



### **Frequently Asked Questions**

#### **How the Diocese of Arlington protects children, reports abuse and assists victims of sexual abuse by members of the clergy**

#### **What are the commitments of Bishop Burbidge and the Diocese with regard to allegations of sexual abuse and protecting God's children?**

- No priest or deacon currently in active ministry has been credibly accused of child sexual abuse.
- We report EVERY allegation of child sexual abuse to legal authorities.
- We fully cooperate with their investigation.
- We have a Review Board that reviews all available evidence collected by the Diocese and legal authorities with regard to allegations of child sexual abuse by clergy. This Board is made up of mostly lay men and women volunteers with professional expertise in areas such as medicine, psychology, law (civil and canonical), counseling and child abuse.
- All clergy, staff and volunteers who work with children undergo careful screening, including background checks.
- All clergy, staff and volunteers who work with children are trained to identify inappropriate behavior, grooming techniques used by abusers, and how to report suspicious behavior or abuse.
- Each and every allegation of sexual abuse is taken seriously.

#### **How does one report an incident of sexual abuse of a minor allegedly perpetrated by a priest, staff or volunteer?**

Individuals are encouraged to contact local law enforcement if there is a known incident of sexual abuse, or they may report it to the diocesan Victim Assistance Coordinator at (703) 841-2530.

#### **What did the August 2018 Pennsylvania Grand Jury Report say?**

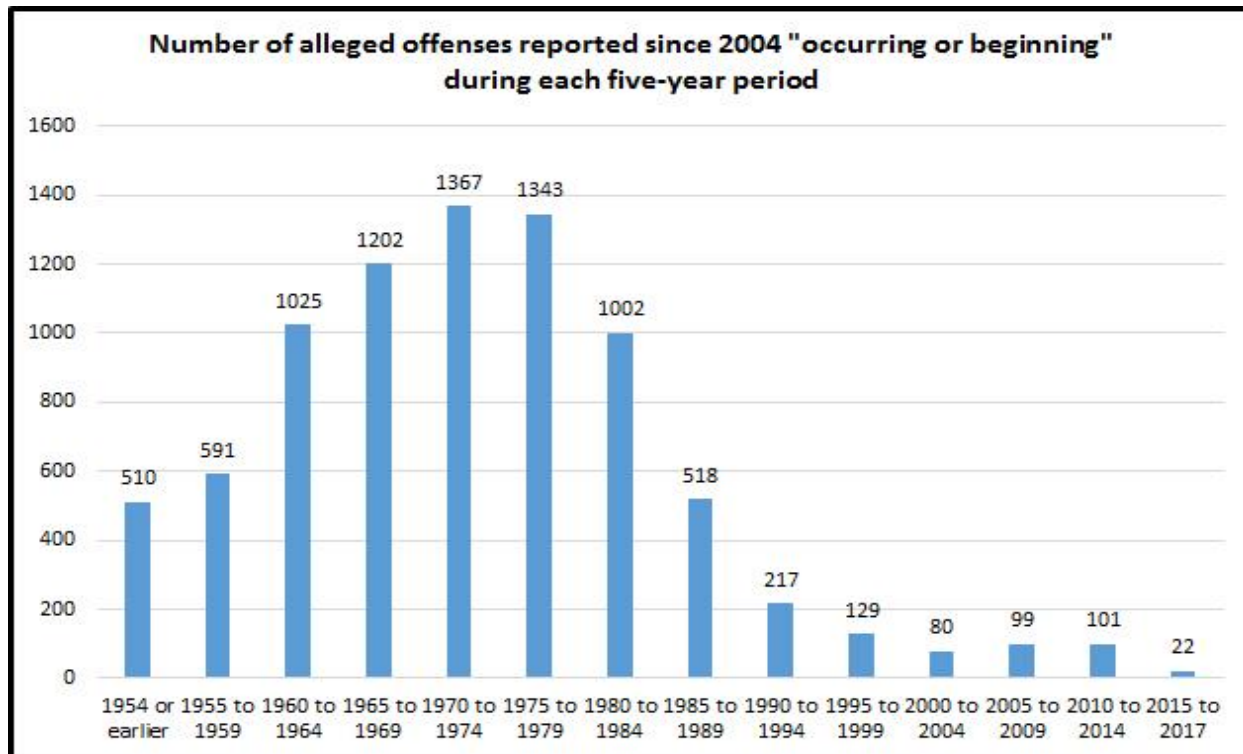
A Pennsylvania grand jury reviewed the files of six dioceses in that state and found that 300 priests had been accused of committing child sexual abuse over the previous seven decades and that some bishops failed to report the abuse to police or to remove the accused priests from ministry permanently.

## Is child sexual abuse still occurring?

Of the 300 priests described as abusers in the recently released Pennsylvania Grand Jury Report, two have been accused of abuse within the past 10 years. All of the other cases are decades old. Approximately half of the 300 priests are deceased, and the remaining priests are not in ministry. Based on these facts, there is good reason to believe that the comprehensive reforms and uniform child protection procedures developed by the United States bishops in the 2002 [Charter for the Protection of Children and Young People](#), along with much greater societal awareness and commitment to preventing child abuse, are having a significant impact and have led to drastic reductions in new allegations of abuse in the Church.

In addition to the 2002 reforms, another contributing factor to the reduction in new allegations of abuse is that all seminarians are put through a rigorous screening process. This process includes background checks, references, multiple interviews and thorough psychological evaluations to evaluate thoroughly the candidate's capacity for a lifetime commitment to a chaste, celibate life.

In their independent study, the [John Jay Report](#) researchers reviewed the number of allegations of clergy sexual abuse of minors from 1950 to 2002, nationally. Separately, the Center for Applied Research in the Apostolate (CARA) at Georgetown University has collected the numbers of new [allegations](#) of sexual abuse by clergy reported since 2004. The distribution of cases reported to CARA is nearly identical to the distribution of cases, over time, in the John Jay results.



The graph above shows the results of these independent studies. Consistent with all of the data from analysis of this issue and the Pennsylvania Grand Jury Report, it is clear the abuse

occurred primarily in the past, from 1950-1990, and has greatly decreased since the 2002 Charter was implemented.

### **Is Bishop Burbidge willing to meet with victims/survivors of sexual abuse?**

Bishop Burbidge regularly meets with victims/survivors of sexual abuse, some of whom were not abused by members of the clergy or persons associated with the Catholic Church. He continues to welcome the opportunity to meet personally with victims/survivors, to hear their stories and to support them in their journey toward healing.

### **What is the process when sexual abuse allegations against clergy are made?**

The following are elements of the process of addressing allegations of sexual abuse by clergy:

- We immediately report all allegations to legal authorities.
- The Diocese cooperates fully with any law enforcement investigation.
- We forward all allegations to the diocesan Victim Assistance Coordinator so that outreach to the alleged victim/survivor can be offered.
- After a prompt internal initial investigation, if the allegation meets a preliminary threshold of credibility, the accused cleric is relieved of his assignment and placed on administrative leave. He may not live at a parish or present himself as a priest/deacon while the investigation proceeds.
- An announcement is published at parishes and any diocesan institution where the accused cleric has served. The announcement discloses the allegation and requests that anyone with relevant information contact legal authorities and the Diocese.
- The diocesan investigation is conducted by individuals designated by the Moderator of the Curia. They may include outside investigators or other experts. Care is taken to avoid any interference with the law enforcement investigation. This may be done by working in conjunction with law enforcement if possible or by deferring the diocesan investigation until the law enforcement investigation is complete.
- When the diocesan investigation is complete, all evidence is considered by the Diocesan Review Board, which is made up of mostly lay men and women with professional expertise in fields such as canon and civil law, medicine, psychology, counseling, etc.
- The Review Board determines whether the allegation is credible and advises the Bishop regarding the accused cleric's suitability for ministry.
- No cleric with a credible allegation of sexual abuse against a minor may return to ministry.
- The determination by the Review Board is independent of that by law enforcement. The Review Board may find an allegation to be credible even if law enforcement determines that evidence is not sufficient for a criminal prosecution.
- If an act of child abuse by the accused cleric is admitted or established, the Bishop will take appropriate canonical action, up to and including laicization.

## **Have independent audits of the clergy personnel files been completed?**

The clergy personnel files were previously independently reviewed in 2003 and 2011. Based on those audits, it is certain that no cleric with a credible allegation of sexual abuse of a minor is serving in ministry in our diocese. In September 2018, Bishop Burbidge commissioned a new, thorough review of the files of all priests and deacons who have ever served in our diocese, including those who are deceased or no longer serving here, to ensure that any past credible allegations of sexual abuse of a minor are known. This review was conducted independently by two former FBI investigators who are given access to all personnel files related to clergy.

At the completion of the work of the independent investigators, a list of priests credibly accused of sexual abuse of a minor in the Diocese was published on February 13, 2019. (No deacons were found credibly accused by the Diocesan Review Board.)

The list of priests credibly accused of sexual abuse of a minor can be found here: [ArlingtonDiocese.org/ClergySexualAbuse](http://ArlingtonDiocese.org/ClergySexualAbuse).

## **How did the Diocese determine an allegation to be “credible” for the list they published on February 13, 2019?**

The names and cases published on February 13, 2019 were considered by the Diocesan Review Board with all available documentation following a thorough review by third-party, former FBI personnel. The Diocesan Review Board then gave its recommendation that those names be published. Bishop Burbidge accepted their recommendation.

Priests on that list were accused of sexual abuse of a child, and meet at least one of the following criteria:

- The accused admitted guilt;
- There has been a determination of guilt in a criminal court, civil court or by an ecclesiastical process;
- The Arlington or Richmond Diocesan Review Board found the allegation to be credible.

## **What is meant by a finding of “credible” by the Review Board?**

The Diocese’s child protection policy defines a “credible accusation” as “an allegation that, based upon the facts of the case, meets one or more of the following thresholds: (a) believable and plausible; (b) natural, reasonable and probable; (c) corroborated with other evidence or another source; and/or (d) acknowledged/admitted to by the accused.” In effect, this requires a determination that, based upon the available evidence, the allegation is believed to be more likely to be true than not true by a majority of the members of the Board.

It should be noted that a Review Board determination is not the equivalent of a civil or criminal court finding. Unlike the courts, the Review Board’s determination does not need to be unanimous. In addition, the Review Board does not have at its disposal the evidence-gathering tools of the court system (for example, the ability to require the attendance of witnesses, the production of relevant documents, etc.).

### **When have the Diocese's child protection policies been updated?**

In 2002, the U.S. Bishops issued the [Charter for the Protection of Children and Young People \(www.usccb.org/ocyp/charter.htm\)](http://www.usccb.org/ocyp/charter.htm) as a comprehensive set of procedures for addressing allegations of sexual abuse of minors by Catholic clergy. Based upon this Charter, the Diocese of Arlington updated its child protection policy in 2003. A further update of this policy, to incorporate the latest advancements in best practices and to reflect experience under the prior policy, is currently underway. In addition, the Diocese has published Codes of Conduct for clergy and lay people who work with children. These were initially published in 2004 and were updated in 2012.

### **Was 2002 the first time the Diocese established policies to prevent child sexual abuse?**

In 1991, the Diocese instituted its [Policy on the Prevention of Sexual Misconduct and/or Child Abuse](#) in an effort to prevent possible sexual misconduct and/or child abuse by personnel of the Diocese. This policy was updated in 1995 and 2000, and the current policy was adopted in 2003 and underwent a small revision in 2004. These policies have always applied to all diocesan staff, clergy and volunteers who have substantial contact with minors.

### **Who must be fingerprinted as part of their background check?**

All clergy and employees of diocesan offices, parishes, parish and diocesan schools, ministries and charities — regardless of their contact with children — must undergo a background check that includes fingerprinting. Additionally, any volunteer with substantial contact with children must undergo a background check.

### **In addition to the policies, how does the Diocese prevent child sexual abuse?**

Through the diocesan Office for the Protection of Children and Young People, the Diocese conducts Safe Environment training seminars on methods of preventing, recognizing and reporting child abuse and sexual misconduct. All clerics, employees and volunteers who have substantial contact with minors of the Diocese, parishes, schools, missions or other institutions must attend these seminars within 45 days of submitting their completed background check.

Additional information about adult Safe Environment training in the Diocese of Arlington can be found on our [VIRTUS: Protecting God's Children for Adults Training](#) webpage.

### **Is a similar policy and practice in place for employees and volunteers who work with children?**

If the alleged perpetrator is an employee of the Diocese, the employee shall be placed on administrative leave. Volunteers will be relieved of their volunteer positions. If an allegation of child abuse or illegal sexual misconduct by an employee is found to be credible, he or she shall be immediately terminated from employment and may also face criminal charges.

## **Who checks to ensure the Diocese is following its procedures?**

Our diocese is audited annually by Stonebridge Business Partners of Rochester, N.Y., to ensure we are compliant with the Charter for the Protection of Children and Young People. This audit looks at our practices and procedures for background checks, Safe Environment training and reporting. We have been found compliant each year since 2004.

## **Are lay people involved in reviewing accusations? What is the Diocesan Review Board?**

When an allegation of sexual abuse of a minor is received, lay people are involved in each step of the process, including reporting the allegation to law enforcement, conducting the diocesan investigation and reaching out with assistance to the individual making the allegation.

In addition, based on the national charter approved in 2002, all dioceses are to have a review board that functions as a confidential consultative body to the Bishop. This board assesses allegations of sexual abuse of minors by clergy and review diocesan policies and procedures for dealing with sexual abuse of minors.

When a diocesan investigation is complete, all evidence is considered by the Diocesan Review Board, which is made up of mostly lay men and women with professional expertise in fields such as medicine, psychology, counseling, canon and civil law, etc. The Review Board determines whether the allegation is credible and advises the Bishop regarding the accused cleric's suitability for ministry. No cleric with a credible allegation of sexual abuse against a minor will return to ministry.

The determination of the Review Board is independent of that of law enforcement. The Review Board may find an allegation to be credible even if law enforcement determines that the evidence is not sufficient for a criminal prosecution.

### **Review Board Members as of October 2018**

- Mr. Art Behrmann, M.D. Private Practice of Psychiatry
- Mr. Robert Chirles, M.S., Retired Director, Loudoun County Department of Family Services
- Mrs. Linda A. Cullen, M.S.W., A.C.S.W., Retired Program Director of Children's Services, Catholic Charities of the Diocese of Arlington; Psychological Assessor, Diocese of Arlington Tribunal
- Sr. Susan Louise Eder, O.S.F.S., Principal, Holy Cross Academy, Fredericksburg
- Robert C. Odle Jr., Esquire, Retired Attorney at Law, Weil, Gotshal & Manges, L.L.P.
- Mr. Ronald S. Riggins, RP Financial; President/Managing Director
- Fr. Lee R. Roos, Promoter of Justice; Pastor, All Saints Parish, Manassas
- Fr. Robert C. Cilinski, Episcopal Vicar for Charitable Works at the Chancery, V.F., Pastor, Church of the Nativity, Burke
- Mr. John C. Harley, Jr.
- Susan L. Malone, retired Program Director, Intelligence Liaison, Defense Criminal Investigative Service, DoD Inspector General; Colonel, USMC retired; retired Office of the Prosecutor, United Nations War Crimes Tribunal, The Hague Netherlands

**Are there priests now serving in our diocese with credible allegations of sexual abuse against them?**

No. We have consistently followed the Charter for the Protection of Children and Young People issued in 2002, which states that no cleric may serve in ministry following a credible allegation of sexual abuse against a minor.

**If the allegations are found to be credible, will you fire the priest?**

If an allegation of child sexual abuse against a priest is found to be credible, he will not return to ministry. Such individuals may also face criminal prosecution.

The ordination of a priest binds him and his bishop in a special relationship, which normally continues for the entirety of a man's service. Therefore, the Bishop, while ensuring a priest is never again put in a position in which he could harm a child, is canonically responsible to work for his rehabilitation, if that is possible, and to provide for his basic needs. However, in some circumstances, based on the gravity of the priest's actions, the relationship between a priest and bishop can be severed. This process is called "laicization" and results in restoring a man to the lay state.

**What happens to an accused priest if the allegations are found not to be credible?**

If allegations against a priest are found not to be credible by both the civil authorities and the diocesan Review Board, and if there are no other impediments to his ability to serve, then the priest is restored to full ministry and actions are taken that will attempt to restore his good name.

**Could our diocesan funds pay settlement or legal costs associated with child sexual abuse or sexual misconduct cases for OTHER dioceses?**

Each diocese operates independently. No diocese is held financially responsible for debts of another diocese.

**Does the Diocese of Arlington have insurance to address sexual misconduct cases?**

As a standard practice since the early 1990s, the Diocese of Arlington has included sexual misconduct insurance among its array of insurance coverages to help protect the donations made to the Diocese for ministry and charitable works.

**Has the Diocese paid settlements to victims/survivors of abuse?**

Over its 44-year history, the Diocese has paid approximately \$110,000 from insurance funds in settlements of claims of sexual abuse of minors by clergy.

### **Are Bishop's Lenten Appeal or Catholic Charities funds used in sex abuse settlements?**

No. Funds provided for the Bishop's Lenten Appeal, disaster relief, Catholic Charities, etc. are used for the purposes for which they are given and not in relation to claims of sexual abuse of minors. The Diocese has insurance policies in place to protect donor funds from lawsuits and/or claims.

### **What other expenses has the Diocese paid to assist victims/survivors or to prevent abuse?**

The Diocese has had an extensive program to assist victims/survivors of sexual abuse. Since 2003, roughly \$750,000 has been spent on therapy and essential needs for victims/survivors of sexual abuse, averaging \$40,618 per year over the last 15 years. In addition to direct assistance to victims/survivors, the Diocese has spent \$2.1 million on the Victim Assistance Program over 16 years.

Most of those served by diocesan counseling services or referrals were not abused by clergy of this diocese, and many others were not abused by anyone associated with the Church.

A staff of seven people runs the Office for Child Protection and Victim Assistance, and they are assisted by 42 training facilitators and 96 parish/school/ministry liaisons. This office oversees extensive background checks for staff and volunteers, child protection training for all clergy/staff/volunteers, programs for school and religious education students, counseling for victims/survivors of sexual abuse, and implementing the Charter for the Protection of Children and Young People. Separate from the Victim Assistance Program, more than 60,000 people have gone through training conducted by the Office of Child Protection, which has an annual budget of roughly \$780,000.

### **Does the Diocese protect men in the seminary?**

On episode 15 of the Walk Humbly Podcast, Bishop Burbidge stated:

“...I've been involved in seminary work for much of my priesthood and since I've been ordained a bishop. And, I have to say, I have great confidence in our seminaries right now. There is really an atmosphere of transparency. ...the atmosphere's much different than when I was a seminarian. It was just a different time, a different culture, you had rules to follow, you did it, and there wasn't much discussion.”

“Our seminarians today are encouraged to be very transparent with their Bishop, with their spiritual director, with their formation advisor, with the administration of the seminary. How are you doing? Where are your strengths, where are your weaknesses? Where are your struggles? And, I have to say, I am so inspired by our seminarians of how honest and transparent they are with me. I'm in direct communication with them. And, I am confident that if they were in any way experiencing something that was not right and there was a misuse of power, we've created a culture within our Diocese and within our seminaries that that would be expressed.”



On episode 16 of the Walk Humbly Podcast, Bishop Burbidge spoke about conversations he has had with the parents of our seminarians. He said, in part:

“I assured their families that and their parents that I am the spiritual father to their sons. I treasure that responsibility and privilege and assured their parents that I will do everything possible to support, to encourage them in their formation.”

Each man entering the seminary goes through a very extensive application process that includes background and reference checks. Additionally, there are multiple interviews and psychological assessments completed with each candidate to evaluate thoroughly his capacity for a lifetime commitment to the priesthood, especially to living a chaste, celibate life.

### **Is there a policy on the admission of homosexual men to study for the priesthood in this diocese?**

The Holy See has long held that men with "deeply rooted homosexual tendencies" or who are sexually active, regardless of sexual orientation, cannot be ordained to the priesthood. It was reported in the news media that, during a meeting with Italian bishops, Pope Francis has recently spoken about this issue directly and upheld this practice of the Church.

In the 2016 edition of the Congregation for Clergy's *ratio* on priestly formation, the dicastery wrote: "In relation to people with homosexual tendencies who approach seminaries, or who discover this situation in the course of formation, in coherence with her own magisterium, 'the Church, while profoundly respecting the persons in question, cannot admit to the seminary or to holy orders those who practice homosexuality, present deep-seated homosexual tendencies or support the so-called 'gay culture.'"

The Diocese of Arlington follows the Holy See's teaching on this issue.

### **How does the Bishop ensure the safety of current men in the seminary?**

Diocese of Arlington seminarians study at five seminaries in the United States, Spain and Italy. Bishop Burbidge and the diocesan Director of Vocations maintain a very open dialogue with each seminarian. The Bishop annually visits each seminary, meets with each man and works closely with the leadership of each seminary.

Bishop Burbidge has confidence in the way each seminary is run based on his own examination of their practices to ensure adequate safeguards for each man.

### **What can I as a Catholic do during this difficult time?**

During this time, it is easy to feel helpless, but there are many things we can do as Catholics that are productive.

First, know that there is no priest serving in our diocese with a credible allegation of abuse against him. Please pray for our priests, especially your parish priests, and offer encouragement to them, as they are saddened and angered by the tragic and evil actions of some priests and by Church leaders who failed to protect those under their care.

Second, please share with friends and fellow parishioners the reality of all that the Diocese does to protect children and help victims/survivors in their healing process. Many are unaware of the extent to which our diocese works on behalf of the faithful, nor do some understand all that has changed following the 2002 Charter for the Protection of Children and Young People. While our diocese continues to have very good practices in place to ensure the safety of all children and adults, we will continue to make improvements when appropriate.

Third, we must pray fervently. Prayer obtains grace from God. Grace is something that we all need to make right decisions and to grow in holiness. So, increase your prayer life, spend more time reading Sacred Scripture and draw nearer to God during this time. In your prayer, please continue to remember all victims/survivors of child abuse and sexual misconduct.

It is important that we continue our pastoral outreach to others, especially those most in need. Our service, charity and good works help to reveal the presence of Jesus, the Light who has conquered the darkness.

We certainly can acknowledge our emotions and share our opinions in light of the issues within our Church. In the process, we must respect each other and let nothing divide us, so that we may live as members of God's holy family.

Lastly, it is true that the present scandals are embarrassing and infuriating, but we must remain proud to be Catholic. Our Church was instituted by Jesus Christ Himself and remains rooted in Him and led by the Holy Spirit. Our faith is in Him Who experienced trial and suffering yet triumphed. Our faith has been handed on through trials, tribulations, martyrdoms, scandals and all sorts of sufferings endured by men and women who put their trust in God and His Church. We continue to do so as we ask God to show us the path we must take in order that this sort of tragedy never happens again.

***“I have told you all this so that you may have peace in me. Here on earth you will have many trials and sorrows. But take heart, because I have overcome the world” (Jn 16:33).***