

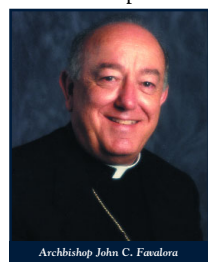
# PROTECTING *God's* CHILDREN



## We continue our commitment to 'Protecting God's Children'

My dear friends,

It is my pleasure to publish this promised update on the responses taken in the Archdiocese of Miami to address the sexual abuse scandal. The publication in December, 2003, of "A Time to Heal" proved to be of great assistance as it explained the local impact of and response to this national phenomenon as well as steps undertaken in the Archdiocese of Miami to prevent sexual abuse in the future. Much has been accomplished over the past year and I am grateful to all those whose efforts



Archbishop John C. Favalora

have made this progress possible. I believe that this report will contribute to the continued restoration of your confidence in our efforts to address this problem.

Once again, I can report that the policies and practices of the Archdiocese of Miami have been found to be in full compliance with the requirements of the "Charter for the Protection of Children and Young Adults" as established by the bishops of this country and approved by the Holy See. This audit was commissioned by the United States Conference of Catholic Bishops (USCCB) and conducted in October by a team of independent professionals from the Gavin Group. At the end

of their four-day visit the auditors met personally with me to offer their report which, I am happy to say, was very positive. (See below.)

Over the past year, nearly 6,500 individuals in the Archdiocese of Miami have participated in a training session on the Virtus program. This program helps clergy, religious, Archdiocesan employees and volunteers as well as parents to become more aware of the danger of sexual abuse of minors and specific steps they can take to identify abuse and prevent it. These training sessions continue and I encourage you to participate in one, if you have not already done so.

Much progress has also been made this year on the screening of church employees and volunteers. In the Archdiocese of Miami all church employees and volunteers who spend any unsupervised time with children or vulnerable adults are required to undergo a criminal background check at both the state and national levels. The very active and vibrant parishes, missions and apostolates of the Archdiocese of Miami rely on the countless volunteers who offer their services and I am grateful for their help. While not a new requirement, the criminal background checks help to better protect those

entrusted to the care of the church.

The Archdiocese of Miami has also reached out to other faith groups in the south Florida community to share with them our policies and practices in our desire to see that all children experience a safe environment in houses of worship. The religious leaders who attended this meeting found it to be a very enriching experience, and we are planning to offer another presentation to religious leaders of other faiths who were unable to attend the first one.

Officials of the Archdiocese of Miami continue to build on the good relationship and collaboration we share with civil authorities. In the course of this year, the State Attorney for Miami-Dade County commended the Archdiocese of Miami for its high level of cooperation in their criminal investigation of claims of sexual abuse.

During the past two years, the Archdiocese of Miami settled 31 of the 35 civil lawsuits alleging the sexual abuse of minors by clergy. As I told all Catholics earlier this year, this decision was made as prudent exercise of my stewardship of the Archdiocese and in light of the inability of those lawsuits to ascertain if the alleged abuse actually took place. Where necessary, the canonical process for cases alleging abuse continues within the church's courts.

Sexual abuse is a very serious problem in our society. It is most scandalous when a member of the Catholic clergy or another representative of the church commits this sin against a child, young adult or vulnerable adult. Working together with civil officials, religious leaders and all persons of good will, the Archdiocese of Miami continues to move forward in its commitment to protect children and young adults.

As your Archbishop, I take this occasion to reiterate my commitment to addressing this issue in a manner that is honest, open, equitable and just. To those who have been harmed I again express my profound sorrow. To those accused, I pledge a fair hearing. It is my hope that this updated report will shed light on the progress realized this year and encourage you to join in this effort to protect our children as we continue to do the good works of the church.

Sincerely yours in the Lord,  
John C. Favalora  
Archbishop of Miami

## Archdiocese found to be in compliance with charter

At the beginning of October, a team of independent auditors examined whether the Archdiocese of Miami's policies and procedures were in compliance with the U.S. bishops' Charter for the Protection of Children and Young People.

This is the second time all the dioceses in the country undergo such an audit. The Archdiocese was found to be in compliance both times.

Following are excerpts from the executive summary issued by the auditors this year.

### To Promote Healing and Reconciliation

The Archdiocese has a policy on the prevention of sexual abuse of minors by clergy. The Archdiocese provides outreach designed to offer pastoral care to victims/survivors and their families. The Archbishop or his representative has met with, or offered to meet with all victims/survivors who have reported allegations of abuse since the last compliance audit. The Archbishop or his delegate has had outreach to all faith communities in which the sexual abuse occurred. The Archdiocese has a mechanism in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor occurred...

The procedures for making a complaint of abuse are readily available in printed form, and are the subject of periodic public announcements. The Archdiocese has not entered into a confidentiality agreement during the audit period...

The Archdiocese complies with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities. The Archdiocese has established effective liaison with civil authorities, ensuring that an open dialogue regarding sexual abuse allegations will occur. The Archdiocese cooperates with public authorities about reporting in cases when the person is no longer a minor. In all instances, the Archdiocese advises victims/survivors of their right to report allegations of abuse by a member of the clergy to civil authorities.

When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation, in harmony with canon law, is initiated. If a preliminary investigation so indicates, the Archdiocese notifies the Congregation for the Doctrine

of Faith [in keeping with canon law]... When accusations against a priest or a deacon are proven to be unfounded, the Archdiocese takes steps to restore the good name of the priest or deacon.

When sexual abuse of a minor by a priest or a deacon is admitted or established after an appropriate process in accord with canon law, the Archdiocesan policies provide that the offending priest or deacon be permanently removed from ministry. The Archdiocese offers professional assistance to offending priests or deacons.

In every case involving canonical penalties, the processes provided for in canon law are observed. Accused clergy are encouraged to retain the assistance of civil and canonical counsel. When necessary, the Archdiocese supplies canonical counsel to a priest or deacon.

If the penalty of dismissal from the clerical state has not been applied, the Archdiocese directs the offender to lead a life of prayer and penance. The Archdiocese does not allow the offender to celebrate Mass publicly, to administer the sacraments, or to present himself publicly as a priest.

The Archdiocese has established clear and well-publicized standards of ministerial behavior for priests and deacons. A communications policy is in effect which reflects the Archbishop's pledge to be open and transparent on issues regarding the sexual abuse of children...

### To Protect the Faithful in the Future

The Archdiocese has fully implemented a "safe environment" education program...

The Archdiocese has clear and well publicized standards of conduct for persons in positions of trust with regard to sexual abuse. The Archdiocese conducts background evaluations for all Archdiocesan and parish personnel who have regular contact with minors, using appropriate law enforcement resources where permissible. The Archdiocese employs adequate screening and evaluative techniques in deciding the fitness of candidates for ordination.

See **Archdiocese found to be in compliance with charter** page B-4

## Frequently asked questions

### Have any additional allegations of abuse come to the attention of the Archdiocese since the publication last year of "A Time to Heal"?

The Archdiocese has received 16 new allegations of abuse in the past year, most of them against priests who had been previously accused. Two more priests have been accused since last year's report. Both of them left the Archdiocese many years ago and have since retired. The allegations against them date back more than 30 years.

### Are my parish funds or ABCD funds going to pay settlements or legal fees?

No. The Archdiocese has insurance programs to handle these settlements. The money raised by ABCD is earmarked for inner city schools, inner city parishes, Catholic Charities and other pastoral services. A full accounting of how ABCD funds are spent is presented each year in the archdiocesan financial report which is published in *The Florida Catholic* and *La Voz Católica*.

### If a civil lawsuit is settled, does that mean the priest is guilty?

No. The settlement of a claim by the Archdiocese does not mean that the accused is guilty. Civil proceedings never resolve the question of the guilt or innocence of the accused. But there does come a point when the legal costs of defending the lawsuits exceed the financial demands of the accusers. In the case of the Archdiocese, the total cost of settling these lawsuits was far less than the legal expenses already incurred, and less than the amounts that the plaintiffs were originally seeking.

### What is the status of the criminal investigations being conducted by the state attorneys in both Miami-Dade and Broward counties?

After reviewing the allegations of the past 40 years, the state attorneys for Miami-Dade and Broward counties released a close-out report in June, 2004, which stated that they would not be filing criminal charges in most of the claims they were investigating, either because the statute of limitations has expired or due to a lack of evidence. One priest, whose alleged misconduct took place within the past five years, has pled guilty to the criminal charges that have been brought against him, and has been sentenced to two years of house arrest.

### What happens to priests who have been accused but whose cases have not been resolved?

Whenever there is a claim of sexual misconduct involving a priest or deacon, the allegation is addressed at three levels: criminal, civil and canonical. In the canonical process, if the Archbishop, after consulting the Archdiocesan Review Board, determines that an accusation could be true, he is required to report it to the Holy See's Congregation for the Doctrine of the Faith, which is exclusively competent to handle the case. At that point, the priest must be placed on administrative leave to await the decision of the Holy See. If the canonical proceeding proves that the allegations are unfounded, the priest or deacon is restored to active ministry and the Archdiocese takes steps to restore his good name. If sexual abuse of a minor is admitted or established during the canonical proceedings, the offending priest or deacon is permanently removed from ministry and may be laicized by Rome. An accused priest or deacon also may retire from active ministry and forego the canonical review process. In this case, although the penalty of dismissal from the clerical state has not been applied, the accused may not celebrate Mass publicly, administer the sacraments or present himself publicly as a priest or deacon. He is directed to lead a life of prayer and penance.

### How can we be sure that a priest coming from another diocese or another country has not been accused of sexual abuse?

For many years, the Archdiocese has had a procedure to be observed when a religious priest or a priest from another diocese sought to minister here. In November, 2004, this policy was revised to apply even to priests who come to the Archdiocese for a single ministerial event. Every priest must present to the pastor/administrator a "celebret" (a document indicating that the priest is authorized by his bishop or religious superior for the public exercise of his ministry). For service up to one month, a Certificate of Aptitude for Priestly Ministry, signed by the diocesan bishop or religious provincial, is sent to the Chancellor. To serve for a longer period, the first step is for a priest's diocesan bishop or religious superior to send a letter to Archbishop Favalora indicating the priest's availability. Those priests wishing to serve in the Archdiocese for a month or longer also will be asked to complete a Priests' Database Form, providing information on their personal background, education, language abilities, previous ministerial service, etc. Once all the documents are gathered, the file is presented to Archbishop Favalora for his consideration. No faculties are granted to any extern priest, for any period of time, without these documents and the Archbishop's approval. (The complete "Protocol for extern priests seeking to serve in the Archdiocese of Miami" is posted on the Archdiocesan Web site, [www.miamiarch.org](http://www.miamiarch.org).)

### What is the Archdiocese doing to prevent sexual abuse against children in the future?

The Archdiocese of Miami has had a policy for screening of church personnel since 1999. In an effort to create a safe environment for children and vulnerable adults, the Archdiocese conducts criminal background investigations on all church personnel, including clergy, religious, seminarians, lay employees and volunteers with access to children. In addition, the Archdiocese offers awareness training to all church personnel regarding sexual abuse, specifically of children.

### What kind of criminal background investigations are being conducted?

Two types of investigations are currently being conducted, one at the state and the other at the national level. State level criminal background investigations are processed by the Florida Department of Law Enforcement and national level investigations are processed by the Federal Bureau of Investigation. State level investigations are conducted for all volunteers who are serving 20 hours or less per week and have access to children, and all volunteers with supervised care of children. (Supervised care of children is defined as an individual who is overseen by, and in the physical presence of, an adult employee of the Archdiocese of Miami. Anyone who does not meet those criteria is considered unsupervised.) National level investigations are conducted for all clergy, religious, seminarians and lay employees, as well as all volunteers and independent contractors serving over 20 hours per week with access to children and those with unsupervised care of children.

### Are the investigations conducted only once, at the time of initial employment?

Investigation results for clergy, religious, seminarians and lay employees (excluding teachers) are valid for 7 years. Investigation results for school teachers and volunteers are valid for 5 years. New criminal investigations will be conducted 5 or 7 years from the last screening, depending on employee/volunteer classification.

### What happens if a background investigation reveals a record of criminal activity?

If a criminal record is found, the appropriate pastor, school principal or department head is notified, and a copy of the results are sent to the archdiocesan attorney. At this point, the person's record is reviewed and a decision is made regarding employment or ministry of the individual.

### What is the Virtus program and how is it being implemented?

Virtus trains adults on how to protect children. The training makes participants aware of the signs of child sexual abuse, the methods and means by which offenders commit abuse, and five easy steps one can take to prevent child sexual abuse. Child molesters have ways of using our legitimate interactions with children and young people to their advantage. As faith-filled people with a commitment to protecting God's children, we can make sure we are not pawns in a child molester's game. Virtus will assist the Archdiocese in being a safe haven for children and a messenger for preventing child sexual abuse within the church and society in general.

### Is it possible to identify or deter potential sexual abusers?

There is no way to predict who might be a sexual abuser. The most we can hope to do is to deter them. The Virtus program implements safety mechanisms that send a message to all abusers and potential abusers: Child abuse is not tolerated; children are vigilantly protected; victims are listened to, heard, and shielded from further abuse; and offenders are identified and punished. By utilizing this training, the program helps make churches safe for all people, especially children.

### How many people have undergone Virtus training in the archdiocese?

Out of 197 church sites (parishes, schools and agencies), 155 have had Virtus, which means 79 percent of the sites in the Archdiocese have had workshops. A total of 6,445 people have been trained. The training is for clergy, religious, laity, teachers, parents and grandparents, in fact, anybody concerned with the welfare of children. If you want to schedule or attend a Virtus training, call 305-762-1250.

### The Virtus program is only for adults. Is anything being planned for children?

The Archdiocese has tentatively identified "Teaching Touching Safety" as its program for children. "Teaching Touching Safety" was developed by the same people who developed Virtus. The strong points of this program are that it is age-appropriate, or geared to the different grade levels of children. Also, it is taught by teachers who know the readiness level of the children in their classroom. In addition, parents will be able to sign off on the program. Nothing will be taught to their children unless they approve. "Teaching Touching Safety" also includes an educational component for parents.

### What is the church doing for victims?

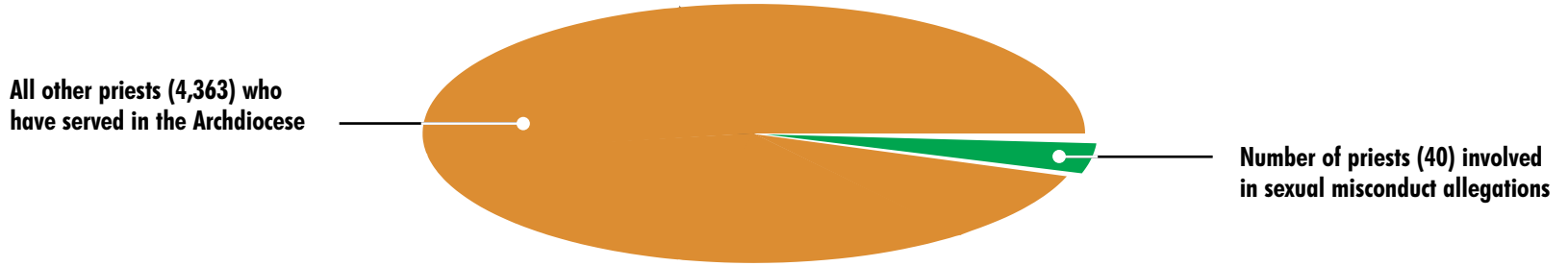
When the Archdiocese learns of an allegation, the alleged victim is offered counseling and the Archdiocese reaches out to begin the process of pastoral healing.

### What if I am a victim of sexual abuse by a priest, religious or lay person working for the Archdiocese?

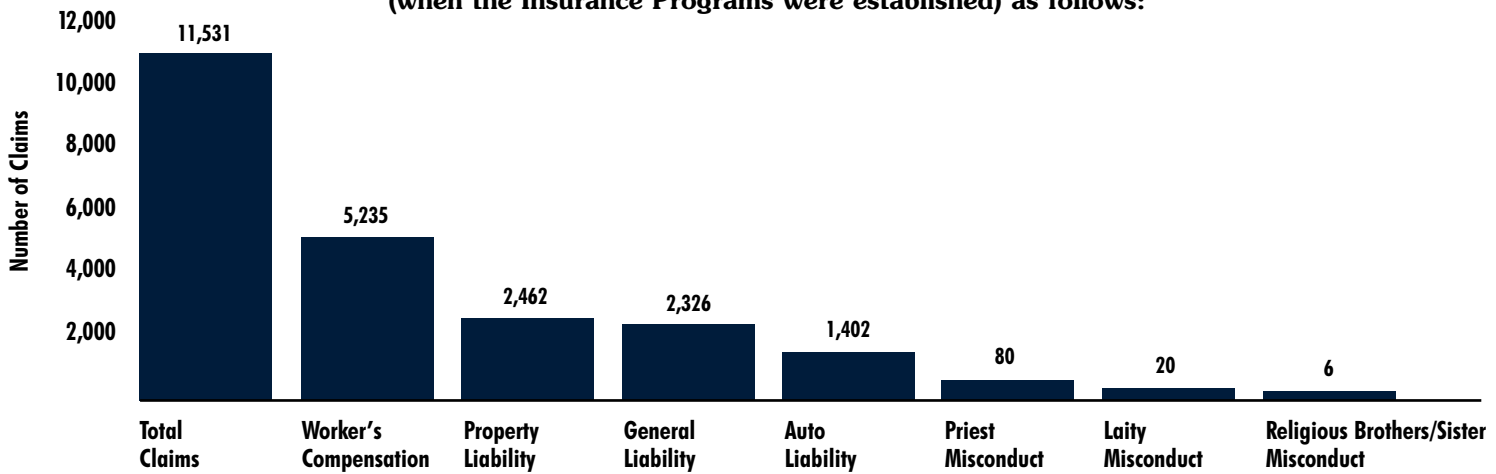
You must report it to the police or the Department of Children and Families' abuse hotline, 1-800-96ABUSE. After reporting the abuse to civil authorities, you may notify the Archdiocese by calling our Victim Assistance Coordinator, Vicki Kaufmann (1-866-80ABUSE), or contacting Msgr. William Hennessey, Vicar General (305-762-1222).

# As of November, 2004, these are the current numbers and amounts regarding sexual misconduct allegations, settlements and legal fees.

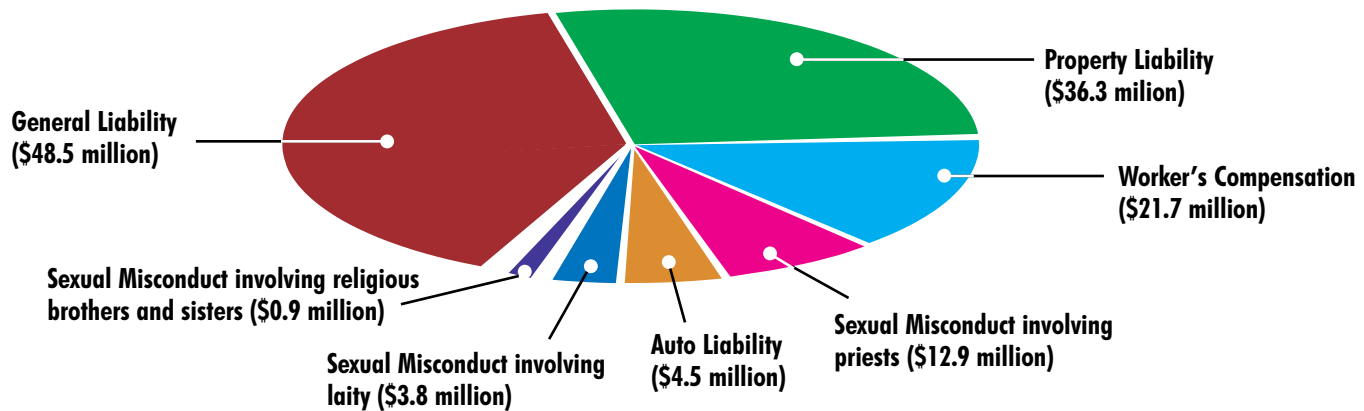
Since the Archdiocese of Miami was founded in 1958, allegations of sexual misconduct involving minors have been made involving 40 priests, which is less than 1% of the 4,363 priests who have served in the Archdiocese.



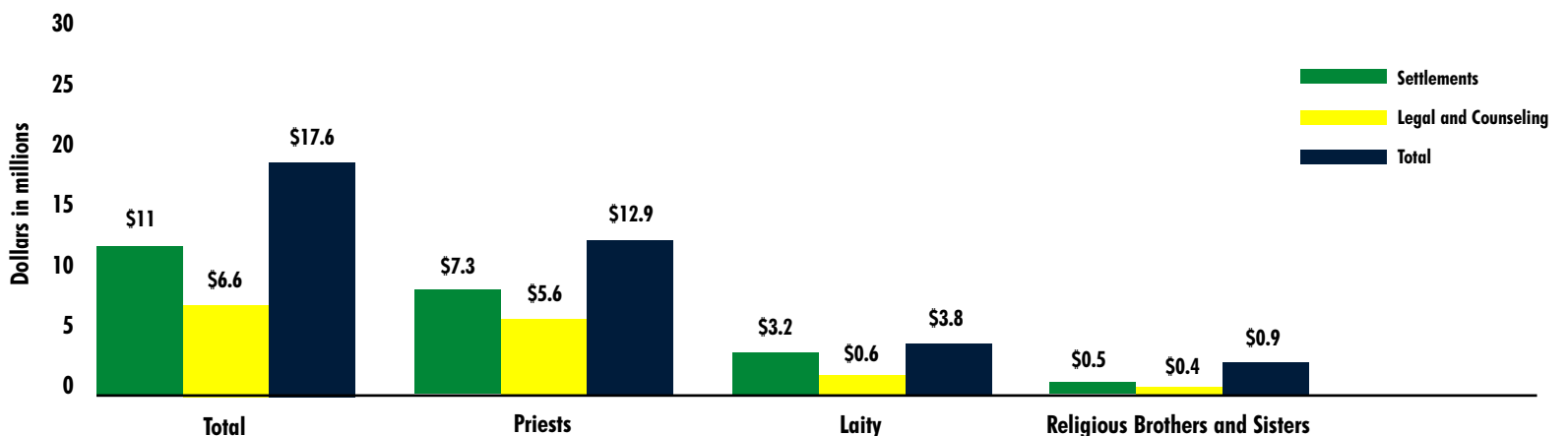
The Archdiocese of Miami Insurance Programs have reported 11,531 claims since 1966 (when the Insurance Programs were established) as follows:



The Archdiocese of Miami Insurance Programs have paid \$128.6 million in total claims since 1966, as follows:



The Archdiocese of Miami Insurance Programs have paid \$17.6 million in settlement, legal and counseling costs associated with sexual misconduct allegations made by minors involving priests, laity and religious brothers and sisters as follows (dollars in millions):



## Deacon takes over as Safe Environment coordinator



Deacon Frank O'Gorman

Deacon Frank O'Gorman did not know the extent of the child sexual abuse problem until, like hundreds of other south Florida Catholics, he took part in a Virtus training last year.

Learning about the dangers of chat rooms and the Internet, not to mention the fact that most of the predators are related to the children or known by the families, amazed him, he said.

"Everybody thinks this is a priest problem, and it's not. It's a society problem," said Deacon O'Gorman, who took over as archdiocesan coordinator of the Safe Environment program in July, 2004.

He succeeds Marist Brother Joseph Teston, who re-retired after establishing the archdiocese's Safe Environment office. Deacon O'Gorman's primary responsibility is to implement Virtus, the Safe Environment program selected by the Archdiocese.

"It's an awareness program," Deacon O'Gorman said. "The more everybody's aware, the more everybody can take an active role and we can close the door to all these pedophiles."

Deacon O'Gorman was ordained for the archdiocese in November, 2001, and has ministered for the past three years at St. Jerome Parish in Fort Lauderdale.

Originally from Chicago, he has been a resident of Broward County since coming to south Florida 36

years ago with his wife of 37 years, Kathleen. The O'Gormans spent 8 years in Little Flower Parish in Hollywood and 15 years at St. Maurice Parish in Dania Beach. They have a son who works as a fireman/paramedic for the City of Miramar and a grandson born Jan. 1, 2004.

Deacon O'Gorman spent 20 years with Florida Power and Light, working his way up from lineman to supervisor of the Davie service center.

He took over as Safe Environment coordinator because "I believe in the (Virtus) program," he said. "I think it's just time that our society starts to become aware of our surroundings. The more we're aware, the more we can alleviate this stuff."

He admits he himself was not as aware of the sexual abuse problem as he should have been. Virtus opened his eyes to the fact that "you can't tell who a predator is. They don't stand out."

Moreover, "they're good at what they do. They're sweet-talkers. That's why some of these problems went on for so long. They would sweet-talk the family and the parents wouldn't believe the child."

Deacon O'Gorman sees his role as making sure that others gain the same awareness by undergoing the Virtus training. His goal is "to get everybody in the archdiocese to have gone through the workshop."

The program is mandatory for new archdiocesan employees, as well as for all priests, deacons, teachers and volunteers, even janitors.

"Anybody that has anything to do with children must go through it," Deacon O'Gorman said. Needless to say, parents should be the first in line for the training.

"We all want our children protected."

His second goal is to implement a similar awareness program for children, one that is age-appropriate but teaches them to stay away from potential predators. The program tentatively selected by a committee of teachers and parents was "Teaching Touching Safety," which was developed by the National Catholic Risk Retention Group, the same organization that developed Virtus.

What Deacon O'Gorman likes the most about "Teaching Touching Safety" is that it is taught by classroom teachers, who know the level of readiness of their students.

Parents will be able to sign off on the program before it is taught to their children. The program also contains an educational component for parents.

Of course, nothing is 100 percent effective. But Deacon O'Gorman said awareness of one's surroundings and of the tactics used by pedophiles can have a huge impact.

"Virtus keeps us aware. As individuals, we can help keep it from happening. If you don't give these people the opportunities and the places to do it, they just can't do it."

To find out more about Virtus or attending a training, call Deacon O'Gorman at 305-762-1250.

### Screening personnel, volunteers



Dianne Trillo

Human Resources Generalist Dianne Trillo has been spending many of her weekends traveling to parishes throughout the archdiocese in order to conduct the fingerprinting and background checks that are now required of all archdiocesan employees and parish volunteers.

"We're coming together with a

standardized hiring process so everybody has to follow the same procedures," Trillo said.

The background checks apply to paid staff as well as volunteers who work 20 hours or more or have access to children. Some employees and volunteers also will be subject to national criminal background checks. The same policies apply to those who work with vulnerable adults in nursing homes and hospitals.

Trillo can be reached at 305-891-5664.

### Victim Assistance Coordinator helps with referrals



Vicki Kaufmann

Vicki Kaufmann was appointed Victim Assistance Coordinator for the Archdiocese of Miami in March, 2003. She is available for information and referral services for anyone claiming to have been sexually abused by a priest or deacon in the Archdiocese.

Kaufmann's role is to listen to victims, do the initial assessment and report any new allegations to

the proper authority. She also arranges for victims to receive proper counseling or therapy. Kaufmann has a 23-year background in counseling and is a certified family life educator.

A special telephone line has been set up for callers to reach her directly and confidentially. The toll-free number is 1-866-80ABUSE (1-866-802-2873). Kaufmann checks and responds to messages daily during business hours from Monday through Friday. The calls come in only to her.

### Archdiocese found to be in compliance with charter

*continued from front C-1*

The Archdiocese has not transferred any priest or deacon who has had a credible allegation of sexual abuse made against him to another ministerial assignment since the last audit. The Archdiocese has not transferred any priest or deacon who has had a credible allegation of sexual abuse made against him to another diocese for residence since the last audit...

The Archdiocese has developed a systematic

ongoing formation program in keeping with the Basic Plan for the Ongoing Formation of Priests.

#### Compliance with the Provisions of the Charter

At the conclusion of this compliance audit, the Archdiocese was found to be compliant with all articles of the Charter for the Protection of Children and Young People.

### VIRTUS Facilitators

Those wishing to schedule a Virtus training session in a parish or school should contact the volunteer coordinator for their area (deanery). The coordinators are:

#### Broward County

##### NORTHEAST BROWARD

Mara Goldin, 954-428-0878 / 954-972-4591

##### NORTHWEST BROWARD

Ann Stiles, 954-761-2992

##### SOUTH BROWARD

Maureen H. Freeman, 954-963-1541

#### Miami-Dade County

##### EAST DADE

Patricia E. Fairfield, 305-576-5850

##### EAST/NORTHEAST DADE

Joe Zaccheo, 954-701-7277

##### SOUTH DADE

Patricia Nord, 305-441-8506

##### WEST DADE

Maria P. Glass, 305-222-8751

#### Monroe County

##### MONROE

Susan J. Dotten, 305-451-6404

#### Creole-speaking

##### NORTHWEST BROWARD

Marvelite St. Fleur, 954-946-2310

##### SOUTH DADE

Astrid Schutt-Aine, 305-387-8289

### Charter, policies available on website

The Archdiocese of Miami's policies on keeping children safe from sexual abuse, procedures for reporting suspected abusers, and last year's "A Time to Heal," are available on the archdiocesan website: [www.miamiarch.org](http://www.miamiarch.org)

Also available on the site: a copy of the U.S. bishops' Charter for the Protection of Children and Young People. To report suspected abuse to civil authorities, call the Florida Abuse Hotline: **1.800.96ABUSE**