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Options

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sents an objective history of how people began to consider abuse by priests as a crisis and why widely varying statistics are reported.

No central organization maintains statistics on clerical abuse, wrote Jenkins, a professor of history and religious studies at Pennsylvania State University. While recounting many scandals, Jenkins, however, concluded that estimates of pedophile priests are greatly magnified.

"To assert this is in no way to play down the damage that can be done by such individuals," he also stated. He cited different estimates of clergy victims — ranging from 15,000 over 40 years, to 100,000 over 25 years.

Today nearly each if not every one of the 188 U.S. dioceses (including Rochester) has developed second and third revisions of policies they follow in cases of alleged molestation by a priest. Many dioceses require ongoing training of priests to recognize and prevent sexual abuse, and require employees to sign affidavits that they have not been sexual abusers. Most such policies also apply to diocesan employees and often volunteers, and cover sexual harassment and sexual exploitation.

But while dioceses have applied standard principles to their responses to abuse, standards for dealing with priest-molesters elude them.

"Once they're adjudicated and have served time or whatever, once they've been through treatment, what can you do with them? It is a very controversial issue," Father Rossetti said.

"Though the policies talk about re-entry (into the ministry), the climate is such that most bishops say, 'No way,'" Bishop John Kinney, chairman of the Ad Hoc Committee on Sexual Abuse, told the *Courier* in a telephone interview from his diocese of St. Cloud, Minn. "So either the priest leaves the ministry or is put someplace to live."

Father Rossetti favors restricted ministry — not involving minors — for priest-molesters who have responded well to treatment, but laments his observation that society has taken an increasingly punitive attitude toward all abusers and that "clerical warehouses" are springing up instead. He compares such long-term care, isolated facilities to jails. They may be warranted for the few priests who remain dangerous, he said, but those who respond to treatment still may contribute to the ministry.

And generally, he stated, the church remains responsible for priests who refuse to be laicized — that is, returned to a lay state.

With regard to the majority of priest offenders — non-pedophiles — Father Rossetti asked, "Which is the safer option: to cast them into society unmonitored, unmonitored, untreated or to offer monitoring, supervision, and put them in a ministry that doesn't involve minors and put them in (ongoing) therapy?"

"What's the difference between a guy who molests one 14-year-old over three years, and a guy who molests hundreds of 9-year-old boys?" he asked, then answered his own question. "They are clinically different; they respond to treatment differently."

The latest volume of the manual "Restoring Trust" from the bishops' ad hoc committee reflects the dilemma of dealing with priests who are sexual offenders. In it, various bishops wrote, for instance:

- "Diocesan decisions regarding prognosis and future ministry are critical and difficult. This needs further discussion."
- "It would be good if the bishops could work together in developing a strategy on a regional basis regarding the care, development and future provision for priests who will no longer serve in pastoral ministry as a result of their misconduct."

"The most important consideration for me or any bishop is the safety and well-being of the community, and in (sexual abuse cases) the safety and well-being of children and their family," Bishop Matthew H. Clark told the *Courier*.

"At the same time, as a bishop I also have responsibility toward people who might victimize others," Bishop Clark continued. "I think the alternative is to wash one's hands of such a person, and I think that is not consistent with what we believe as Christian people about the possibility of reconciliation, conversion and redemption and the like."

"It is going to be a real challenge for us as a church and society at large to find healthy, constructive, reasonable, respectful ways to deal with these things," he added.

The Catholic Church's dilemma concerning what to do with sexual abusers crosses denominational lines. But again, dependable statistics aren't available.

The Rev. James Poling of Rochester, author of *The Abuse of Power: A Theological Problem* (1991) and other reports on abuse, said practices vary among Protestant denominations, but that "anyone who abuses children should lose their ordination, and that is not uncommon."

"Episcopal and Catholic ordination is a sacrament, you can't technically take it away," added Poling, a Presbyterian minister. "In a Protestant denomination, it is a vocation, a calling, and the church can take it away and there is nothing left."

"One of the most frightening things," he continued, "is the church itself has not been doing the research to find out how many priests or ministers actually are undermining the church's mission and using the office for sex (abuse). The integrity of the church is at stake here."

Even though he questioned its methodology, Jenkins cited one survey of Protestant clergy indicating that 10 percent are involved in sexual misconduct and about 2 or 3 percent are pedophiles. Those figures are as high as or higher than estimates of Catholic clergy.

"It is striking to find such a relatively high number suggested for both celibate and noncelibate clergy," Jenkins observed.

The typical child sexual abuser, according to St. Luke's President Father Canice Connors, is male, age 21-35, middle class, well-educated, and married. Father Connors has estimated that 3 percent of U.S. Catholic clergy might have tendencies toward abusing minors, and of that, perhaps 10 percent (0.3 percent of all clergy) are actual pedophiles — individuals who are persistently attracted to prepubescent children and who are the most difficult abusers to treat.

In professional groups whose members deal with children (social workers, teachers, child-care workers, for instance), Father Connors said, "very soft data" usually reflect a 6-8 percent estimate of members involved in child sexual abuse. And he said he has heard that anywhere from 47 to 68 percent of child sexual abuse (perhaps 250,000 cases a year in the United States) is committed by a family member.

But groups are hesitant to conduct scientific studies, he said, because of fear of potential responsibility and liability.

In tabulating known reports for his 1992 book, *Lead Us Not Into Temptation*, Jason Berry found that 400 Catholic priests in North America had been reported between 1984 and 1992 for molesting children. He estimated that the church had paid \$400 million to resolve the cases. He predicted that the church



could spend as much as \$1 billion by the end of the century.

Yet, as Jenkins noted in *Pedophiles and Priests*, those 400 priests included many accused for incidents that took place back in the 1960s and 1970s. For statistical purposes, therefore they should not be factored into the 50,000 ministering today, but into as many as 180,000 former and current priests serving in the United States and Canada.

"I'm not sure we will ever find the number of ephebophiles (individuals attracted to adolescents) or pedophiles in any profession," Bishop Kinney noted. "I believe the important thing is to work with the research we can get."

His committee is "talking with bishops" in an "ongoing study of finding out what's happening after treatment," said Father Thomas Bevan of the NCCB's Priestly Life and Ministry Office and staff to the ad hoc committee. "But the survey is nowhere near complete."

"The bishops don't share that much with us," he acknowledged, and the treatment centers usually don't track priests they've treated. "So you can see the whole thing is nebulous, at best."

Five treatment centers, including St. Luke's, have proposed a study, according to Father Rossetti. Private funding is being sought to supplement seed money for the research project, estimated to cost between \$500,000 and \$750,000.

"We are asking two questions (about priest-molesters): Who are they and how well can they be treated," he said.

For now, each bishop must consult with his staff and experts to determine case by case whether a molesting priest has recovered well enough to return to a form of ministry and take into account "the local situation" — the reaction of the church community, Bishop Kinney explained.

Bishops contending with the issue in their own dioceses are vulnerable to criticism, no matter what their decisions.

"Everybody is standing in a circle giving the bishop advice and it's often conflicting," commented Mark Chopko, general counsel to the NCCB/U.S. Catholic Conference.

He urged flexibility in diocesan policies, saying, "No two cases are alike. The more details you write into a policy, the more you lock people into one approach. And the next day something happens to break the wheel."

"If somebody comes forward and says 40 years ago he was fondled as a child, and in the (priest's) file there are no complaints, no nothing, as far as anyone knew, the person lived an exemplary life," Chopko continued. "But the (complainant) says 'I decided to make peace with this before my 60th birthday,' and the priest is 85. How do you gauge if the person is still a risk?"

Most complaints today are historical, he added.

Many dioceses turn to an independent review board to conduct a risk assessment when charges arise. The value of such a board was proven in the case against Cardinal Joseph Bernardin in Chicago in 1994, he said. A former seminarian who accused the cardinal of molestation later dropped the charge.

"I'm not saying everything is perfect, I'm not saying the policies have gone the way they should. All I'm suggesting is there will be more evolution," Chopko said.

The church has learned how important it is to reach out to victims, to remove the accused from his position if indicated, to respect the law, to deal as openly as possible with the media, and to

train staff, he said.

While the dioceses are not bound by NCCB recommendations, they must abide by the Code of Canon Law.

"People ask, 'If the bishop has a problem with a priest, why not fire him like in the secular world,'" observed Father Kevin McKenna, chancellor of the Diocese of Rochester. "The difficulty is the bishop is subject not only to civil law but subject to canon law, a different set of procedures. So he has to follow almost two sets of procedures. He also must keep in mind the priesthood and the permanence of the priesthood once ordained. He may not remove by fiat."

"It is possible for the cleric to be dismissed from the clerical state," the chancellor continued. "It is not possible for the bishop to remove the priesthood from an individual. ...It is like baptism — once you are baptized there is no way you can remove that from that person."

To laicize a priest, one of three things must happen:

- The local bishop can determine the ordination was invalid. Yet, Father McKenna acknowledged, "It is even hard to think of what circumstances these would be."

- The priest himself may petition the Holy See for removal from the clerical state, and the Holy See may grant it.

- The bishop may inaugurate a judicial trial by the local tribunal. But tribunals are normally inundated with marriage cases, and for these priests to judge a fellow local priest would be an awkward and complicated situation, Father McKenna commented. Further, if the accused priest can prove he was not under full knowledge of his misconduct, it could well prevent full dismissal.

Father McKenna noted that a laicized priest "would have the power of priest to administer sacraments but would not be permitted to use those powers." Until a priest is laicized, the bishop has canonical responsibility to take care of and provide for him, he said. The bishop can, however, suspend or place the priest on administrative leave — both temporary actions — or accept the priest's retirement if submitted.

The U.S. bishops have asked the Vatican to streamline administrative procedure for a bishop to remove a priest from the clerical state, but to no avail, Father McKenna said. "It is said the pope is reluctant to grant this to local bishops and seems to have fear the powers would be subject to abuse," he explained.

Such efforts were made by a former joint Rome/U.S. commission, created after Pope John Paul II issued a letter in 1993 condemning child abuse.

However, the Vatican did permit two U.S. experiments regarding sexual offenses by priests. One extends the church's statute of limitations until the complainant is 28 years old, rather than ending it five years from the time of the last offense. The other allows a minor to be defined as 18 years old or younger. (The church considers the age of heterosexual consent to be 16, not 18 as is the case in most of the United States.)

"I think this is a good sign the church sees some problem in the United States trying to work with the universal (canon) code," Father McKenna said.

Overall, "we have come a long way," the chancellor observed. "We are much more open to addressing some of these types of issues. One reason, we have learned more about these problems that we never knew. It is a growing experience not only for the church but medicine. We greatly rely on their growth. The more we know, the better we are able to treat it and take reasonable action to make sure people are in no way hurt."

As for similar problems in such countries as Ireland, Scotland, Canada and Australia, "a lot have looked to the United States because what has happened here is happening around the world," Chopko noted.

Next week: a look at the Rochester Diocese's sexual misconduct policy.