

ARCHDIOCESE OF MIAMI

Keeping Our Promise



We are keeping our promises



My dear friends,
Five years ago, the bishops of the United States made a series of promises.

When we signed the Charter for the Protection of Children and Young People, we pledged to promote healing and reconciliation with victims and survivors of sexual abuse; to guarantee an effective response to allegations of sexual abuse of minors; to ensure our accountability in adhering to the charter; and to protect the faithful in the future by establishing "safe environment" programs.

Five years after that June 2002 meeting in Dallas, we are making good on our promises, both individually and collectively.

As bishops, we have continually reiterated our call for victims of abuse to come forward and report it to both church and civil authorities. In an effort to promote reconciliation, we have met with sexual abuse victims and offered them spiritual and psychological counseling.

Every diocese has adopted procedures to respond to both past and current allegations of abuse. These procedures include appointing a coordinator to provide immediate pastoral care to anyone coming forward with an allegation of abuse, and naming a review board composed of lay professionals to evaluate abuse allegations and advise the bishop on how to respond.

That response includes immediately removing the accused from ministry and seeking more permanent sanctions for priests and deacons who have admitted or been found to have committed even a single act of abuse. We also report all abuse allegations to civil authorities for possible criminal prosecution.

To make sure we comply with these procedures, every diocese is required to undergo a compliance audit every year. The audit is conducted by an independent firm, most of whose employees are former FBI agents.

Every diocese also has established programs to screen lay employees, clergy, religious, parents and volunteers, for a criminal history of child sexual abuse. In addition, diocesan personnel and volunteers receive training on how to spot potential abusers in order to prevent abuse from occurring in the future.

In every one of these instances, the Archdiocese of Miami has kept its promises, and been found in compliance with the charter.

Either I or other high-ranking archdiocesan officials have met with local victims of abuse who were willing to accept our invitation. Our victim assistance coordinator has listened to their stories and referred them for counseling.

We have moved swiftly to remove from ministry anyone who has been credibly accused of even a single instance of abuse, no matter how long ago it might have occurred. Our review board, which was in place three years before the charter was signed, was expanded and given clearer responsibilities. We have opened our

files to the state attorneys of both Miami-Dade and Broward counties, files that date back in some cases to the establishment of the diocese nearly 50 years ago.

In order to ensure the safety of the children entrusted to our care, we fingerprint and conduct background checks on every employee or volunteer, clergy or lay, who has access to children in our schools and parishes. So far, nearly 20,000 people have been fingerprinted in our archdiocese.

Another 16,000 have undergone Virtus, our safe environment program. We also have introduced Teaching Touching Safety into the curriculum of our schools and religious education programs. Teaching Touching Safety is a safe environment program that speaks to children at various grade levels in an effort to keep them safe from abuse.

We have instituted new procedures for extern priests - those coming from other dioceses - to ensure that they have not been

Our understanding of child sexual abuse also has evolved over the past three decades. We now view it as a serious crime, in the same way that we view domestic violence as a crime, and not just a family matter to be sorted out in secret. Perhaps more importantly, we no longer believe that abusers can be treated and "cured" of their illness - something that professionals also believed at one time.

The bishops' openness with regard to this issue is a welcome change from the silence of years past which allowed so much pain, suffering and sin to fester. However, we cannot judge those who lived in the past by the standards of the present. Today's bishops have learned from these lessons, and we do not intend to repeat the painful past.

We now labor to understand the why and how of what happened. We commissioned an independent study by the John Jay College of Criminal Justice to examine the historical period



Keeping our Promise: By the numbers

As of May 17, 2007:

- 19,841 - Number of archdiocesan employees and volunteers, including priests, religious and laity, who have been fingerprinted and undergone a background check.
- 16,251 - Number of archdiocesan employees and volunteers, including priests, religious and laity, who have undergone Virtus training.

accused of abuse in the past and to ascertain that they remain in good standing with their bishops or religious superiors.

We have published three reports - in December 2003, January 2005 and October 2006 - detailing the number of priests who have served in our archdiocese and been accused of abuse (here or elsewhere,) as well as the costs of settling insurance claims and providing counseling related to abuse allegations.

While these programs and efforts are evidence of our commitment to the safety and well-being of the children, young people and vulnerable adults who have been entrusted to the church's care, no program or combination of programs can guarantee that sexual abuse will never occur.

The sad reality is that sexual abuse is not just a church problem. It's a societal problem. Most sexual abuse of children takes place in their very own homes, and is perpetrated by family members or trusted family friends. This is a very different reality from the one most of us were warned against when we were children: the lurking stranger who grabs vulnerable children off the street.

between 1950 and 2002 and try to uncover possible causes for the rash of abuses that occurred during those particular decades.

Indeed, no other institution has undergone such thorough self-examination on this issue as the Catholic Church. No other institution has studied the issue of child sexual abuse in such depth. And no other institution is doing as much as the Catholic Church to prevent future abuse.

On this fifth anniversary of the writing of the charter, I join my fellow bishops in re-affirming "our deep commitment to creating a safe environment within the church for children and youth. ... We, who have been given the responsibility of shepherding God's people, will, with his help and in full collaboration with all the faithful, continue to work to restore the bonds of trust that unite us."

John C. Javalora

ARCHDIOCESE OF MIAMI *Keeping Our Promise***Frequently asked questions****What was the Archdiocese of Miami's procedure in the past when handling sexual abuse or misconduct allegations?**

Since the mid-1980s, the archdiocese has had policies in place detailing the response to sexual abuse allegations. The policy called for looking into the allegations; reporting them to civil authorities, who also investigated; providing psychological treatment for the accused, at times in a residential program; and offering counseling to the alleged victims. The archdiocese then followed the recommendations of doctors, civil and other lay advisers regarding re-assignment of the accused individual.

What is the procedure since the U.S. Conference of Catholic Bishops' meeting in Dallas in June 2002?

When an allegation is received, it is reported to civil authorities and referred to the archdiocesan review board. The board's recommendations are reported to the archbishop. If the allegations are credible, the archbishop will place the accused on administrative leave. The case is referred to the Vatican for appropriate investigation and resolution according to canon (church) law. Counseling is offered to the alleged victim, as well as the accused.

Why are so many of these allegations only now becoming public?

It is partly due to the national publicity that accompanied the sexual abuse scandal around the country. After years of silent pain, victims learned they were not alone and began to come forward. That explains why most of these cases have caught the archdiocese by surprise. In most cases, the archdiocese had not received word of any abuse allegations until lawsuits were filed by the alleged victims' attorneys. Although the archdiocese repeatedly has invited victims of abuse to come forward in order to offer them pastoral care, many have decided first to file civil lawsuits.

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*.

Even if insurance covers the liability, aren't we as Catholics paying the insurance premiums?

Yes. Like families, individuals and businesses, the archdiocese pays premiums for all kinds of insurance such as workers' compensation, general liability, property liability and auto liability.

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

No. The settlement of a claim by the archdiocese does not necessarily mean that the accused is guilty. Civil proceedings never resolve the question of guilt or innocence. 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 has been far less than the legal expenses already incurred, and less than the amounts that the plaintiffs were originally seeking.

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. The criminal process is addressed by civil authorities. 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 forgo 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.)

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, volunteers and parents 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 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, lay employees and volunteers are valid for 5 years. New criminal investigations are conducted 5 years from the last screening.

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. Virtus assists 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 creates an environment where 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.

The Virtus program is only for adults. Is anything being taught to children?

The archdiocese has 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 are able to opt out of the program. Nothing is 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?

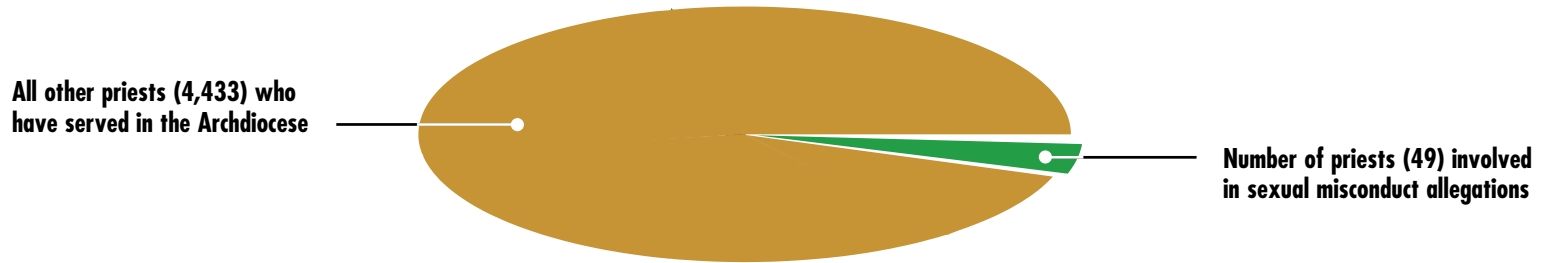
You must report it to the police or the Department of Children and Families' abuse hotline, 1-800-96ABUSE. After reporting the abuse to civil authorities, you may notify the archdiocese by calling our victim assistance coordinator, Vicki Kaufmann (1-866-80ABUSE), or contacting Msgr. William Hennessey, vicar general (305-762-1222).



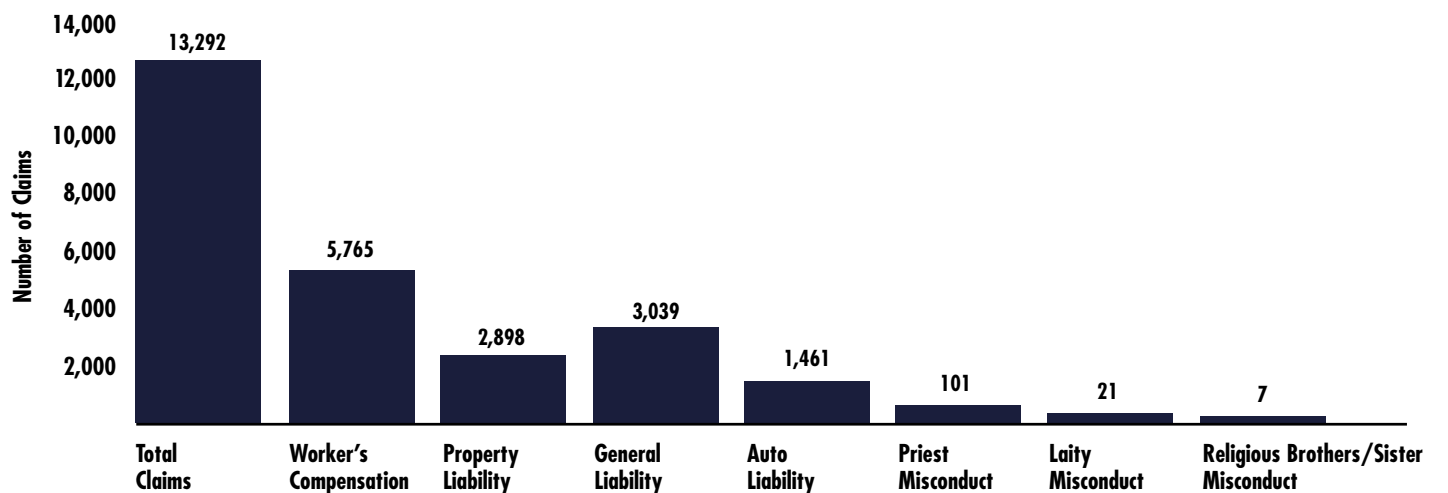
ARCHDIOCESE OF MIAMI *Keeping Our Promise*

As of April 2007, these are the current numbers and amounts regarding sexual misconduct allegations, settlements and legal fees.

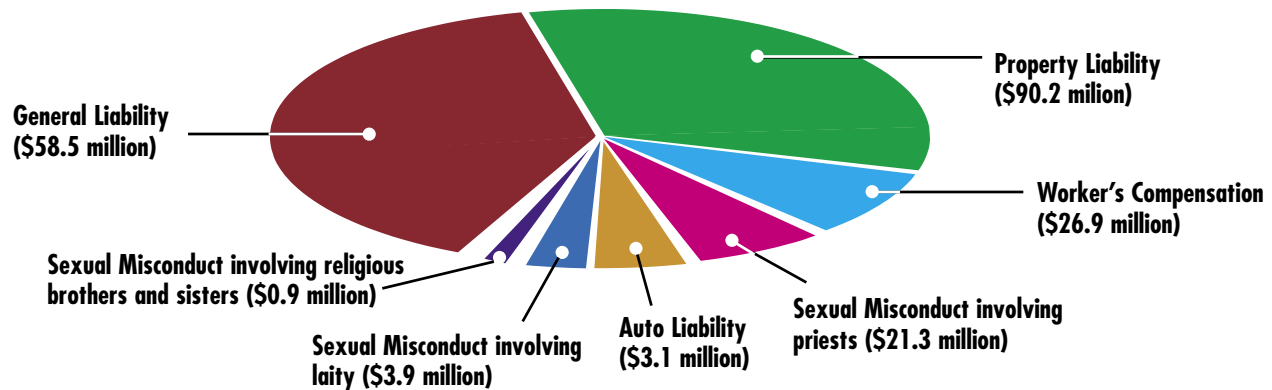
Since the Archdiocese of Miami was founded in 1958, allegations of sexual misconduct involving minors have been made involving 49 priests, which is less than 1% of the 4,433 priests who have served in the Archdiocese.



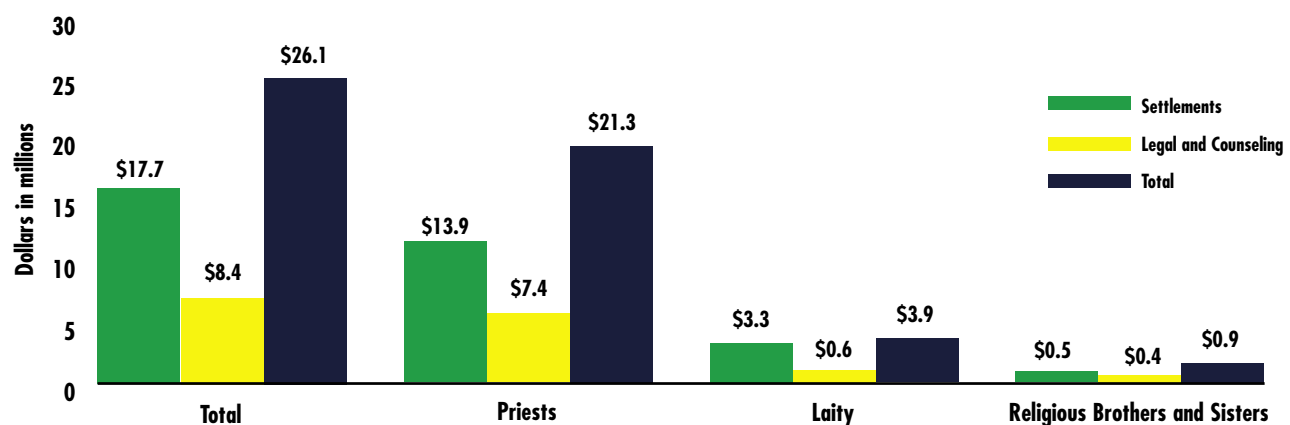
The Archdiocese of Miami Insurance Programs have reported 13,292 claims since 1966 (when the Insurance Programs were established) as follows:



The Archdiocese of Miami Insurance Programs have paid \$204.8 million in total claims since 1966, as follows:



The Archdiocese of Miami Insurance Programs have paid \$26.1 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:



ARCHDIOCESE OF MIAMI *Keeping Our Promise***Virtus coordinator:
Deacon Frank O’Gorman**

Deacon Frank O’Gorman was appointed coordinator of the Virtus program in July 2004.

His primary responsibility is to implement Virtus, the Safe Environment program for adults. All archdiocesan employees, as well as priests, deacons, teachers and volunteers, must undergo Virtus training.

Deacon O’Gorman’s other responsibility is to implement Teaching Touching Safety, an age-appropriate program that teaches children to stay away from potential predators.

Teaching Touching Safety is taught by classroom teachers, who know the level of readiness of their students. Parents are able to sign off on the program before it is taught to their children. The program also contains an educational component for parents.

To find out more about Virtus, volunteer as a facilitator, or attend a training, call Deacon O’Gorman at 305-762-1250 or e-mail 1franko@bellsouth.net.

“Protecting God’s Children” seeks people interested in becoming facilitators and training others to recognize signs of sexual abuse and spot abusers. To volunteer, obtain more information, or schedule a training session for your parish or group, call Deacon Frank O’Gorman, 305-762-1250 or e-mail 1franko@bellsouth.net.

Upcoming Virtus trainings

The following Virtus training sessions have been scheduled as of June 2007. To schedule a training in your parish, school or agency, call 305-762-1250 or e-mail 1franko@bellsouth.net.

JUNE

- *Saturday, June 9 at 9 a.m.*, St. Peter, 31300 Overseas Highway, Big Pine Key
- *Saturday, June 23 at 10 a.m.*, St. Henry, 1500 S. Andrews Ave., Pompano Beach
- *Saturday, June 23 at 1 p.m.*, St. David, 3900 S. University Drive, Davie

JULY

- *Saturday, July 14 at 9 a.m.*, St. Louis, 7270 S.W. 120 St., Pinecrest
- *Saturday, July 14 at 10 a.m.*, Little Flower, 1805 Pierce St., Hollywood
- *Saturday, July 21 at 9:30 a.m.*, San Isidro, 2310 Martin Luther King Blvd., Pompano Beach

AUGUST

- *Saturday, Aug. 4 at 10 a.m.*, Little Flower, 1805 Pierce St., Hollywood
- *Thursday, Aug. 16 at 9 a.m.*, Msgr. Edward Pace High School, 15600 N.W. 32 Ave., Miami Gardens.
- *Thursday, Aug. 23 at 7 p.m.*, St. John Neumann, 12125 S.W. 107 Ave., Miami

SEPTEMBER

- *Tuesday, Sept. 18 at 7 p.m.*, Epiphany, 8081 S.W. 54 Court, Miami

OCTOBER

- *Saturday, Oct. 20 at 9 a.m.*, St. Louis, 7270 S.W. 120 St., Pinecrest

Safe Environment contact information

Director,
Safe Environment Program
Mary Ross Agosta
mragosta@theadom.org

Virtus Training Coordinator
Deacon Frank O’Gorman
305-762-1250
1franko@bellsouth.net

Victim Assistance Coordinator
Vicki Kaufmann
1-866-80-ABUSE
1-866-802-2873

Background Check Coordinators
Myriam Leinweber
and Vicky Carpio
305-891-5664

**Screening personnel, volunteers: Myriam Leinweber, Vicky Carpio**

Have fingerprint scanner, will travel.

That could be the motto of Myriam Leinweber and Vicky Carpio, background check coordinators for the Archdiocese of Miami.

They spend their days fingerprinting archdiocesan employees, including priests, religious and deacons, and any volunteers who have access to children, from homeroom mothers in schools to retreat leaders in youth ministry.

The “live scan machine” enables them to record the fingerprints digitally and submit them electronically to the FBI or Florida Department of Law Enforcement (FDLE), the agencies that conduct the background checks.

“We don’t need to use ink anymore, so people are happy about that,” said Leinweber.

She and Carpio spend about half of their working hours going out to parishes in order to accommodate the fingerprinting needs of pastors and school principals. Individuals also can make appointments to come to them at Villa Maria Nursing Center, 1050 N.E. 125 St., North Miami. (305-891-5664)

The background checks take only 24 to 48 hours to complete, and the results are strictly confidential. If a “hit” does come back, the pastor or principal is informed by letter of the type of offense, which he or she can then discuss confidentially with the person.



Myriam Leinweber takes the fingerprints of Eilyn Reyes, left, a member of the cafeteria staff at St. Hugh Parish in Coconut Grove, while Vicky Carpio, seated, makes sure the fingerprint scan has registered in the computer.

“He (the pastor or principal) decides what to do,” said Leinweber. “We don’t release records to anyone.”

She and Carpio are often questioned by those they fingerprint. “They ask, why do they need to do this?” said Carpio.

In fact, archdiocesan policy calls for anyone who is in contact with children to be fingerprinted and undergo a background check every five years. The policy applies to “all kinds of volunteers, even if they’re just parents going on a field trip,” Leinweber explained.

“I don’t want a volunteer going on a field trip with my child if that volunteer has a child abuse history or aggressive tendencies,” said Carpio. “And what other way would I be able to know that?”

“I think it’s so vital,” said MariaElena del Campo, pastor’s assistant at St. Hugh Parish in Coconut Grove, where Leinweber and Carpio spent a morning recently fingerprinting staff members and contractors.

“It’s a very clear regulation,” del Campo said. “We have a school and parish and we don’t want anybody who has a problem involved with children.”

**Victim assistance coordinator:
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.

Charter, policies available on Web site

The Archdiocese of Miami’s policies on keeping children safe from sexual abuse, procedures for reporting suspected abusers, as well as the earlier reports, 2004’s “A Time to Heal,” and “Protecting God’s Children” for 2005 and 2006, are available on the archdiocesan website: 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.