODE OF ETHICS24

SECTION I. GENERAL POLICY

1.1 INTRODUCTION

The Archdiocese of Santa Fe, in accordance with the teachings of the Catholic Church, is committed to providing an atmosphere of dignity, justice and respect for all of the people of God. As leaders in the church, all who minister in the Archdiocese of Santa Fe, whether as priests, deacons, consecrated religious or lay employees and volunteers are committed to conducting their public and private lives in a manner that reflects the highest standard of our faith.

While it is the primary intent of this policy to address matters of neglect and abuse of all types involving children, it is within the spirit of the policy to consider and report incidents of alleged criminal activity involving any personnel, ministers and volunteers of the Archdiocese of Santa Fe.

As an employer of paid personnel and a provider of services by unpaid volunteers, it is the goal of the Archdiocese to prevent acts of sexual misconduct by its employees and volunteers. The purpose of this policy is to ensure that a safe environment is created for each person through the establishment of specific measures to assist in preventing harm, especially to children and young people. Children have the right to be and feel safe and be protected from harm at home, in the school, in religious institutions, in neighborhoods and throughout our communities.

The Archdiocese of Santa Fe informs its employees and volunteers of the laws concerning sexual misconduct, reporting procedures to follow, and ways to prevent undesirable conduct. The policy relating to sexual misconduct applies to clergy, religious, lay paid personnel and volunteers. It is the expectation of the Archdiocese that all persons comply with the provisions stated in this policy.

By establishing requirements and procedures, the Archdiocese builds on its 1990 policy. The current document adds the provisions contained in the "Charter for the Protection of Children and People (2011 revision) , and the "Essential Norms for Diocesan/Eparchial Policies Dealing with Sexual Abuse of Minors by Priests or Deacons (2011 revision)". This policy indicates the Archdiocese's dedication to the prevention of sexual misconduct by personnel of the Archdiocese while the work of the Archdiocese is being performed and to provide guidance to the personnel of the Archdiocese on how to respond to allegations of sexual misconduct. A copy of this policy has been filed with the United States Conference of Catholic Bishops. Future revisions of this policy will be filed with the USCCB within 3 months of such modifications.

(Norm 2)

1.2 GENERAL POLICY

Sexual misconduct by personnel of the Archdiocese is contrary to Christian principles and shall not be tolerated. All personnel of the Archdiocese must comply with applicable New Mexico laws regarding incidents of actual or suspected sexual misconduct and participate in training and workshops as determined by the Archdiocese. It is the responsibility of all personnel of the Archdiocese, paid or volunteer, to be conscious of and adhere to this policy. To act responsibly, personnel must learn the facts about sexual misconduct, procedures for reporting and appropriate intervention.

The Archdiocese of Santa Fe and all its employees and volunteers will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. In every case the Archdiocese of Santa Fe shall advise and support a person's right to make a report to public authorities. (Norm 11)

1.3 COMPLIANCE; ABUSE AWARENESS TRAINING FOR ADULTS

In order to create a safe environment in the workplace, neighborhood, home and church, and to acquaint Archdiocesan personnel with policies and reporting procedures, the Archdiocese provides on-going Abuse Awareness Training for Adults. See Addendum II for a list of those required to attend.

Persons in supervisory positions (e.g., Vicars for Priests, Deacons and Religious, Executive Director of Pastoral Ministries, Superintendent of Catholic Schools, Archdiocesan Directors of Religious Education, Youth and Young Adults Ministries, Catholic Center Human Resources, Pastors, Principals, Parish Directors/Coordinators of Religious Education and Youth Programs and Victim Assistance/Safe Environment Coordinator) are responsible for overseeing compliance for Archdiocese employees. Participation in the training for adults is required within the first 30 days of employment. Volunteers, whether or not their ministry involves contact with children, are also expected to participate in the training for adults before volunteering. Training must be repeated every five (5) years for both employees and volunteers.

A schedule of the Abuse Awareness Trainings for Adults is available online at the Archdiocese of Santa Fe website, www.archdiosf.org and is published on a quarterly basis in the People of God publication. Live workshops are presented monthly in English and quarterly in Spanish, or on an as needed basis. Information concerning workshops is also available from the Victim Assistance and Safe Environment Coordinator (VAC) (505) 831-8144.

A certificate noting participation in and completion of the training is retained by the employee and volunteer. A copy is also placed in the employee's personnel file. Parishes and schools

shall maintain an updated list of all attendees. The VAC will maintain a master list of all attendees at each training. A copy of this policy relating to sexual misconduct of minors and sexual harassment is available on the Archdiocese website www.archdiosf.org or can be sent electronically or by mail upon request.

1.4 PROGRAMS FOR CHILDREN AND YOUTH

In addition to the workshops provided for adults, Child and Youth Protection Training Programs are conducted annually for children. The VAC trains parish and school personnel on how to educate children on how to be safe, protect themselves and communicate any potential danger. Programs shall be provided annually to children in all grades of the Archdiocesan school system and parish religious education and youth programs.

1.5 BACKGROUND CHECKS

All employees and volunteers are required to undergo a security background check for the Archdiocese of Santa Fe. Background checks shall be completed before employment, ministry or volunteer activity may begin. The procedure for background checks is coordinated through the VAC office and is implemented by a licensed and certified employment screening company on behalf of the Archdiocese. The background information is run through a nationwide criminal and the National Sex Offender Registry. Any persons whose names appear in the national registries are prohibited from employment or volunteering with the Archdiocese of Santa Fe. The VAC shall notify the appropriate parties that the prospective employee or volunteer is prohibited from employment or ministry in the parish, school or any department in the Archdiocese of Santa Fe.

1.6 EMPLOYEES

All prospective employees of the Archdiocese, including its parishes and schools, must complete a Uniform Job Application Form, indicating whether they have ever had a criminal complaint filed against them alleging sexual abuse, a complaint of sexual harassment, or a conviction of sexual abuse or other felony. Completed application forms are retained in the Human Resources office at the Catholic Center, or by the parishes, schools or other personnel officer of the Archdiocesan entities, as appropriate.

1.7 VOLUNTEERS

All volunteers, regardless of ministry, are required to report any criminal complaint filed against them alleging sexual abuse or harassment, any felony, and any conviction for sexual or physical abuse. This information is retained by the VAC office.

SECTION II. THE LAW AND OBLIGATION TO REPORT ABUSE

2.1 OBLIGATION TO IMMEDIATELY REPORT AN ALLEGED INCIDENT OF SEXUAL MISCONDUCT

Any personnel or volunteer of the Archdiocese having knowledge or information concerning alleged incidents of sexual misconduct or abuse by personnel or volunteers of the Archdiocese is to comply with the provisions of New Mexico law, and shall report the same immediately to the VAC of the Archdiocese of Santa Fe at the Catholic Center in Albuquerque (505) 831-8144. Notably, sexual abuse by any personnel or volunteer of the Archdiocese must be reported to a local law enforcement agency or the Children Youth and Families Department (CYFD) office in the county where the incident is alleged to have occurred or the tribal law enforcement or social services agencies for any Native American child residing in Indian country.

The reported incident will be processed according to established Archdiocesan procedures, including immediate and appropriate investigation, and reporting. Additional reporting requirements are described below.

2.2 NEW MEXICO LAWS REGARDING REPORTING SEXUAL ABUSE OF CHILDREN

In New Mexico abuse and neglect of a child (any person under the age of eighteen), is a crime, N.M.S.A. 30-6-1, et. seq. (1978). New Mexico law requires that child abuse or neglect be reported to the authorities and provides that failure to report child abuse or neglect is itself a criminal offense. "Abuse" and "Neglect" are defined as abandonment, lack of proper care and control; failure to provide subsistence, education, medical or other care or control necessary for the child's well-being and includes physical abuse, emotional abuse, psychological abuse and sexual abuse. Sexual abuse of a child falls within the definition of child abuse and must be reported in accordance with the requirements of the statute.

The reporting statute, N.M.S.A. 32A-4-3 (1978) states: "Every...person who knows or has a reasonable suspicion that a child is an abused or neglected child shall report the matter immediately to:

1. a local law enforcement agency;
2. the [Children Youth and Families] Department in the county [where the incident is reported to have occurred]; or
3. tribal law enforcement or social services agencies for any child residing in Indian country."

New Mexico law also provides that a person reporting an instance of alleged child abuse or neglect, or who participates in a judicial proceeding brought as a result of such a report, "is presumed to be acting in good faith and shall be immune from liability, civil or criminal . . . unless the person acted in bad faith or with malicious purpose." N.M.S.A. 32A-4-5"B" (1978).

2.3 WHERE TO CALL

To report an incident of child abuse call: Statewide Central Intake or Abuse Reports – **In Albuquerque call 841-6100. Statewide call 1-800-797-3260.** (See Addendum I for specific county information)

The person making a report should provide as much information as possible. He or she should not conduct an investigation in order to obtain more information than is readily available. It is the responsibility of the civil authority to ascertain whether an investigation is warranted.

The following information should be reported to the extent it is known:

1. name, address and age of the child;
2. name and address of the child's parent, guardian or caretaker;
3. whereabouts of the child;
4. nature and extend of the alleged maltreatment and any past history of injury possibly occurring from abuse or neglect;
5. name, address and whereabouts of the person or persons suspected of perpetrating the abuse or neglect;
6. any other information which might help to determine the cause of the suspected abuse or the identity of the person responsible.

The VAC of the Archdiocese of Santa Fe should be immediately contacted at 505-831-8144 when the abuse involves personnel, ministers, or volunteers of the Archdiocese.

2.4 WHEN ABUSE IS SUSPECTED IN ARCHDIOCESAN SCHOOLS

Anyone who becomes concerned regarding possible child abuse in Archdiocesan schools is to immediately notify the school principal or school administration if the principal is not available. If a reasonable possibility of abuse is suspected, the school principal/administrator and the individual who reported to the principal, without exception, will promptly notify CYFD or law enforcement as appropriate. (See N.M.S.A. 32A-3-1, et. seq.) School administration will then promptly notify the parents or guardian of the child unless instructed not to do so by CYFD or law enforcement for legal reasons. The Superintendent of Schools and the VAC shall also be immediately notified. Within 24 hours, if the reporting person is an employee, minister or volunteer of the Archdiocese of Santa Fe, that individual shall prepare a written report and submit it to the school principal who shall then forward the report to the Superintendent of Schools and the VAC. The school principal or administrator shall be responsible for insuring compliance of this requirement.

2.5 WHEN THE ABUSE IS SUSPECTED IN OTHER PARISH SITUATIONS

The person suspecting the abuse will notify the pastor or appropriate person in charge, if the pastor is not available (e.g., DRE/Coordinator, Youth Minister). The supervisor and the person making the report shall immediately notify CYFD, law enforcement and the VAC. The parent or guardian of the child shall be promptly notified, unless instructed by CYFD or law enforcement not to do so for legal reasons. Within 24 hours, if the reporting person is an employee, minister or volunteer of the Archdiocese of Santa Fe, that individual shall prepare a written report and submit it to the pastor or appropriate person in charge who shall then forward the report to the VAC.

2.6 SEXUAL MISCONDUCT, CHILD SEXUAL ABUSE AND ABUSE AND NEGLECT OF A CHILD

Sexual Misconduct is any unlawful act committed by Archdiocese personnel while performing the work of the Archdiocese which is contrary to moral instructions, doctrines, and laws of the Catholic Church or which may cause injury to another as recognized by civil and criminal laws of the State of New Mexico.

Sexual Misconduct includes, but is not limited to, any sexual conduct by Archdiocesan personnel in person, by telephone, letters, notes, and all electronic communication. This includes all sexual contact with children and non-consenting adults, as well as sexual contact with an adult who may otherwise be consenting but with whom the perpetrator has a ministerial relationship of trust, presumes a disparity of power, or is acting on behalf of, or representing the parish, school, institution, or agency of the Archdiocese.

Child sexual abuse (persons less than 18 years of age) includes any act or interaction whether or not it involves genital or physical contact, with or without consent, even if initiated by the child, which involves sexual contact, molestation or sexual exploitation of a child by any person, whether physical injuries are sustained or not. Sexual abuse falls into several categories: incest, exhibitionism, molestation, rape, sexual sadism and child pornography and prostitution. It encompasses a broad spectrum of acts of sexual assault and sexual exploitation of minors that may include:

1. intentional touching of the genitals or intimate parts including the female breasts, the genital area, groin, inner thigh and buttocks of a child or of a perpetrator by a child for purposes of sexual arousal or gratification;
2. rape, sexual intercourse (vaginal or anal), oral/genital, oral/anal contact. The intentional displaying of one's own genitals or intimate parts including the female breasts, the genital area, groin, inner thigh and buttocks of the presence and view of a child or purposes of sexual arousal or gratification;
3. permitting, causing, encouraging or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic images of the partial or fully unclothed body of a child, displaying intimate parts, in motion or not in motion, alone or with other persons, or the depiction of a child in apparent observation of sex acts by others in the child's presence;
4. displaying or distributing to a child any picture, photograph, book, pamphlet, digital image, movie or magazine the cover or content of which is principally made of descriptions or depictions of sex acts or contact, or which is principally made up of descriptions or depictions of sexual acts or contact.

Physical Abuse includes any act which willfully causes or inflicts physical, psychological or mental injury to a child by intentionally engendering fear of physical injury to that child.

Neglect includes abandonment of a child by a parent, custodian or guardian, or lack of care by not providing appropriate and necessary food, shelter, clothing and education. Neglect also includes not providing care or control sufficient to sustain physical or emotional health, the refusal or inability to discharge parental or custodial obligations; and the intention to discontinue care.

Any person having knowledge of child physical or sexual abuse or neglect has a **duty to report** as required by New Mexico Law. (See sections 2.1 through 2.5)

2.7 SEXUAL HARASSMENT

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature. It occurs when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or
2. when submission to or rejection of such conduct by an individual is used as a basis for employment or decisions affecting that individual; or
3. when such conduct has the purpose or effect of unreasonably interfering with an individual's performance; or
4. when creating an intimidating, hostile, abusive or offensive working environment.

Examples of Verbal Sexual Harassment may include, but are not limited to: calling a person by inappropriate names; unsolicited inquiry into a person's social or sexual life; turning work discussion into sexual topics; telling sexual jokes; or turning statements into sexual innuendoes.

Examples of Nonverbal Sexual Harassment may include, but are not limited to: written advances or requests pertaining to sex, e.g., leering; sexual or derogatory comments about men or women, sexual content displayed on personal items, winking, blowing kisses or display of visually suggestive or explicit pictures.

Examples of Physical Sexual Harassment may include, but are not limited to: unwanted touching of a person's body, hair or clothing; blocking someone's way, unwanted massage, hugging, kissing, patting, stroking, or brushing up against a person.

Examples of Hazing Sexual Harassment may include, but not limited to: threatening treatment to a male or female employee such as damaging or stealing property, abusive or attacking language.

Examples of Subtle Sexual Harassment may include, but not limited to: treating employees differently because of gender, co-workers dating, or supervisors receiving preferential treatment from subordinates due to gender.

2.8 REPORTING AN ALLEGED INCIDENT OF SEXUAL HARASSMENT

Any person alleging an incident of sexual harassment shall immediately report the incident to his or her supervisor. The supervisor must in turn immediately report the alleged incident to the Human Resources Director at the Catholic Center (505) 831-8130. In the event the allegation is against the supervisor, or for some other reason the person making the complaint is uncomfortable reporting the incident to the supervisor, the Human Resources Director shall be contacted directly. The reported incident will be processed according to established Archdiocesan procedures which include appropriate investigation.

SECTION III. INVESTIGATION AND VICTIM ASSISTANCE

3.1 THE VICTIM ASSISTANCE COORDINATOR (VAC)

The VAC, is appointed by the Archbishop and reports to the Vicar for Priests of the Archdiocese. This person is deemed competent through training and experience to coordinate the Archdiocesan response to abuse allegations and to oversee compliance with this Policy (Norm 3)

Duties of the VAC include:

1. receiving notification of allegations of abuse;
2. meeting with the accuser to obtain a full accounting of any alleged sexual misconduct;
3. informing the accuser of his/her rights and obligations; and
4. directing a timely response from the VAC, to the accuser and the accused, except where to do so would have the potential effect of compromising an ongoing criminal investigation.

The VAC also serves as the liaison to any person who alleges having been abused as a minor and shall explain to that person Archdiocesan policies and reporting requirements. If the accuser is already represented by legal counsel, all communications shall be handled through Archdiocesan legal counsel.

The VAC utilizes appropriate means to investigate all allegations and to obtain the facts. This includes contact with civil authorities as required by law. The purpose of the investigation is to ascertain the truth, to protect the reputation of the alleged victim, potential victims, the alleged perpetrator and any other persons involved. All files, treatment progress reports and other pertinent information are confidential, except when disclosure is required by law enforcement, civil authorities or court order. The VAC shall respond promptly to any allegation when there is reason to believe that sexual abuse of a minor has occurred or other allegations as related to conduct as stated herein. The VAC has access to all personnel files, investigative reports, and records related to allegations of sexual abuse of a minor and serves as the custodian of all pertinent records. All information received and reviewed by the VAC is kept confidential, except as stated above or as necessary to inform the Archbishop and other entities of the Archdiocese.

The VAC shall assure the accuser, as well as the accused, of the care and concern that will be taken during the investigation, and shall also advise those involved of the process to be followed during the investigation. Care will be taken to protect the privacy and good name of both the accuser and the accused. After the investigation has been completed, the accuser and accused will be notified of the outcome by the VAC.

Counseling and other attempts toward reconciliation and healing will be made available through the VAC according to Archdiocesan policy. (see Section 5.3)

The VAC presents the allegation, investigative findings and other relevant information to the Archbishop and the Independent Review Board. (See Section IV).

3.2 INVESTIGATING REPORTS OF SEXUAL MISCONDUCT WITH MINORS

Each reported incident of sexual abuse of a minor by Archdiocesan personnel will be investigated with Christian care and concern for the accuser, the family of the accuser, the person reporting the incident, and the accused. The nature of the investigation may vary with the nature of the allegation. The Archdiocese shall engage persons with specialized expertise as appropriate and shall cooperate fully with the appropriate law enforcement and investigative authorities. In addition, the Archdiocese investigation of priests and deacons and men and women religious, will be made in accordance with Church canon law. Adult accusers shall be advised of their right to independently report the alleged sexual abuse to appropriate law enforcement authorities.

At the conclusion of the investigation, the person making the allegation and the accuser will be notified of the results of the investigation. In case of a lawsuit or an allegation made through an attorney, communications shall occur with Archdiocesan legal counsel only.

3.3 RECORDS OF INVESTIGATION

Records of reported incidents, and the results of the investigation will be securely stored at the office of the VAC with access limited to the Archbishop, Vicar General and the VAC.

3.4 RIGHTS OF THE ACCUSER AND THE ACCUSED

Following an allegation of child abuse, the VAC will provide the accuser and the person accused with:

1. an explanation of the Archdiocese's overall policy and specific procedures for processing allegations of child abuse, including its policy on reporting to civil authorities;
2. a timely response to, investigation of and resolution of the allegation of abuse;
3. an opportunity to provide comments to the Independent Review Board (IRB) relevant to the nature of the allegations either in person or in writing.

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 been shown to be unfounded, every step possible will be taken to restore the good name of the person falsely accused. (Norm 13)

3.5 RESPONSE TO AN ACCUSER THROUGH COUNSELING, SPIRITUAL ASSISTANCE, SUPPORT GROUPS

The VAC will obtain factual information to ascertain the veracity of the allegation. If there is reasonable cause to believe sexual misconduct may have occurred, psychological assistance will be offered to the accuser in the spirit of Christian justice and charity to promote healing and reconciliation. Information relating to support groups and spiritual assistance by competent persons is also available upon request from the VAC.

3.6 MEDIA CONTACT

Any Media contact or inquiries regarding an incident of sexual misconduct by personnel of the Archdiocese shall be directed to the Director of Communications at (505)831-8180. The Archdiocesan Director of Communications will be advised about incidents of sexual misconduct when deemed appropriate.

SECTION IV. THE INDEPENDENT REVIEW BOARD (Norms 4 and 5)

4.1 FUNCTIONS OF THE INDEPENDENT REVIEW BOARD

The Independent Review Board of the Archdiocese (IRB or Board) exists as an advisory body whose main purpose is to act as a confidential, consultative body to the Archbishop and advise him in his assessment of allegations of sexual abuse of minors and his determination of suitability for ministry of those accused. The IRB may be called upon to review allegations of adult abuse as deemed necessary by the Archbishop.

The Archbishop appoints members to the IRB who have shown outstanding integrity, good judgment and are in full communion with the Catholic Church. A member is appointed to the Board for a period of five years. At his discretion, the Archbishop may reappoint members to a second term of five years.

Ordinarily, members of the IRB will not exceed nine in number and should include at least five members, the majority of whom are lay persons not in the employ of the Archdiocese. The

Board may include, but is not limited to, lay professionals with expertise in the fields of medicine, psychology, law enforcement, social work, civil or canon law, education and members of the Catholic community. While the majority representation on the IRB will be lay members, at least one member will be a priest who is an experienced and respected pastor of the Archdiocese. The Promoter of Justice or canon lawyer designated by the Archbishop should participate in Board meetings. The IRB shall meet semi-annually and on an as-needed basis.

After hearing the investigative report, the IRB shall consider whether the allegation is credible, plausible, natural, reasonable, probable, corroborated by other evidence, and falls within the definition of sexual abuse. Board members are to be open to the facts, compassionate, non-prejudge mental in their procedures and act in a manner consistent with canon law. The Board shall make recommendations to the Archbishop regarding actions to be taken toward an accused priest or deacon.

Upon review of a preliminary report regarding an allegation of sexual abuse of a minor and meeting with the Archbishop, the VAC shall promptly convene the IRB. After hearing the report by the VAC, the IRB shall deliberate and make a recommendation to the Archbishop regarding its determination. If further information or investigation is required, the IRB will meet a second time within 30 days or such reasonable time as additional materials have been collected. The VAC shall report all recommendations of the IRB to the Archbishop.

Either the Archbishop or, at his direction, the VAC or another appointed person, communicates the decision of the Archbishop to the accused person and to the accuser. In situations involving the restriction of clerics, the Archbishop will inform the Congregation for the Doctrine of the Faith, which will in turn refer cases to a church tribunal or retain the case and determine the future of the accused.

The members of the IRB shall hold confidential the report, information, discussion, proceedings and recommendation to the Archbishop. Individual Board members shall not contact alleged victims, their families or alleged perpetrators. Anyone found in violation of the above shall be removed immediately from the IRB.

SECTION V. THE CARE OF VICTIMS, FAMILY, PARISH, SCHOOL
AND COMMUNITY

5.1 ABUSE AFFECTS EVERYONE

The focus of the Archdiocese is prevention and education. However, if abuse occurs, the Archdiocese is concerned for the care and healing of victims, their families, the accused, and the community of which they are members.

Sexual abuse is always harmful. In the case of clerical sexual misconduct, all members of the Archdiocese are affected directly or indirectly and need to be given an opportunity to be involved in a healing process. Because pastors and other priests are recognized leaders of the parish, they carry an especially important responsibility to set a tone of constructively responding to the victims and their families. Denial and defensiveness can be major obstacles to the healing process. An environment in which the situation can be discussed openly and with sensitivity is of utmost importance.

5.2 CARING FOR THE VICTIM

The Church's response to a victim of sexual misconduct requires sensitivity, fairness and justice. Where there is an allegation of sexual misconduct, the accuser is to be assured that appropriate responses will result from the report of the allegation.

5.3 COUNSELING

The primary concern for victims of sexual misconduct is to help them to move toward healing and reconciliation. The Archdiocese has a great deal of love, care and compassion for those who have been sexually abused. While recognizing that it has limited financial resources as a religious organization, the Archdiocese makes every effort to assist in the healing and reconciliation process. The following procedures have been developed to help manage claims of sexual abuse and the availability of counseling:

The claimant arranges to meet with the VAC for an initial interview. Name of the accuser, address, phone number, date of birth and relevant dates, facts, details and places of the alleged abuse will be noted by the VAC

In an effort to bring about healing, counseling is offered to the claimant. They may also seek spiritual assistance from priests and other competent persons. A list of counselors is made available to the claimant. If the claimant wishes to utilize a counselor not on the list, a final determination is made by the VAC.

The Archdiocese does not pay for any unapproved counseling, psychological counseling received by the claimant before requesting the Archdiocese to provide counseling or before counseling is formally approved. The Archdiocese does not pay for forensic evaluation or therapy for use in litigation, group therapy, hospitalizations or alternative therapies, such as massage therapy.

The VAC approves psychological counseling for the claimant for a period of up to 10 sessions, or as needed, at which time an evaluation from the psychologist, psychiatrist or other counselor is required before continued counseling may be approved.

5.4 THE ACCUSED

If credibly accused, the accused person shall be placed on administrative leave and removed from ministry while an investigation is in progress. If the accused person is a priest, deacon, or religious, and if the investigation and report presented to the IRB indicates sufficient grounds, the Board may recommend that the Archbishop place him or her on permanent restriction.(See Section VI).

Lay personnel of the Archdiocese who admit to, do not contest, or are found culpable of any incident of sexual misconduct will be immediately terminated from employment, ministry, or any position of responsibility within the Archdiocese. Appropriate persons will be notified of termination in an effort to assure that the individual is not employed or utilized as a volunteer in any capacity. The person's name shall be checked against the "Do Not Hire" list maintained by the VAC. No employee shall be hired prior to verification of a background check.

SECTION VI. SEXUALLY ABUSIVE PRIESTS AND DEACONS

6.1 ALLEGATIONS AGAINST A PRIEST OR DEACON OF SEXUAL MISCONDUCT WITH A MINOR

When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon and civil law will be initiated and conducted promptly and objectively as previously noted. If the allegation appears credible, the priest, deacon or religious will be placed on administrative leave and restriction from ministry for the remainder of the investigation. During the investigation of the accused, all steps will be taken to protect the person's reputation. 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. (Norm 6)

If there is sufficient evidence that sexual abuse of a minor has occurred, the Archbishop will notify the Congregation for the Doctrine of the Faith. He will also withdraw the accused from exercising sacred ministry or any office or function in the Archdiocese and place him on restricted status. When on restricted status, the Archbishop may prohibit public participation in the Mass, impose or prohibit residence in a given place or territory and forbid the wearing of clerical garb or public presentation by the restricted cleric as a priest or deacon, pending the outcome of the process. (Norm 6)

The offending or accused priest or deacon will be offered pastoral assistance for his own healing and well-being, as well as for the purpose of prevention. He may be requested to seek an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese and the accused, and may be urged to voluntarily comply with such evaluation. (Norm 7)

In every case involving canonical penalties, the Archdiocese of Santa Fe will observe the processes provided for in canon law and consider the various provisions of canon law. For the sake of canonical due process, the accused priest or deacon will be encouraged to retain the assistance of civil and canonical counsel. When the Archbishop deems it necessary, the Archdiocese will appoint canonical counsel to a priest (Norm 8A)

6.2 ADMINISTRATIVE LEAVE

The accused priest, deacon, religious or lay person will be relieved of all ministerial responsibilities and remain on administrative leave throughout the course of any ongoing investigation regarding the sexual abuse of a minor. The administrative leave is immediate and remains in effect until the situation is resolved. Administrative leave may be with pay and benefits as determined by the Archbishop, or his designate, in consultation with the appropriate personnel officer.

While on administrative leave or restriction, the accused shall refrain from contact with parishioners and shall not participate in or encourage any action which may cause division or misunderstanding among parishioners. Penal sanctions may be initiated pending the outcome of any or criminal actions.

6.3 TERMINATION FROM MINISTRY

The Archbishop always has the power, within the parameters of the universal law of the Church, to remove an offending cleric from office, to restrict or remove faculties, and to limit his exercise of priestly ministry. Sexual abuse of a minor is a crime both in the universal law of the Church and in all civil jurisdictions of the United States. For the common good and in accordance with canon law, the Archbishop will ensure that any priest or deacon who has been found to have committed even one act of sexual abuse of a minor shall not continue in active ministry. (Norm 9)

When even a single act of sexual abuse of a minor is admitted, or is established after an appropriate process in accordance with canon law, the offending priest or deacon will be removed permanently from ministry in the Church. If, in the opinion of the Archbishop and the case so warrants, the Archbishop may petition the Holy Father for the removal of the offender from the clerical state. (Norm 8)

For reasons such as advanced age or infirmity in the offending priest or deacon, the Archbishop may decide not to apply dismissal from the clerical state. In these cases, the offender will be instructed to lead a life of prayer and penance. The offender will remain on restricted status and, unless in a private setting, he will be instructed not to wear clerical garb or present himself as a priest. He will not be permitted to celebrate Mass publicly or to administer the sacraments. (Norm 8)

When a priest or deacon is permanently removed from his assignment, the Archbishop will prepare a letter to be read by the Vicar for Priests or the Dean, or another person designated by him, at all liturgies following the removal. The letter will inform the people of the action taken in compliance with Archdiocesan policy and the manner in which the spiritual needs of the parishioners will be provided.

As stated below in paragraph 7.1, the Archdiocese of Santa Fe shall not at any time transfer a priest or deacon who has committed an act of sexual abuse of a minor for ministerial assignment to another diocese or eparchy. When receiving a priest or deacon from outside of the Archdiocese of Santa Fe, the Archbishop shall obtain information regarding any past act of sexual abuse of a minor by the priest or deacon in question. (Norm 12)

Before an offending diocesan priest or deacon can be transferred to another diocese or eparchy *for residence*, the Archbishop will forward, in a confidential manner, to the bishop 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. (Norm 12)

6.4 SEXUAL MISCONDUCT WITH AN ADULT

Sexual misconduct by a priest or deacon with a consenting, non-consenting or vulnerable adult is sinful and unacceptable behavior. Priests and deacons who have engaged in such sexual misconduct, may at the discretion of the Archbishop, be placed on administrative leave or restriction pending the results of an evaluation and treatment intervention or other disposition as determined by the Archbishop.

SECTION VII.

RELIGIOUS ORDER PRIESTS AND DEACONS

PRIESTS AND DEACONS FROM OTHER DIOCESES

SEMINARIANS, PERMANENT DIACONATE CANDIDATES AND NON –ORDAINED

RELIGIOUS

7.1 RELIGIOUS ORDER PRIESTS, DIOCESAN PRIEST AND DEACONS COMING INTO OR LEAVING THE ARCHDIOCESE OF SANTA FE

The Archdiocese of Santa Fe will not accept for assignment any priest or transitional or permanent deacon who has a history of sexual misconduct and will not transfer offending persons for ministry to another diocese or eparchy. The Archbishop will obtain the necessary information regarding any past act of sexual abuse of a minor for any priest or deacon wishing to minister within the Archdiocese of Santa Fe.

Written recommendations attesting to the priest's or deacon's ministerial history and freedom from sexual misconduct is required of the ordinary or their delegate for any priest or deacon coming to the Archdiocese for any purpose. If given the faculties of the Archdiocese of Santa Fe, priests and deacons are required to participate in the Abuse Awareness Training for Adults

within 30 days of arrival to the Archdiocese. Non-compliance with this policy can result in removal of faculties.

Priests wishing to be excardinated from the Archdiocese of Santa Fe and incardinated in another diocese must first receive the approval of the Archbishop who will notify the receiving Bishop of the status of the priest or deacon.

Before an offending priest or deacon is transferred for residence to another diocese or eparchy, the Archbishop shall forward, in a confidential manner, to the bishop 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.

In the case of the *assignment for residence* of an offending clerical member of an institute or a society into a local community within the Archdiocese of Santa Fe, the major superior shall inform the Archbishop of Santa Fe in writing, and share with him in a manner respecting the limitations of confidentiality found in canon and civil law, all information concerning any act of sexual abuse of a minor and other information indicating that he has been or may be a danger to children or young people. The Archbishop will then be able to make an informed judgment that suitable safeguards are in place for the protection of children and young people. This will be done with due recognition of the legitimate authority of the Archbishop of the relevant canon law and of the autonomy of religious life. (Norm 12)

7.2 NON-ORDAINED RELIGIOUS COMING INTO THE ARCHDIOCESE

Notification of non-ordained religious coming into the Archdiocese should be received by the Vicar for Priests from the Major Superior or Provincial of the congregation. The Vicar for Priests shall notify the religious of Archdiocesan policy and the required participation of the Abuse Awareness Training for Adults. Any Religious who does not comply with the policy shall be removed from ministry.

7.3 PERMANENT DEACON CANDIDATES AND SEMINARIANS

The Archdiocese utilizes psychological testing, physical examinations and evaluations as part of its process of admitting candidates for the priesthood and diaconate. The process includes identification of potential sexual problems and sexual development and stability. Police records, employment references, and personal and family references are utilized to determine any past reports of sexual misconduct or conditions that would raise concerns or potential problems. Individuals with histories of sexual misconduct will not be considered for

application. An accepted candidate must participate in the required Abuse Awareness Training for Adults prior to entering the seminary or diaconate formation program.

SECTION VIII. ADDITIONAL GUIDELINES FOR PRIESTS AND DEACONS

8.1 GENERAL GUIDELINES FOR THE ORDAINED

All persons in leadership roles should develop a good rapport with adults and minors. This is likewise true of priests. Adults and youth need the ministry of the priest and involvement in programs which will help them in their spiritual life.

In order that priests may learn about professional boundaries and how to avoid circumstances which could lead to false accusations or inappropriate behavior, they shall participate in professional education programs offered by the Archdiocese and other sources, as well as observe other directives of the Archbishop or Vicar for Priests. Ongoing formation of all priests is based on criteria found in *Pastores Dabo Vobis* and the *Basic Plan on Ongoing Formation of Priests developed by the US Bishops, 2001*.

Priests are to be men of prayer and are encouraged to have spiritual directors and participate in priest support groups. A priest mentor is recommended for men recently ordained regardless of age or previous work experience before ordination.

All priests shall avoid suggestive television, movies, magazines, lewd talk and abuse of alcohol or other drugs. They shall also avoid frequenting places in the hope of making sexual contacts of any kind.

Priests are formed to develop a balanced disciplined way of life and cultivating healthy relationships with brother priests, family, lay and religious friends. The need for caution must not discourage priests in their ministry.

The internet should be used with discretion; chat rooms shall be avoided. Searching the Internet may be professionally helpful, but priests must be mindful that even when a website is opened inadvertently, the user's address may appear on unwanted and inappropriate lists which could result in the user receiving SPAM or pornography.

Priests must at all times and in all situations be conscious of and act in accordance with their promise of celibate chastity. Priests must avoid any contact or conduct that could raise questions or lead to negative comments on the part of reasonable people. Pope John Paul II made it clear that, "There is no place in the priesthood or religious life for those who would harm our young." Priests are to exercise prudence and chastity as an example to others.

8.2 PERTAINING TO MINORS

Priests and deacons shall not to be alone in their rooms or other places with minors, nor may they vacation, take field trips or travel with minors unless parents or other approved adults are present. Minors may never stay overnight at a rectory. Use of any electronic communication is to be used with discretion by priests or deacons; and minors are never to be offered alcohol or drugs.

8.3 PERTAINING TO ADULTS

In dealing with adults, priests and deacons must maintain awareness of their pastoral position. They must keep in mind that their verbal, nonverbal and physical communication with adults must be appropriate for the occasion. As a guide: “Would a reasonable person placed in the situation find the priest’s or deacon’s behavior hostile or abusive”? At all times priests and deacons must be conscious of boundaries, their role as counselor, and their position of leadership and authority and good example.

8.4 BROTHERLY CONCERN

Given the seriousness of the consequences of sexual misconduct, priests have a responsibility to be their “brothers’ keepers” in these matters. While they must avoid paranoia or unhealthy interference in each others’ lives, they need to be aware of danger signs in their brother priests’ or deacons’ activities.

When a priest fears that a brother priest about whom he has a concern may be involved in questionable behavior, he should normally speak first to the priest and then bring his concerns to the Vicar for Priests. If he has reason to believe that the behavior is such that immediate action must be taken, he should contact the Vicar for Priests or Archbishop immediately. By acting responsibly, concerns regarding questionable behavior or rumors may be promptly and properly addressed.

Priests are obligated to comply fully with New Mexico laws regarding sexual abuse of children as noted in this policy.

Deacons are expected to comply with all reporting procedures required of priests as applicable.

8.5 RESTRICTED PRIESTS AND DEACONS

Priests and deacons removed from ministry are not to have any contact with their accuser. They are not to be involved in any form of ministry at parishes, schools or other locations. In a spirit of brotherly concern, priests and deacons are encouraged to offer spiritual direction and support to their accused brother. However, priests shall not engage restricted priests or deacons in ministry for any reason.

SECTION IX. CONCLUSION

9.1 GENERAL STATEMENT

Sexual misconduct by any personnel of the Archdiocese of Santa Fe is contrary to Christian principles and is always unacceptable. While it is difficult for the Archdiocese to prevent acts of sexual misconduct by its employees or volunteers which cannot be foreseen, the Archdiocese will not tolerate, under any circumstances, the abuse of children or adults. As Catholics we are committed as individuals and as a community of faith to do what is necessary to protect our children, young people and persons of all ages. We commit to bring healing to those who have been injured, bring to justice those who have been offended and to practice the virtues of charity and justice proclaimed by Christ for the blessing of His Church.

ADDENDUM I

STATE OF NEW MEXICO PROTECTIVE SERVICES DIVISION

P.O. Drawer 5160, PERA BUILDING RM. 254, Santa Fe, NM 87502-5160

COUNTIES WITHIN THE ARCHDIOCESE OF SANTA FE

COUNTY	ADDRESS	PHONE NUMBER
Bernalillo – East	300 San Mateo NE Albuquerque, NM 87108	505-841-2900
Bernalillo – West	1031 Lambertson NW Albuquerque, NM 87107	505-841-7800
Catron – North Socorro	104 S. – 6 th St. Socorro, NM 87801	575-835-2716
Chavez	4 Grand Ave. Plaza Roswell, NM 88201	575-624-6071
Colfax	1900 Hospital Dr. Raton, NM 87740	575-445-2358
Curry	221 W. Llano Estacado Clovis, NM 88102	575-763-0014
DeBaca Harding Quay	107 West Aber Tucumcari, NM 88401	575-461-0110
Guadalupe Mora San Miguel	2518 Ridge Runner Rd. Las Vegas, NM 87701	505-425-9335
Rio Arriba	912 North Railroad Española, NM 87532	505-753-7191
Roosevelt	1223 West Fir Portales, NM 88130	575-356-6688
Sandoval	4359 Jager Dr. NE, Suite D Rio Rancho, NM 87144	505-867-2373
Santa Fe – Central Office	1120 Paseo de Peralta Santa Fe, NM 87502	505-827-8400
Taos	1308 Gusdorf & Roy Rd. Taos, NM 87571	575-758-8871
Torrance	214 South 6 th St. Estancia, NM 87016	505-384-2745
Union	824 Main St. Clayton, NM 88415	575-374-9862
Valencia	750 Morris Rd. Los Lunas, NM 87031	505-866-2300

ADDENDUM II

PERSONNEL

Current employees and volunteers of the Archdiocese of Santa Fe are required to attend the Abuse Awareness Training for Adults.

- a. All priest, deacons, religious and seminarians.
- b. All employed personnel, contract workers and volunteers at all elementary, middle and high schools of the Archdiocese.
- c. All directors, coordinators, catechists, staff and volunteers for religious education.
- d. All youth ministers, directors, coaches of children's activities (e.g., athletics, scout leaders, choir, etc.) and similar Archdiocesan personnel and volunteers who provide such services under auspices of the Archdiocese or any parish, mission or other Catholic organizations subject under civil law to the administration, authority or governance of the Archdiocese, and all who supervise said persons.
- e. All employees of the Archdiocese, its parishes, its schools and its affiliated organizations and entities.
- f. All choir directors or members either paid or volunteer.
- g. All volunteers in any ministry.

ADDENDUM III

CODE OF ETHICS

The following fundamental principles from Church teachings and tradition apply to the behavior of all Archdiocesan personnel:

- We strive to exhibit the highest Christian ethical standards and personal integrity in our day-to-day work and personal lives while supporting the teachings, discipline and traditions of the Catholic Church.
- We strive to conduct ourselves in a professional and respectful manner both in church and work environments, avoiding any flagrant or public misconduct.
- We respect the integrity of all individuals and protect the confidentiality and privacy of all information to which we have access.
- We never take unfair advantage of a pastoral, financial, or supervisory relationship for our own benefit.
- We never physically, sexually, emotionally, or verbally abuse anyone.
- We never neglect a minor or vulnerable adult who is in our care.
- We always share concerns about sexually inappropriate behavior with our pastors and supervisors.