

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

POLICY STATEMENT
CONCERNING SEXUAL MISCONDUCT



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

Updated November 2024

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The Passionists of St. Paul of the Cross Province has 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. PURPOSE STATEMENT

Rooted in the core understanding that Jesus Christ is the Incarnate Presence of our Loving God and the Light of the World, the Passionist Province of St. Paul of the Cross has developed this Policy Statement Concerning Sexual Misconduct as an effort to foster hope and healing in the face of the egregious and harmful consequences of sexual abuse and so to bring God's loving presence and light to all the darkness.

II. POLICY STATEMENT

A. Introductory Remarks

1. In June 2002, the Catholic Bishops approved the Charter for the Protection of Children and Young People to address the Church's commitment to deal appropriately and effectively with the cases of sexual abuse of minors by priests, deacons and other Church personnel. Following this mandate, the Passionist Province of St. Paul of the Cross undertook a careful study and proceeded to update their Policy Statement, Procedural Guidelines, and Code of Conduct Concerning Sexual Misconduct on three occasions (March 2010, May 2018 and September 2024). The Passionists are aware of their obligations to provide a safe environment for children, vulnerable adults, young people, and adults seeking pastoral care in a ministerial setting from Passionist Members or those who are Agents of and/or for the Passionists. The Passionists are committed to being present to any individuals who may have been abused as minors in connection with Passionist Members or Agents serving in Church ministry.

2. The furtherance of the *missionis passioni* given to the Passionist Congregation by our Founder, St. Paul of the Cross, has always been the responsibility of those dedicated men who have professed vows of consecrated religious life and, in particular, to the 'first Passionist vow' with which vowed members formally commit themselves 'to keep alive the memory of the Passion of Jesus Christ (*missionis passioni*) so that by their 'words and deeds' they will 'strive to foster awareness of its meaning and value for each person and for the life of the world'. Increasingly in the Church and our Passionist Provinces today lay faithful have come to share in this great mission in a more formal manner through commitments as Passionist Associates, volunteering, and also through ministerial and non-ministerial employment in the Province and in Passionist-associated endeavors. As such, this policy statement establishes a single policy standard concerning what constitutes appropriate and inappropriate conduct with those who come to Passionist monasteries and ministerial centers. The Passionist Provinces intend that all who come to the Passionists for assistance may be confident that all Passionist Members and Agents of the Province will provide a safe environment. Given that Passionist Members and Agents have differing canonical status both within the Congregation and the Church in general, the Province maintains in separate, related documents 'Procedural Guidances' specific to the diverse manner in which the Province responds to any situation of sexual misconduct by Passionist Members and Agents. Nonetheless, as stated above, all representatives of the Province are held to the same standards as articulated in this Policy Statement.

3. It is the policy of the Passionist Provinces of the United States to promptly investigate all allegations of sexual misconduct made against any Passionist Member or Agent. In connection with these allegations, the Passionists will report to civil authorities as required by various state laws and cooperate fully with local civil authorities. Pending further investigation into these allegations, the Community will offer counseling and assistance to the victims of the alleged sexual misconduct. The accused may be referred to counseling and, if appropriate, removed from active ministry pending the results of the investigation. The Passionists will endeavor to cooperate with ecclesiastical authorities by observing the policies of each archdiocese and diocese into which a Passionist Community, Member, or Agent has been welcomed to provide Passionist ministry.

4. The Province, under the direction of the Provincial Superior, has established a Review Board comprised of laity and clergy. The Review Board will regularly review this Policy Statement, offer suggestions for changes and updates and suggestions for ongoing education of members in the area of sexual misconduct and harassment. Professionals expert in civil and canon law are retained to ensure that the extensive legal complexities involved in fostering safe ministerial environments are achieved. The Province website has been established and telephone numbers provided to facilitate the reporting of sexual misconduct. All local Passionist Communities will continue to educate its Passionist Members and Agents, and foster awareness of the issues addressed by this Policy.

5. Our Passionist Constitutions state: “the power of the Cross, which is the wisdom of God, gives us strength to discern and remove the causes of human suffering” (Constitutions #3). One of the grave causes of human suffering in the Church and society today is any behavior that disregards or demeans the dignity of the human person, especially sexual misconduct. Such misconduct is behavior unacceptable for Passionist Members and Agents. It is never acceptable in a pastoral relationship with a parishioner, employee, spiritual directee, counseling client, or anyone who has sought the church’s ministry. Therefore, we adopt the following to be our corporate Province Policy in this regard. In this document, the terms “Passionist Members” and “Agents” denote those covered by this policy.

6. For purposes of this Policy, sexual misconduct encompasses (see Code of Conduct, Sec. I. E.F.G.):
- a) sexual abuse,
 - b) sexual harassment, and
 - c) sexual exploitation.

Such misconduct includes any and all illegal or inappropriate sexual activity and any inappropriate sexual or sexually suggestive conduct, including words, behavior, and gestures, or any lewd conduct, whether in public or private, which offend and/or are harmful to a complainant. This further includes any instances of physical, emotional, or behavioral boundary violations.

7. This policy binds all Passionist Members and Agents of St. Paul of the Cross Province.

a) The term Passionist Member refers to a professed (i.e., vowed) religious, a novice, or a postulant of 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 settings.

b) 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 (GT) and is subject to the Code of Conduct while on Passionist property or off-site when representing the Passionists.

c) The code of conduct also applies to all guest residents or individuals participating in ministerial activities in a Passionist setting.

d) This policy is intended to supplement, and not to replace, the current, related policies and procedures contained in the Employee/Volunteer Handbooks and any Working Agreements (i.e., Contracts) with entities providing sub-contractual services within a Passionist ministerial or worksite setting. All sexual misconduct policies, procedures, code of conduct, and handbooks in any Passionist or Passionist-associated ministerial or worksite setting shall be subject to the review and approval of the Provincial and Provincial Council (c.f., Constitutions, #148, 1984).

8. In matters involving sexual misconduct, it is the policy of St. Paul of the Cross Province to:

- a) investigate promptly all allegations of sexual misconduct involving their Passionist Members or

Agents regardless of the likelihood of truth;

- b) offer compassionate assistance (as permitted by their legal counsel) to the victims of sexual misconduct by their Passionist Members or Agents;
- c) notify civil authorities, comply with all applicable civil legal requirements, and adhere to the provisions of any applicable insurance policies;
- d) notify ecclesiastical authorities and cooperate with the policies of the arch/diocese in which their members serve;
- e) assist the accused, as appropriate, in the processes of accountability, rehabilitation, and recovery;
- f) hold the Passionist Member or Agent engaged in pastoral ministry as primarily responsible for ensuring safe and appropriate physical, emotional and behavioral (sexual) boundaries and conduct with those with whom s/he works and/or serves.
- g) maintain a list, developed through third party forensic case review, of all those accused Passionist Members for whom an accusation has been deemed to have a 'semblance of truth' and for which the evidence in support of the validity of the accusation has been deemed sufficient to corroborate the validity of the accusation. It is understood that the full extent of civil and canonical legal action may not be permitted for all those whose names are included in the list due to circumstances specific to those individuals (e.g., accused is deceased).

9. St. Paul of the Cross Province will foster among its Passionist Members and Agents an informed awareness of the issues addressed by this policy. They will periodically review this policy in light of developing insights concerning sexual misconduct. Educational activities and policy review shall periodically occur at least every five years.

10. Upon election, the new Provincial Superior will be educated about his specific duties as outlined in this policy.

B. Discovery and Reporting

1. Passionist Member/Agent Reporting:

a) St. Paul of the Cross Province expects and requires all Passionist Members and/or Agents who become aware of illegal or inappropriate sexual conduct, or the imminent risk of such conduct, by a Passionist Member and/or Agent of the Province to promptly inform the Provincial Superior, their local superior, their supervisor, or the Provincial's personal delegated representative in matters specific to safe environment, protection and advocacy. If a local superior, supervisor, or a personal representative of the Provincial Superior receives a report of such prohibited conduct, or a report of the imminent risk thereof, he must immediately inform the Provincial Superior. The Provincial Superior will then facilitate the appropriate response (see 'Procedural Guidelines' in separate document).

b) St. Paul of the Cross Province likewise expects and encourages any Passionist Member and/or Agent who may himself/herself experience a struggle with the risk of personally engaging in illegal or inappropriate sexual conduct to seek the help and guidance of a licensed professional (e.g., counselor, psychologist), and/or contact the Provincial delegate for safe environment for the Province, and/or contact the Provincial Superior. Compassionate and appropriate assistance will be offered to any such individual.

2. Investigation, Discrimination, Retaliation:

a) Because the mandatory reporting laws vary by state and because, in many instances, privileged communications may not be protected in cases of sexual misconduct, individuals, religious superiors, and those in supervisory positions learning of allegations of sexual misconduct are not to attempt any independent investigation into the details of the alleged matter. Rather, they are to inform the Provincial Superior

immediately who will facilitate the necessary further action steps to respond to the allegation(s). This may include disciplinary action with an Agent accused of misconduct, or the immediate temporary removal or restriction of a Passionist Member. Such steps may be of particular significance in order to avoid a risk of harm to an individual who is taking steps to report to the Provincial Superior suspected misconduct. Any individual who in good faith reports an incident or suspicion of sexual misconduct will not be retaliated against. Retaliation and/or discrimination against any person who in good faith complains of and/or reports any sexual misconduct is strictly prohibited and will not be tolerated.

b) In recognition of the privacy rights of the individuals involved, confidentiality is maintained to the extent consistent with this Policy and any legal reporting requirements.

3. Reporting to Civil Authorities:

a) This Policy is intended to parallel, and be implemented in conjunction with, any obligation of an individual or religious superior to report known or suspected sexual abuse of a minor and/or vulnerable adult to appropriate civil authorities under mandatory reporting laws and to otherwise comply with legal reporting requirements. If mandatory reporting laws concerning sexual abuse of minors and/or vulnerable adults require that the civil authorities be contacted, the Local Superior, Passionist Member, or Agent will contact the Provincial Superior, or his personal representative, who will ensure proper reporting to local authorities. If the Provincial Superior or personal representative is unclear about the reporting requirements legal counsel must be consulted before proceeding.

b) The fundamental responsibility for response to an allegation of sexual misconduct rests with the Provincial Superior of St. Paul of the Cross Province. In all situations where an allegation of sexual misconduct of a minor, a vulnerable adult, or the sexual assault, abuse, or harassment of an adult(s) is brought forth concerning a Passionist Member, the Provincial Superior will promptly seek the advice, assistance, and recommendations of other professionals. Such professionals may include:

- 1) Personal representative of the Provincial;
- 2) Civil legal counsel;
- 3) Canonical legal counsel;
- 4) Qualified investigator;
- 5) Mental health professionals experienced in matters of sexual misconduct;
- 6) Particular local superiors;
- 7) Pastoral agents; or
- 8) Sexual Misconduct Review Board.

c) Because St. Paul of the Cross Province is geographically extensive, any legal response must match the law of the appropriate locality. Thus, the assistance of the Local Superior is particularly important. To assist the Provincial Superior, the Local Superior will identify local legal professionals knowledgeable about local legal requirements concerning response to allegations who may assist the Provincial Superior in responding to accusations.

C. Training

1. Passionist Members and Agents of the Province:

a) shall regularly review the Policy Statement Concerning Sexual Misconduct, the Procedural Guidance Concerning Sexual Misconduct, the Human Resource Policy of the Province (as applicable), and the Code of Conduct for Ministry and agree in a written statement to comply.

b) who provide pastoral care or ecclesial ministry must participate in training that addresses their role in protecting those seeking such care or ministry.

2. Passionist Members are required to participate in training as designated through the national safe

environment accreditation agency, Praesidium Inc. Training hours are consistent with the years of current accreditation. For example, during the course of a five-year accreditation period at least five training hours must be completed. Most arch/dioceses participate in VIRTUS, a program and service of The National Catholic Risk Retention Group, Inc. Subsequent to a VIRTUS foundational training session (e.g., Protecting God's Children) in a local arch/diocese in which a Professed Member and/or Agent is ministering, the local arch/diocese generally accepts the Praesidium, Inc. Training as meeting the proper training standards for ministry in the arch/diocese.

3. Agents of the Province are required to meet the requirements of the local arch/diocese in which the Agent is providing Passionist or Passionist-associated ministry. In most arch/dioceses this requires participation in VIRTUS.

D. Supervision in Programs that Involve Minors and/or Vulnerable Adults

1. It is the policy of the Province that in all programs for minors and/or vulnerable adults in which Passionist Members and Agents of the Province are involved there must be at least two adults per group. The supervising adults must always remain in visible, physical proximity to the minors or vulnerable adults whom they are supervising.

2. Passionist Members and Agents in leadership roles (e.g., pastor, retreat director, chaplain, local superior) shall be aware of all programs for minors and/or vulnerable adults that are sponsored by their parish, school, or agency. A list of these programs shall be maintained at the respective ministry site. All sites will maintain appropriate legal and program documentation pertaining to parental/guardian permissions, the program or event's purpose, activities, sponsors or coordinators, meeting times, and locations. Local leaders who sponsor programs with minors and/or vulnerable adults shall be familiar with the components of all programs and events.

III. CONTACT INFORMATION

Any person within the scope of this Policy who knows of or suspects illegal or inappropriate sexual conduct, or an imminent risk of such conduct, can report the sexual misconduct by contacting:

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

Phone: 929-419-7500 x3

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 website:

St. Paul of the Cross Province

<https://www.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.

Civil Authorities: As applied to the Province policy and procedures concerning sexual misconduct, this generally refers to the local state attorney general or local prosecutor depending on the nomenclature of a given state jurisdiction.

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).

Discrimination: The unfair treatment of an individual or group of individuals especially in a manner that is worse than how others are treated. Specific to the Province policy and procedures concerning sexual misconduct, discrimination refers to unfair treatment toward an individual in light of that individual reporting a suspected incident of sexual misconduct.

Local Superior: “The Superior is brother to all...As guide to form his community at all times, the Superior seeks and listens to their views in a frank exchange marked by respect and charity, remembering that all together we are striving to ascertain and fulfill what [God] the Father wants of us. The Superior always has the responsibility of making the final decision, in conformity with our Constitutions and for the common and individual good. In exercising the authority belonging to his office, he animates and guides the community in an atmosphere of mutual confidence and collaboration.” (R&C #23).

Core Obligations (of Local Superior): Ensures public reading of the Constitutions (R&C #5); Safeguards privacy of religious community (R&C #15); Exercises pastoral ministry toward members of his own community [e.g., preaching, preparation of liturgical feasts, reflecting on Sacred Scriptures, celebration of votive Masses and Offices, particularly of the Passion] (R&C#27).

Mandatory Reporting: A legally enforceable duty for those who have contact with vulnerable populations to report to state and local authorities when mistreatment or abuse of those populations is suspected or confirmed.

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

Missionis passioni: the ‘first vow’ among the vows taken by a vowed Passionist. The commitment ‘to keep alive

the memory of the Passion of Jesus Christ' so that by their 'words and deeds' they will 'strive to foster awareness of its meaning and value for each person and for the life of the world'.

Novice (Novitiate): [After a period of postulancy] The purpose of the novitiate is to help candidates:

- understand more thoroughly the meaning of our Passionist vocation;
- experience living in the Congregation;
- acquire and make their own our spirit and apostolic dedication.

At the same time, the novitiate enables the Congregation to come to know candidates better, and to evaluate their good will and particular gifts. (R&C #89).

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).

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.

Postulant (Postulancy): Candidates [for potential profession of vowed life as a Passionist] will have a postulancy that will give them some experience of life in community. They will have the time to reflect on what their vocation means and demands, and to prepare adequately for their novitiate. Besides getting to know one another better, they will have the opportunity for human and emotional growth, and for clarifying their ideas about the objectives of religious life. (R&C #88).

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.

Privileged Communication: When the content of a communication between two parties is maintained as protected (private and confidential) and the law cannot force the disclosure of the content. Even disclosure by one of the parties comes with legal limitations.

Province: the union of several local Communities

Provincial: One Superior who governs a designated union of local Communities (c.f., Province) with ordinary and proper jurisdiction (i.e., the general competence to exercise authority in all matters, except when specific competence is expressly attributed to another jurisdiction (e.g., the General Superior).

Retaliation: The act of harming someone or doing something harmful to someone because they have done or said something harmful to oneself and/or another (c.f., Cambridge dictionary).

Semblance of Truth: An accusation for which the individual who is being accused (person) was in the location (place) of the alleged abuse at the identified timeframe (time). The apparent veracity of person, place, and time will qualify the accusation for formal preliminary investigation.

Societies of Apostolic Life: A group of men or women within the Catholic Church who have come together for a specific purpose and live fraternally. It is regarded as a form of consecrated (or "religious") life.

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);
- 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”).