

WORLD & NATION

Debate over charter reflects bishops' struggles

By Patricia Zapor
Catholic News Service

DALLAS — The U.S. bishops' June 14 vote to adopt a "Charter for the Protection of Children and Young People" was nearly unanimous, but their daylong debate about it highlighted the difficulty in coming to a consensus.

One sticking point was whether to add the word "credible" to a clause about when an allegation of sexual abuse by clergy must be reported to authorities.

Another was whether the charter's requirement that anyone with a history of even one incident of sexual abuse of a minor must be removed from ministry would extend to priests with one prior, long-ago report and a clean history ever since.

The "credible" debate revolved around an amendment proposed by Archbishop James P. Keleher of Kansas City, Kan., and Cardinal Anthony J. Bevilacqua of Philadelphia. They both recommended adding the word "credible" to the sentence: "Dioceses will report any allegation of sexual abuse of a person who is a minor to the public authorities."

Mark Chopko, general counsel for the U.S. Conference of Catholic Bishops, told the bishops that civil laws really don't give the bishops the option of determining whether an allegation is credible before it is passed along to authorities.

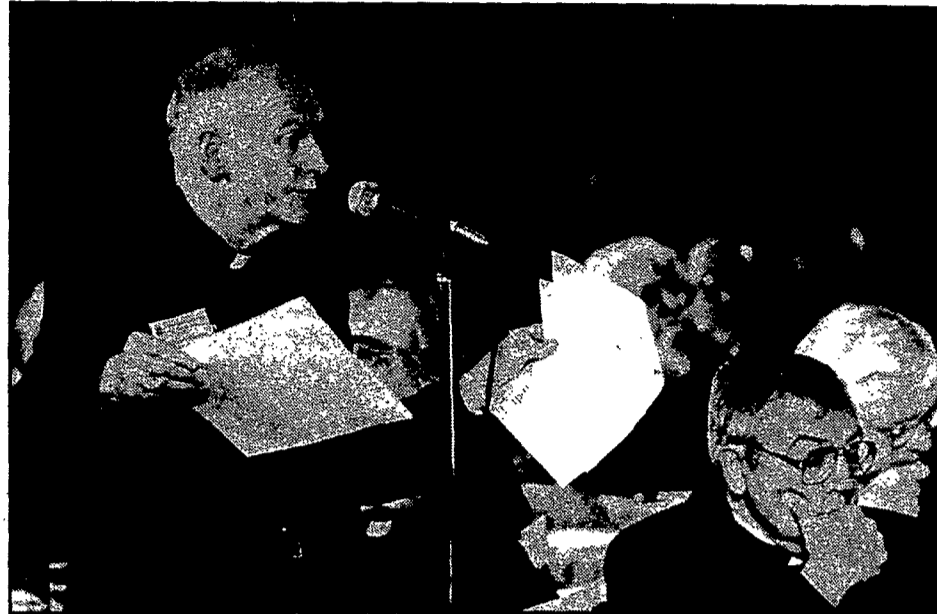
"The reporting laws in the United States all set the bar very low," Chopko said.

Nevertheless, discussion went on for some time, as several bishops attempted to convince others that not providing an "out" to deal with clearly unsupportable allegations would constitute "abandoning our priests," as Bishop John T. Steinbock of Fresno, Calif. put it.

Ultimately, that amendment failed, following arguments like those made by Cardinal Roger M. Mahony of Los Angeles.

"One of the accusations against us from the public is that we have not been doing this (reporting every allegation)," Cardinal Mahony said. He noted that in the last few months he has been the subject of two accusations that were quickly proved false by civil authorities, who were notified as soon as the claims were made.

"I welcomed the investigation of the police," Cardinal Mahony said. "They got to them quickly and found they were unfounded."



Bob Roller/CNS

Washington Cardinal Theodore E. McCarrick, holding copies of proposed amendments to the draft "Charter for the Protection of Children and Young People," makes a comment on the floor of the U.S. bishops' meeting in Dallas June 14.

Others argued that the bishops needed to remove all doubts about their intentions.

"I believe that anything we do to seem to give ourselves wiggle room will be immensely counterproductive," said Archbishop Daniel E. Pilarczyk of Cincinnati.

The second major hurdle for the bishops was over the so-called "zero tolerance" provision, making it mandatory that proven child molesters be removed from their public role as priests after just one incident.

The provision had been the subject of two and a half hours of debate during the bishops' executive session the night before. Cardinal Mahony said that discussion ended with a consensus to go ahead with the one-strike approach.

However, a handful of bishops again tried to persuade the others that a system that retroactively includes everyone with one incident of past abuse would be going too far.

Bishop Howard J. Hubbard of Albany,

N.Y., compared the proposal to laws like one in New York in which "three strikes" laws were adopted as a way of attacking drug crime.

While it helped cut crime, he said, thousands of people who needed treatment for drug abuse were instead imprisoned.

"Please God we bishops not fall prey to the same pitfall as did the legislators in New York," he said. A review of individual cases of accusations against priests by a lay-run panel ought to be sufficient for ensuring that priests likely to cause further harm are prevented from doing so, Bishop Hubbard said.

"At a time when lay involvement in the church is more important than ever, a policy of case-by-case review of sexual misconduct by a lay panel is a most appropriate way to advance and benefit from such lay input," he said.

The bishops' public debate about the charter document on clergy sex abuse got off to a slow start, with a great deal of confusion caused by missing copies of some revisions.

The bishops then spent the rest of the morning approving several batches of amendments to the text and debating the merits of half a dozen proposed amendments that were rejected by the Ad Hoc Committee on Sexual Abuse. When the bishops returned from lunch at 2 p.m., they still had 14 amendments to consider.

It wasn't until after 3:30 p.m. that they actually got around to discussing the charter as a whole and taking the vote. The charter passed 239 to 13 in a written ballot.

Critics jump to criticize bishops' new policy

By Patricia Zapor
Catholic News Service

DALLAS — Even before the votes were counted June 14, critics were saying the U.S. bishops' approval of a policy addressing sexual abuse of minors by priests was no good.

As the written ballots were being tallied, there were news reports that survivors of sexual abuse and organizations seeking change in the church were saying the bishops' "Charter for the Protection of Children and Young People" did not have a zero-tolerance policy and did not address the problem.

Yet the charter, approved by a 239-13 vote, does contain most of what was being sought by groups such as the Survivors Network of those Abused by Priests, known as SNAP.

Among those points summarized at a press conference by Bishop Wilton D. Gregory of Belleville, Ill., president of the U.S. Conference of Catholic Bishops, are:

- It formally acknowledges that the bishops made mistakes in allowing sexual abuse to occur to the extent that it has and takes

responsibility for that.

- It requires any allegation of sexual abuse of a minor to be reported to civil authorities.

- It mandates that any priest who engages in a single act of child sexual abuse — whether past, current or future — be removed from ministry permanently.

- If offenders are not laicized, the charter requires that they lead a life of prayer and penance, and not publicly function as or present themselves as priests.

- It establishes lay-run review boards in every diocese and at the national level.

- It eliminates confidentiality agreements except "for grave and substantial reasons" brought forward by the victim-survivor.

Yet members of SNAP, Call to Action and others were quick to say things like "it doesn't incorporate any of the changes we suggested."

The various groups also said they wanted to see some system of formally holding bishops responsible if they fail to follow the norms. In several press conferences, Bishop Gregory said such an action is beyond the scope of the bishops themselves, since all decisions about bishops' assignments come from the Vatican.

But the "they didn't do what we wanted" spin is the one that dominated broadcast news the night the policy was adopted.

By the next morning, however, SNAP president David Clohessy told Catholic News Service that what the bishops did was "without a doubt the most detailed, extreme and sensitively written document on abuse" that the bishops have written and that it accomplished 90 percent of what SNAP members sought. The remaining 10 percent is a matter of whether the steps the bishops adopted are implemented, he said.

Many bishops "came to this point kicking and screaming," said Clohessy. Although an overwhelming majority of them voted for the charter and the norms, some made it clear they were doing so despite objections to one or more of its key points.

Clohessy said he is skeptical about whether every bishop will follow through with the promises of the charter.

USCCB president: Dallas actions basis for change

By Patricia Zapor
Catholic News Service

DALLAS — The unprecedented policies approved by the U.S. bishops June 14 to deal with sexual abuse of minors by priests are "a solid foundation to build upon," said Bishop Wilton D. Gregory of Belleville, Ill., president of the bishops' conference, at a press conference after the measures were approved.

"Our actions today are not a panacea," he said. "The charter is not perfect."

But it sets out the values, the culture and a mechanism to end "the scourge of sexual abuse within the Catholic Church in America," Bishop Gregory said.

Also at the press conference, Bishop Gregory introduced Oklahoma Gov. Frank Keating, who will head a new national review board. Two other members named out of what will eventually be an 18-person board were Washington attorney Bob Bennett and Justice Anne Burke of the Appellate Court of Illinois.

Bishop Gregory said the sum total of actions taken by the bishops in Dallas means that the bishops "will not tolerate even one act of sexual abuse of a minor. There will be severe consequences for any act of sexual abuse. No free pass. No second chances. No free strike."

He took issue with those — such as



Reuters/CNS

U.S. bishops' conference vice president Bishop William S. Skylstad and president Bishop Wilton D. Gregory applaud the bishops' vote approving their "Charter for the Protection of Children and Young People" June 14.

members of some sex-abuse survivors groups — who were saying the bishops' actions do not constitute zero tolerance for sexual abuse because the charter does not call for all priests found to have abused minors to be laicized, or removed from the priesthood.

"For those who think or say that this is not zero tolerance, then they have not read it carefully," Bishop Gregory said. "We have voted to take every step possible, as bishops, within our canon laws and our powers, to eliminate any loophole that an abuser could try to use."

The "Charter for the Protection of Children and Young People," approved 239 to 13, calls for priests who are found to have sexually abused even one minor to be removed from ministry permanently. Whether such priests would be forced from the priesthood would be determined individually.

Bishop Gregory also talked about the accountability of bishops whose actions kept sexual abusers in positions where they could do more harm.

Bishops will be answerable to civil authorities through requirements that allegations be immediately referred to police and prosecutors and that dioceses fully cooperate with investigations, he said. Bishops also will be accountable to local and national review boards created by the charter and its accompanying norms, and to Catholic laity.

"This charter removes the shroud of secrecy which has undermined your trust in us," he said. "We intend to earn back that trust by our actions."