

## **Information about Child Protection and Sexual Abuse Allegations within the Diocese of Charleston**

### ***What does the Diocese of Charleston do to protect children at its schools and parishes?***

The Diocese of Charleston has had a policy on how to address allegations of sexual misconduct against children by Church personnel since 1994. It was updated in 2003, after the United States Conference of Catholic Bishops (USCCB) issued its original *Charter for the Protection of Children and Young People\** (Charter) and its *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons\*\** (Norms). The Diocese's policy was revised again in 2012 and is currently being reviewed and updated.

As part of the Diocese's policy, every employee and every volunteer who has regular access to children must undergo a background screen and attend a child abuse prevention education program. This includes, but is not limited to: all religious personnel, sport coaches, Scout leaders, substitute teachers, car pool drivers, etc. Additionally, employees and volunteers must sign a code of conduct governing their interaction with minors.

Catholic school teachers and staff are also required to attend boundary training. Maintaining boundaries is a key to preventing abuse. Boundary training is provided to enhance our understanding of how to manage appropriate boundaries in the day-to-day activities of parish and school life. It also reinforces the importance of reporting boundary violations when they are observed, so that abuse can be stopped before it has the opportunity to occur. Moreover, children and youth are educated, in age appropriate ways, to identify situations that could lead to abuse. They are also provided with information on how to report anything that makes them feel uncomfortable.

Each year, the USCCB engages an outside agency to audit every diocese for compliance with the Charter and Norms. The Diocese of Charleston has passed that audit for the past 17 years; it has never failed the audit.

### ***What does the Diocese do when it receives an allegation of sexual misconduct against a minor?***

When the Diocese receives an allegation, we find out if it has been reported to the appropriate authorities. If not, we direct the claimant to make the report immediately and we make a report to law enforcement. If an allegation or suspicion of abuse triggers an obligation to report to the Department of Social Services or law enforcement under the mandatory reporting statute, then it is immediately reported to the authorities. Concurrently, we offer counseling assistance immediately, via our Victim Assistance Coordinator, Louisa Storen, a licensed independent social worker and licensed marriage and family therapist, to provide help to the victim through the process.

When a priest, deacon, religious or layperson is accused of sexual misconduct against a minor, he/she is immediately placed on temporary administrative leave. If the accused is a priest, he cannot function as a priest, wear clerical attire or participate in parish activities during this time. An investigation commences by law enforcement authorities, and to the extent it can be done without violating the prohibition against interfering with a law enforcement investigation, an

independent investigator is engaged by the Diocese. After the investigation is completed, the case goes before the Sexual Abuse Advisory Board (SAAB). The Diocese's SAAB is comprised of nine lay people (at least one has expertise in the treatment of sexual abuse victims and one is the chairperson) plus one priest. The board makes a recommendation to the Bishop as to the credibility of the allegation. If the allegation is deemed not credible, the priest, deacon, religious or layperson can return to his/her ministry or job. If the allegation is deemed credible, the Bishop will move to permanently remove him/her from his/her position and apply any additional sanctions he deems appropriate. Civil authorities are responsible for any criminal penalties.

***What have been the financial settlements of the Diocese related to sexual abuse claims involving minors?***

The Diocese of Charleston has settled various claims since 1994. Additionally, in January 2007, it entered into a \$12 million Class Action Settlement Agreement (CAS). The CAS was an avenue for survivors to come forward, make a claim, and receive financial compensation and professional counseling without having to undergo the ordeal of proving their cases in court. In other words, the Diocese waived its legal defenses exclusively with respect to all claims asserted in the CAS, including, but not limited to, the statute of limitations and charitable immunity. During the CAS process, the independent arbitrator accepted nearly every claim made in the CAS, and those victims and family members were compensated from the Class Action fund.

***Where does the money come from that is used to pay sexual abuse claims?***

The Diocese has two sources from which it pays sexual abuse claims: insurance and investment income. No money from the Bishop's Annual Appeal has been used to pay sex abuse claims. Moreover, no money from the upcoming Bicentennial Capital Campaign or the recent sale of 119 Broad Street will be used to pay such claims. Per the Charter, no diocese is permitted to enter into a confidentiality agreement, unless requested by the survivor.

***Has the Diocese conducted a review of all its priest personnel files?***

As part of the CAS, a detailed review of Diocesan priest personnel and other relevant files was undertaken. The results of that review were shared with law enforcement officials.

***What screening is done for a man who wants to enter the seminary?***

When a man wishes to become a priest, he goes through a detailed application process in which he undergoes a thorough psychological health assessment, physical evaluation, and a background screening. In addition, he must submit written recommendations from family, friends and mentors who have known him for a significant amount of time. Moreover, he must be interviewed by the Vicar for Vocations and the Bishop, and then must appear before the Diocesan Vocational Review Board for its interview process. If accepted by the Board, then its members recommend him to the Bishop. If the Bishop accepts the recommendation of the Board, the candidate then applies to the seminary chosen by the Bishop and Vicar for Vocations. The seminary has an application process to be followed before a candidate is accepted into that seminary. During his priestly formation, the seminarian undergoes regular spiritual direction, meets with advisors, and submits to regular academic and social interaction evaluations.

***What is the protocol when a priest is transferred or moved to another diocese?***

When a new priest wishes to enter the Diocese of Charleston, whether from inside or outside the United States, the bishop in the outgoing diocese must send a testimonial letter to Bishop Robert E. Guglielmone stating there are no allegations of sexual misconduct with a minor against him. The priest must then undergo a background screening. After reviewing and evaluating the information gathered, the Bishop determines whether to accept the priest into the Diocese.

If a priest with a record of sexual abuse relocates to another diocese for residence only (outside of an assignment), the bishop in the outgoing diocese must inform the bishop in the receiving diocese of the nature of the abuse and his restrictions.

According to the Norms, no priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese.

***What is the Diocese's association with Father Robert Spangenberg who has been identified in the Pennsylvania Grand Jury report?***

Father Spangenberg served at St. Patrick Catholic Church in Charleston from 1990 – 1992. He was a member of the Congregation of the Holy Spirit (Spiritans), not a priest ordained in the Diocese of Charleston. Diocesan officials reviewed both Diocesan and parish files and records and did not find any documentation of allegations of sexual misconduct. Moreover, no one has come forward accusing Father Spangenberg of sexual abuse in the Diocese of Charleston since the release of the grand jury report.

***Lawsuits have recently been filed against the Diocese of Charleston. Does this mean sexual abuse of minors is still occurring within the Diocese?***

The two lawsuits recently filed in Charleston County include allegations that date back more than 50 years ago. One lawsuit claims two teachers at the former Sacred Heart Catholic School abused a student in the late 1960s/early 1970s. The Diocese never received information indicating that either teacher engaged in any sort of inappropriate conduct with a minor. Both teachers are deceased. The other lawsuit claims that Frederick Hopwood, a former Diocesan priest, abused a teenage male in the mid-1950s. Hopwood was removed from active ministry in December 1993. Hopwood died in April 2017. A third lawsuit, filed in federal court in late July, claims that Raymond DuMouchel, a former Diocesan priest, abused a teenage boy approximately 30 years ago. DuMouchel died in September 2006.

***What has the Diocese done in response to the recent developments in the Catholic Church?***

Diocesan officials are currently reviewing and updating the Diocesan policies and practices related to sexual abuse allegations. Additionally, on August 31, 2018, Bishop Guglielmone sent a letter to the Papal Nuncio, Archbishop Christophe Pierre. In it, he shared his anger over and asked for an investigation into the rise in power of Archbishop Theodore McCarrick despite “the reported knowledge of his prior sexual misconduct and monetary settlements during his earlier diocesan assignments.” He also asked Archbishop Pierre to encourage Pope Francis to comment on statements made by Archbishop Carlo Maria Viganò. Bishop Guglielmone wrote, “This is in everyone’s best interest; lack of knowledge and uncertainty contribute to the confusion so much a part of our people’s lives today.”

Bishop Guglielmone is planning to hold town hall meetings in every deanery in the upcoming months. Additionally, he will review facts as they unfold in the future and will determine what additional action and responses may be warranted.

\*According to the USCCB website, the Charter for the Protection of Children and Young People is a comprehensive set of procedures originally established by the USCCB in June 2002 for addressing allegations of sexual abuse of minors by Catholic clergy. The Charter also includes guidelines for reconciliation, healing, accountability, and prevention of future acts of abuse. It was revised in 2005, 2011, and 2018.

The Charter directs action in all the following matters:

- Creating a safe environment for children and young people;
- Healing and reconciliation of victims and survivors;
- Making prompt and effective response to allegations;
- Cooperating with civil authorities;
- Disciplining offenders;
- Providing for means of accountability for the future to ensure the problem continues to be effectively dealt with through the Secretariat of Child and Youth Protection and the National Review Board.

\*\*According to the USCCB website, the Essential Norms are "particular" canon law for the bishops in the United States. Particular canon law is canon law which applies only to a certain group. In the case of the Essential Norms, this "particular law" applies to the Catholic bishops in the United States. The Essential Norms make some of the elements of the Charter the law of the Church in the United States. Non-compliance with the Essential Norms is subject to canonical penalty.