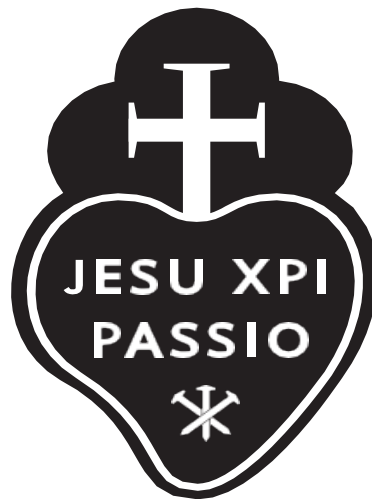


CONGREGATION OF THE PASSION OF JESUS CHRIST
ST. PAUL OF THE CROSS PROVINCE

CODE OF CONDUCT



St. Paul of the Cross Province www.thepassionists.org

Update November 2024

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The Passionists of St. Paul of the Cross Province have been awarded
Praesidium Accreditation.TM
April 2020 – April 2025

Praesidium, Inc., the national leader in abuse risk management for religious institutes, has determined in the course of multiple reaccreditation reviews that St. Paul of the Cross Province is in compliance with the highest current national standards for protecting children, earning high honors in abuse prevention policies, practices and response.

REFLECTION

Pope Francis May 2023

Address to the Members of the Pontifical Commission for Protection of Minors

I would ask you to bear in mind the following three principles and to consider them as part of a *spirituality of reparation*.

1. First, where harm was done to people's lives, we are called to keep in mind God's creative power to make hope emerge from despair and life from death. The terrible sense of loss that many experience as a result of abuse can sometimes seem a burden too heavy to bear. Church leaders, who share a sense of shame for their failure to act, have suffered a loss of credibility, and our very ability to preach the Gospel has been damaged. Yet the Lord, who brings about new birth in every age, can restore life to dry bones (cf. *Ezek 37:6*). Even when the path forward is difficult and demanding, I urge you not to get bogged down; keep reaching out, keep trying to instill confidence in those you meet and who share with you this common cause. Do not grow discouraged when it seems that little is changing for the better. Persevere and keep moving forwards!

2. Secondly, sexual abuse has opened many wounds in our world, not only in the Church. Many victims continue to suffer the effects of abuse that took place years ago, yet continues to be an obstacle and a source of brokenness in their lives. The consequences of abuse make themselves felt in relationships between spouses, parents and children, brothers and sisters, friends and colleagues. Communities are traumatized; the insidious nature of abuse creates devastation and division in people's hearts and their relationships.

Yet our lives are not meant to remain divided. What is broken must not stay broken. From the world of nature, we learn that every part of our lives is interconnected, and the life of faith connects this world with the world to come. Everything is interconnected. The mission Jesus received from his Father is to ensure that nothing and no one is lost (cf. *Jn 6:39*). Where life is broken, then, I ask you to help put pieces back together, in the hope that what is broken can be repaired...Mending the torn fabric of past experience is a redemptive act, the act of the suffering Servant, who did not avoid pain, but took upon himself the iniquity of us all (cf. *Is 53:1-14*). This is the path of healing and redemption: the path of Christ's cross.

3. Third, I encourage you to cultivate an approach that mirrors the respect and kindness of God himself. The American poet and activist Maya Angelou once wrote: "I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel". So be gentle in your actions, bearing one another's burdens (cf. *Gal 6:1-2*), without complaining, but considering that this moment of reparation for the Church will give way to a further moment in the history of salvation. The living God has not exhausted his sources of grace and blessing! Let us not forget that the wounds of the Passion remained on the body of the risen Christ, no longer as a source of suffering or shame, but as signs of mercy and transformation.

I. INTRODUCTION

A. The Congregation of the Passion of Jesus Christ and the Province of St. Paul of the Cross recognize that sexual misconduct by Passionist Members or Agents of the Congregation and/or Province has devastating consequences for victims and their families, for the lay and religious communities, and for the perpetrators. We have become increasingly aware of the effects of this tragic behavior and have developed a steadfast commitment to helping those affected.

B. This conduct protocol is intended to assist Passionist Members and Agents of the Province in making decisions about interactions with minors, vulnerable adults, or adults who seek and/or are provided Passionist pastoral ministry. The protocol delineates what constitutes appropriate and inappropriate conduct involving interactions with minors, vulnerable adults, or adults in all ministerial and/or employment settings. The code of conduct provides guidance concerning conduct with adults who seek and/or are provided Passionist pastoral ministry. The Code of Conduct must always be maintained in conjunction with the Province Policy Statement Concerning Sexual Misconduct and the Procedural Guidance Concerning Sexual Misconduct.

C. The term Passionist Member refers to a professed (i.e., vowed) religious, a novice, or a postulant of either St. Paul of the Cross Province. A Passionist Member is subject to this code of conduct in all interactions with minors, vulnerable adults, or adults in all ministerial and/or employment settings. An Agent of the Province is an employee, volunteer, or any subcontracted business entity working at or providing ministerial or administrative service in any Passionist or Passionist-associated worksite and is subject to the Code of Conduct while on Passionist property or off-site when representing the Passionists. The code of conduct also applies to all guest residents or individuals participating in ministerial activities in a Passionist setting.

D. For the purposes of this code of conduct, the applicable sexual misconduct is that which occurs within a Passionist ministerial or Passionist work setting. Sexual misconduct is a general term that encompasses:

1. sexual abuse,
2. sexual harassment, and
3. sexual exploitation.

E. **Sexual abuse** is sexual contact between a Passionist Member or Agent and a minor or vulnerable adult.

F. **Sexual harassment** is defined as unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature between co-workers (Passionist Members, Agents) in the church setting.

G. **Sexual exploitation** consists of sexual contact between a Passionist Member or Agent and a person who is receiving pastoral care from the Passionist Member or Agent for the purposes of transactional adult sex, sex trafficking, or other unjust or improper use of another person or another person's resources for one's own profit or advantage, with or without the person's consent.

H. Sexual interactions or misconduct is never acceptable in a pastoral relationship with a parishioner, employee, spiritual directee, counseling client, or anyone who has sought Passionist ministry. It is entirely the responsibility of the Passionist Member or Agent to maintain appropriate physical, emotional and behavioral (sexual) boundaries and conduct with those with whom he works and/or serves.

II. CODE OF CONDUCT WITH MINORS AND/OR VULNERABLE ADULTS

A. Minor and Vulnerable Adult

1. A minor is anyone under the age of 18.
2. For the purposes of this policy, the term “vulnerable adult” refers to an individual person who habitually has an imperfect use of reason that might leave them vulnerable to abuse.
3. Abuse and neglect of minors and vulnerable adults are contrary to the teachings of the Church and are prohibited. Passionists and Agents of the Province have a responsibility to protect minors and vulnerable adults from all forms of abuse and neglect.

B. Prohibited Behaviors

1. Using, possessing, or being under the influence of illegal drugs while in the presence of minors or vulnerable adults.
2. Using, possessing, or being under the influence of alcohol or illegal drugs while supervising minors or vulnerable adults.
3. Providing or allowing minors to consume alcohol or illegal drugs.
4. Swearing in the presence of minors or vulnerable adults.
5. Speaking to minors or vulnerable adults in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
6. Discussing sexual activities with minors or vulnerable adults unless it is a specific job requirement and the Passionist/Employee/Volunteer is trained to discuss these matters.
7. Engaging in any sexually oriented conversations with or making verbal references to the physical bodies of minors or vulnerable adults unless the conversations are part of a legitimate lesson and discussion regarding human sexuality issues. On such occasions, the lessons will convey the Church’s teachings on these topics. If youth or vulnerable adults have further questions not answered or addressed by their individual teachers, they should be referred to their parents or guardians for clarification or counseling.
8. Being nude in the presence of minors or vulnerable adults.
9. Possessing sexually oriented or morally inappropriate printed materials or other mediums (magazines, cards, videos, films, clothing, etc.).
10. Accessing or possessing child pornography. This is a criminal activity that will be prosecuted according to both civil and canonical law.
11. Sleeping in the same beds, sleeping bags or small tents with minors or vulnerable adults.
12. Engaging in sexual contact with minors or vulnerable adults. For the purposes of this protocol, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.

C. Off-Site Events

Passionist Members and Agents are prohibited from:

1. transporting minors without written permission of their parent or guardian;
2. from having minors stay at their residence;

3. unnecessary and/or inappropriate physical contact with minors while in vehicles.
4. making unplanned stops while transporting minors;
5. being in and/or using the same changing and showering facilities as minors;
6. frequent, sustained proximity to locations dedicated to minors or vulnerable adults (e.g., schools, playgrounds, daycare centers, etc.).

D. Direct Physical Touch Contact

1. Passionist Member and Agents may not engage in direct physical touch contact with minors:
 - a. in private or isolated areas;
 - b. in the context of any kind of counseling;
2. Examples of prohibited direct physical touch contact includes, but are not limited to:
 - a. any contact with the areas of the body that are ordinarily covered by a bathing suit (that is, buttocks, chest or genital area);
 - b. kissing on the mouth or prolonged hugs (these are never permitted under any circumstances);
 - c. routine greeting/departure hugs or social kisses to the cheeks;
 - d. holding hands (other than in public prayer or briefly holding the hand of a young child in public for their safety, for example while crossing the street);
 - e. placing and leaving one's arm around a minor's shoulder, back or waist for a prolonged period;
 - f. patting a child on the backside (even during a sporting event);
 - g. repeatedly touching on the arm, back or legs;
 - h. touching on any part of the body in a way that may be construed as a caress;
 - i. tickling or wrestling;
 - j. placing and leaving hands on the shoulders of a child sitting at a desk;
 - k. having a child sit on one's lap;
 - l. placing and/or leaving hands on the legs of a minor who is seated alongside;
 - m. sitting with one's legs crossed with the legs of another;
 - n. being in bed with a minor;
 - o. touching knees or legs of minors;
 - p. wrestling with minors;
 - q. tickling minors;
 - r. piggyback rides;
 - s. any type of massage given by minor to adult;
 - t. any type of massage given by adult to minor;
 - u. any form of unwanted affection;
 - v. compliments that relate to physique or body development;
 - w. using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
3. Appropriate affection between Passionists or Agents of the Province and minors, vulnerable adults, and/or adults in a ministerial setting constitutes a positive part of Church life and ministry. Decisions to express these forms of affection are always based on the choice of the individual to whom ministry is provided. In situations with minors or vulnerable adults any such behavior may only occur in the presence of a minor's parents or another adult(s) acting, with the permission of the minor's parent(s), as an adult supervisor for that minor or vulnerable adult.

Some kinds of incidental and brief physical contact may be acceptable under special circumstances, such as:

- a. briefly shaking hands as a social greeting;
- b. very brief public social contact in connection with a special event or circumstance (e.g. such as a public greeting with group or individual hug, an arm placed around the shoulder for a moment, or a short pat on the back, to congratulate a student at graduation);
- c. lightly and briefly tapping on the arm or shoulder to get their attention;
- d. a “high five” or “fist bump”, for instance during a sporting event;
- e. an arm briefly placed around the shoulder of an upset or injured minor in public.

Please note: these kinds of behavior should be rare, and under no circumstances can they be regular or routine behavior; adults must use extreme caution, to ensure that these behaviors cannot be misconstrued by an observer or by the minor, and that they do not otherwise violate appropriate boundaries.

III. CODE OF CONDUCT WITH ADULTS IN A MINISTERIAL SETTING

A. The ministerial setting is one in which a person in an official ecclesiastical role (Passionist Member, Agent) provides pastoral care (e.g., spiritual guidance/direction, sacramental or non-sacramental ministry) to an adult who is understood as an individual who generally has the proper use of reason.

B. Interactions with an adult that may be constituted as sexual harassment or exploitation may include physical contact or actions such as:

1. Sexual touch or other physical contact that makes the person being touched feel uncomfortable;
2. Giving a sexually charged gift (such as lingerie);
3. A prolonged hug when a brief hug is customary behavior;
4. Kissing on the lips when a kiss on the cheek would be appropriate;
5. Showing sexually suggestive objects or pornography;
6. Sexual intercourse, anal, or oral sex;
7. Engaging a sex worker;
8. Sex trafficking.

C. Sexual harassment or exploitation can also include verbal behavior such as:

1. Innuendo or sexual talk;
2. Suggestive comments;
3. Descriptions of sexual experiences, fantasies, or conflicts;
4. Sexual propositions or solicitations.

D. Additionally, sexual harassment, in particular, may include, but is not limited to:

1. The use of sexually degrading words to describe an individual or his/her body;
2. The telling of inappropriate or sexually-charged jokes;
3. Retaliation against a co-worker who refuses sexual advances;
4. Offers of preferential treatment such as promotions, positive performance evaluations, or favorably assigned duties or shifts in exchange for sexual favors.

IV. WHERE TO TURN FOR HELP

Anyone who is aware of or suspects that a Passionist Member or Agent of the Province has violated the boundaries outlined in this document, is urged to report such behavior immediately to the Provincial and/or the Provincial designee. The concern will be handled with the strictest sensitivity and confidentiality. The contact information is as follows:

A. Provincial Superior of St. Paul of the Cross Province at the Province Pastoral Center:

Phone: 929-419-7500

Mail: Provincial Superior
Province Pastoral Center
86-45 Edgerton Blvd
Jamaica, NY 11432

For more information on the Passionists or this Policy, visit us at our websites:

St. Paul of the Cross Province

<https://thepassionists.org>

Glossary of Terms:

Adults in a Ministerial Setting:

- a. Distinct from the legal category of ‘vulnerable adult/person’, this terminology refers to adults with proper use of reason who, in seeking pastoral care, spiritual guidance/direction, sacramental or non-sacramental ministry by a person in an official ecclesiastical role (e.g., priest, member of a religious congregation, spiritual director, pastoral counselor, catholic school administrator/teacher), are by definition in a situation of unequal status with the official providing ministerial assistance.
- b. Such cases, while not warranting legal intervention by the Dicastery for the Doctrine of the Faith, nonetheless may be brought to the attention of alternative Dicasteries such as the Dicastery for Bishops, for Evangelization, for Clergy or for Institutes of Consecrated Life and Societies of Apostolic Life.

Agents: Individuals acting in the name of and official action on behalf of and/or on a Passionist worksite. May be a direct employee (Exempt or Non-Exempt); sub-contracted employee; “Passionist Associate”; retreat/mission program presenter/facilitator; volunteer at a Passionist-owned or administered facility/center.

Congregation of the Passion of Jesus Christ: A Religious Institute of pontifical right composed of clerics or brothers who share the same Passionist vocation established by the profession of religious vows and who have the same rights and duties in accordance with the Constitutions (i.e., rules and regulations).

Minor: an individual of any gender or biological sex who has not yet attained the legal age of ‘maturity’ which is 18.

Passionist or Passionist-Associated Worksite: All physical properties deeded to the Passionists, incorporated business entities providing direct or sub-contracted services on a deeded Passionist property.

Passionist Members: Passionists in a ‘vowed’ status (temporary or final) or identified formally as a Novice (formally accepted and/or participating in the Passionist Novitiate), or a Postulant (under consideration to begin the Passionist Novitiate).

Praesidium: Praesidium, Inc. is in the business of providing consultation, training, risk management assessments, policy development, training materials development, background investigation reports, consumer reports, drug testing reports, and litigation support services, among other things, to businesses, organizations and other entities for the purposes of screening potential employees, monitoring present employees, and assisting or aiding such businesses in the prevention of sexual misconduct as well as responding to allegations of sexual misconduct.

Province: the union of several local Passionist Communities of Passionist Members and Agents.

Vulnerable Adult/Person: Currently a term in process of firm legal definition by the Vatican. Current definitions in slight variation:

- a. “Any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence” (*Vos Estis Lux Mundi*, Pope Francis, 2019);

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- b. “A person who habitually has an imperfect use of reason” (e.g., a person with mental illness or a developmental disability, Latin Code of Canon Law – can. 1398, *CIC & Sacramentorum Sanctitatis Tutela*, 2021, art. 6, 1^o, *SST*);
- c. “Persons who habitually lack the use of reason” (e.g., a person whose use of reason is equivalent to that of a person under the age of seven, Eastern Code of Canon Law – can. 1453, *CCEO*).
- d. The current obligation of the Dicastery for the Doctrine of the Faith to investigate accusations of sexual abuse is specific to accusations against ‘minors’ (c.f., above) and ‘vulnerable adults/persons’ as defined in letter ‘b’ immediately above – ‘a person who habitually has an imperfect use of reason’ (Clarification Concerning Vulnerable Adults, January 30, 2024, reconfirmed the 2021 revision of *SST* (c.f., ‘b’ immediately above).
- e. This specific “vulnerable adult/person” terminology does not legally apply to adults seeking the pastoral ministry or care of a person who has an official ecclesiastical role (e.g., priest, member of a religious congregation, spiritual director, pastoral counselor, catholic school administrator/teacher) in which context it is understood that there exists an unequal status between the official and the one seeking ministerial assistance. The equivalent investigative obligation noted in “d” immediately above does not apply to this category of sexual misconduct (c.f., “Procedural Guidance Concerning Sexual Misconduct with Adults”).