

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

PROCEDURAL GUIDANCE
CONCERNING SEXUAL MISCONDUCT



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

Updated November 2024

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The Passionist Province of St. Paul of the Cross 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 Procedural Guidance Concerning Sexual Misconduct to ensure that all necessary civil and canonical legal actions are maintained and implemented in response to and to mitigate future risk of sexual misconduct. The Province understands this endeavor as an effort to foster hope and healing in the face of the egregious and harmful consequences of sexual abuse, harassment, and exploitation and so to bring God's loving presence and light to all the darkness.

II. PROCEDURAL GUIDANCE CONCERNING SEXUAL MISCONDUCT WITH MINORS OR VULNERABLE ADULTS

A. Passionist Members:

Should an accusation of sexual misconduct be made against a Passionist Member, the response is guided by the following steps, as they are appropriate to the situation:

1. Initial Reporting:

- a) The Provincial Superior is immediately informed.
- b) In the event that an allegation of misconduct is made against the Provincial Superior, the First Consultor is responsible for implementing the provisions of this Policy.
- c) The Provincial Superior will immediately inform and consult with professionals who will provide response advice, assistance, and recommendations.
- d) The Provincial Superior will share the substance and the source of the allegation with the accused member as soon as practical, to the extent possible, consistent with privacy and safety concerns.
- e) An initial determination will be made concerning the 'semblance of truth' (see GT) of the accusation so as to decide if formal preliminary investigation is warranted. If there is a 'semblance of truth' to the accusation the Provincial Superior will follow the procedural guidelines below.
- f) If it is determined that there is no 'semblance of truth':
 - 1) with the guidance of civil legal counsel, the accuser will be informed in writing of the determination of 'no semblance of truth';
 - 2) a written summary of the accusation will be placed in a confidential personnel file of the accused. This summary will include date of accusation, name of accuser, name of accused, reporter, nature of the accusation, response action taken, determination of no 'semblance of truth', written contact with accused.

2. Sexual Misconduct with Minor and/or Vulnerable Adult:

- a) The Provincial Superior shall promptly file a report to civil authorities, within 24 hours, regardless of state mandatory reporting laws.
- b) The Provincial Superior will remove the member immediately from ministry and from any position of access to minors. The appropriate canonical decrees will be prepared and presented to the member (c.f., Sec. III.A.5.b. & Sec. IV.A.5.b. below).

3. Meeting with a Person Who Makes an Accusation of Sexual Misconduct:

The Provincial Superior or his personal representative will, if legal counsel for the accuser permits, offer to meet with the person making the accusation, if he or she so desires. The Provincial Superior will maintain a compassionate and pastoral manner regardless of the demeanor of the other person. The Provincial Superior will notify the person making the accusation that the Province has a set of procedures to be followed. To ensure that each situation is responded to promptly, thoroughly, and compassionately,

the Province has established the Office of Safe Environment. The Provincial through his designee ensures that any who are affected by misconduct by a Passionist Member or Agent are listened to, given compassionate understanding, and help.

4. Written Documentation:

A written record will be kept of all contacts the Provincial Superior or his personal representative have with the person making the complaint and the accused member.

5. Preliminary Investigation:

a) Consistent with the action stipulated in the Policy Statement Concerning Sexual Misconduct (c.f., Section II.B.3.b.1-8), the Provincial Superior will study the accusation and will seek the assistance of professional advisors.

b) In consultation with the Province canon lawyer, the necessary canonical decrees are prepared. These include: 1) Appointing a Promoter of Justice, 2) Imposing Precautionary Measures, 3) Initiating the Preliminary Investigation, 4) Mandate for Canonical Advocate, and 5) Closing Preliminary Investigation.

b) In all cases of an allegation of abuse of a minor, a vulnerable adult, or the sexual assault, abuse, or harassment of an adult(s), the Provincial Superior will consider hiring a qualified, third-party investigator to independently gather information regarding the allegations. This will constitute the initiation of a 'preliminary investigation'.

c) If the case is under civil review any further or potential canonical penal process will proceed only after a civil determination is made.

d) If, in the case of abuse of a minor or vulnerable adult by a Passionist Member, it is determined that the accusation has some initial validity (i.e., has the 'semblance of truth') the matter is to be reported to the Dicastery for the Doctrine of the Faith (DDF). The DDF will determine if further penal (judicial) or administrative (extrajudicial) processes are to occur in the matter, what those processes should entail, if a delict (i.e., crime) was committed, and, depending on the outcome, what consequences are warranted for the Passionist Member. In all situations any actions undertaken are implemented with the intention of the correction of the member, restitution of justice, and reparation of scandal (695 §1 *CIC*).

6. Reporting to Ecclesiastical Authority:

The Provincial Superior or his personal representative will communicate in writing to the local arch/diocesan Ordinary and appropriate arch/diocesan personnel or agencies in which the validated, alleged abuse occurred and in which the accused is currently residing. Reporting occurs, at minimum, 1) at the time an accusation is deemed to have some initial validity warranting a more comprehensive preliminary investigation and 2) at the time the matter is deemed complete by civil and/or canonical authorities.

7. Accused Member Civil and/or Canonical Legal Counsel and Advocacy:

The Provincial Superior will seek canonical and civil legal counsel for a recommendation whether the accused should engage his own legal counsel separate from that of the Province and communicate with the accused regarding this possibility. This might include the accused obtaining, with Province assistance, a canonical advocate and/or a civil attorney. In obtaining a canonical advocate the Provincial must provide the proper canonical mandate.

8. Removal or Continuance in Ministry of Accused Member:

In matters involving minors or vulnerable adults, removal pending the legal outcome of the case is mandatory and no unsupervised contact is permissible. The Member will be provided a Safety Plan. A formal, individualized plan of supervision and monitoring will be developed for any Passionist Members

who have engaged in the sexual abuse of a minor or vulnerable adult. This program will persist for the Passionist Member for the rest of his life in the Province.

9. **Expulsion and/or Removal of a Passionist Member:**

- a) At the conclusion of a judicial penal trial or extrajudicial (administrative) penal process the decision may be either to expel a Passionist Member from the Congregation of the Passion and/or to dismiss the Passionist Member from the Clerical State (aka Laicization).
- b) The Passionist Member is provided the opportunity to pursue his right of appeal to the appropriate Dicastery.
- b) Subsequent to the exercise by the accused of his right to file an appeal, when a final decision is rendered the Provincial will follow the guidance of canonical legal counsel to fulfill all reporting stipulations.
- c) In particular, when an appeal is rejected and the original decision confirmed as valid, a letter from the Provincial will be sent to the:
 - 1) baptismal parish of the applicable Member along with a copy of the official Decree of Expulsion and/or Dismissal;
 - 2) local Ordinary of the arch/diocese in which the misconduct occurred along with a copy of the official Decree of Expulsion and/or Dismissal;
 - 3) local Ordinary of the arch/diocese in which the expelled and/or dismissed Member is currently residing along with a copy of the official Decree of Expulsion and/or Dismissal.
- d) When an appeal overturns the original decision the Provincial, in consultation with civil and canonical legal counsel and the advice of the Review Board, will identify the appropriate steps to ensure that the reputation of the accused is restored. This will include articulating the decision in a letter sent to the:
 - 1) local Ordinary of the arch/diocese in which the misconduct occurred articulating the decision;
 - 2) local Ordinary of the arch/diocese in which the Member is currently residing;
 - 3) immediate parish in which the Member was ministering and;
 - 4) local Passionist Community in which the Member was most previously or presently residing.

10. **Province Sexual Misconduct Review Board:**

- a) The Provincial Superior will consult with the Province Review Board when a Passionist Member is accused of sexual misconduct. Notification that an accusation has been received will be provided within 30 days of first receiving the accusation (i.e., original, written report of an allegation). Notification will also be provided when an investigation is complete (i.e., final, written report).
- b) The Review Board is advisory and consultative in nature and will consist of laypersons not employed by the Province, as well as religious persons and clergy, who are learned in civil law communications, or the human sciences and who may be in other disciplines, as appropriate to the circumstances.
- c) The Provincial Superior and/or his delegate will share with the Review Board or appropriate members of the Review Board all pertinent information regarding the accusation (e.g., any other allegations of sexual abuse or sexual misconduct, any relevant disciplinary actions, etc.). The Review Board members will offer the Provincial Superior their opinion based on their professional expertise concerning the fitness for ministry of the accused and provide input concerning a particular course of action to be taken regarding the accused. The recommendation will include an assessment of whether the accused has other medical, psychosocial, and/or legal concerns that should be addressed.
- d) The Review Board will offer the Provincial Superior a recommendation whether the accused should be evaluated by mental health professionals with expertise in sexual disorders.
- e) The Review Board will recommend a particular course of action to be taken regarding the victim

and his/her family, which might include ongoing pastoral and financial assistance. The Province will strive to ensure that all necessary assistance is offered.

f) In consultation with the Review Board and legal counsel, the Provincial Superior will determine if and how the religious and ministerial communities will be informed of the accusation against the Passionist Member. Proper attention is to be given to protecting the privacy and confidentiality of all parties.

B. Agents:

Should an accusation of sexual misconduct be made against an Agent, the response is guided by the following steps, as they are appropriate to the situation:

1. Immediate Initial Reporting:

- a) The immediate Supervisor of the Agent is informed.
- b) The immediate Supervisor informs the Provincial or Local Supervisor depending on the worksite location in which the alleged sexual misconduct occurred.

2. Continued Action: Reference to Employee Handbook (rev. 3/2/2022) or Working Agreement:

Immediate Supervisors and Local Superiors will refer to the Employee Handbook or, in the case of a sub-contracted entity, the corresponding working agreement (e.g., MOU, Contract, etc.) for comprehensive guidance concerning all appropriate and required action steps to be taken concerning sexual misconduct.

III. PROCEDURAL GUIDANCE CONCERNING SEXUAL MISCONDUCT WITH ADULTS IN A MINISTERIAL SETTING

A. Passionist Members:

Should an accusation of sexual misconduct with an adult be made against a Passionist Member, the response is guided by the following steps, as they are appropriate to the situation:

1. Initial Reporting:

- a) The Provincial Superior is immediately informed.
- b) In the event that an allegation of misconduct is made against the Provincial Superior, the First Consultor is responsible for implementing the provisions of this Policy.
- c) The Provincial Superior will immediately inform and consult with professionals who will provide response advice, assistance, and recommendations.
- d) The Provincial Superior will share the substance and the source of the allegation with the accused member as soon as practical, to the extent possible, consistent with privacy and safety concerns.
- e) An initial determination will be made concerning the ‘semblance of truth’ of the accusation so as to decide if formal preliminary investigation is warranted. If there is a ‘semblance of truth’ to the accusation the Provincial Superior will follow the procedural guidelines below.
- f) If it is determined that there is no ‘semblance of truth’:
 - 1) with the guidance of civil legal counsel, the accuser will be informed in writing of the determination of ‘no semblance of truth’;
 - 2) a written summary of the accusation will be placed in a confidential personnel file of the accused. This summary will include date of accusation, name of accuser, name of accuser, reporter, nature of the accusation, response action taken, determination of no ‘semblance of truth’, written contact with accused.

2. Legal Consultation and Notification Options:

The Provincial Superior will consult with civil and canonical legal counsel and, if deemed legally appropriate to the circumstances of the allegation(s), will notify local civil authorities, even if no

mandatory reporting duty exists regarding the specific conduct.

3. Meeting with a Person Who Makes an Accusation of Sexual Misconduct:

The Provincial Superior or his personal representative will, if legal counsel for the accuser permits, offer to meet with the person making the accusation, if he or she so desires. The Provincial Superior will maintain a compassionate and pastoral manner regardless of the demeanor of the other person. The Provincial Superior will notify the person making the accusation that the Province has a set of procedures to be followed. To ensure that each situation is responded to promptly, thoroughly, and compassionately, the Province has established the Office of Safe Environment. The Provincial through his designee ensures that any who are affected by misconduct by a Passionist Member or Agent are listened to, given compassionate understanding, and help.

4. Written Documentation:

A written record will be kept of all contacts the Provincial Superior or his personal representative have with the person making the complaint and the accused member.

5. Preliminary Investigation:

a) The Provincial Superior will study the accusation and will seek the assistance of those professional advisors mentioned above (c.f., Sec. II.B.3.b.1-8).

b) In consultation with the Province canon lawyer, the necessary canonical decrees are prepared. These include: 1) Appointing a Promoter of Justice, 2) Imposing Precautionary Measures, 3) Initiating the Preliminary Investigation, 4) Mandate for Canonical Advocate, and 5) Closing Preliminary Investigation.

c) The Provincial Superior will hire a qualified, third-party investigator to independently gather information regarding the allegations. This will constitute the initiation of a 'preliminary investigation'.

d) If the case is under civil review any further or potential canonical penal process will proceed only after a civil determination is made.

e) Depending on the particular nature of the misconduct (e.g., boundary violation, harassment, rape, assault, etc.) the Provincial will seek internal canonical counsel and initiate the proper legal actions. In particular, a determination will be made concerning whether to report the matter to the Superior General and, if deemed appropriate by the Superior General, whether the matter is to be reported to the applicable Dicastery in Rome (e.g., Dicastery for Institutes of Consecrated Life, Dicastery for Clergy, etc). The Superior General and, as applicable, the relevant Dicastery will determine if further penal (judicial) or administrative (extrajudicial) processes are to occur in the matter, what those processes should entail, if a delict (i.e., crime) was committed, and, depending on the outcome, what consequences are warranted for the Passionist Member. In all situations any actions undertaken are implemented with the intention of the correction of the member, restitution of justice, and reparation of scandal (695 §1 *CIC*).

6. Reporting to Ecclesiastical Authority:

The Provincial Superior or his personal representative will communicate in writing to the local arch/diocesan Ordinary and appropriate arch/diocesan personnel or agencies in which the validated, alleged abuse occurred and in which the accused is currently residing. Reporting occurs, at minimum, at the time an accusation is deemed to have some initial validity warranting a more comprehensive preliminary investigation and at the time the matter is deemed complete by civil and/or canonical authorities.

7. Accused Member Civil and/or Canonical Legal Counsel and Advocacy:

The Provincial Superior will seek the advice of canonical and civil legal counsel for a recommendation whether the accused should engage his own legal counsel separate from that of the Province and

communicate with the accused regarding this possibility. This might include the accused obtaining, with Province assistance, a canonical advocate and/or a civil attorney. In obtaining a canonical advocate the Provincial must provide the proper canonical mandate.

8. Restrictions in Ministry of Accused Passionist Member:

a) In matters of adult-to-adult sexual misconduct and civil legal action is involved, the accused will be removed from ministry pending the legal outcome of the case. The Member will be provided with a Canonical Directive and Precept stipulating, in part, ministry activity that is permitted and restricted.

b) In matters of adult-to-adult sexual misconduct and no civil legal action is involved, any continuance of ministry for the accused member will be circumscribed consistent with the nature of the accusation so as not to put the member in unsupervised contact with the alleged victim or in any other sensitive situations. The Member will be provided with a Canonical Directive and Precept stipulating, in part, ministry activity that is permitted and restricted. This document is provided to the local Ordinary of the arch/diocese in which the sexual misconduct occurred and the local Ordinary of the arch/diocese in which the Member is currently residing.

9. Expulsion and/or Removal of a Passionist Member:

a) At the conclusion of a judicial penal trial or administrative (extrajudicial) penal process the decision may be either to expel a Passionist Member from the Congregation of the Passion and/or to Dismiss the Passionist Member from the Clerical State (aka Laicization).

b) Subsequent to the exercise by the accused of his right to file an appeal, when a final decision is rendered, the Provincial will follow the guidance of canonical legal counsel to fulfill all reporting stipulations.

c) In particular, when an appeal is rejected and the original decision confirmed as valid, a letter from the Provincial will be sent to the:

1) baptismal parish of the applicable Member along with a copy of the official Decree of Expulsion and/or Dismissal;

2) local Ordinary of the arch/diocese in which the misconduct occurred along with a copy of the official Decree of Expulsion and/or Dismissal;

3) local Ordinary of the arch/diocese in which the expelled and/or dismissed Member is currently residing along with a copy of the official Decree of Expulsion and/or Dismissal.

d) When an appeal overturns the original decision the Provincial, in consultation with canonical and civil legal counsel and the advice of the Review Board, will identify the appropriate steps to ensure that the reputation of the accused is restored. This will include articulating the decision in a letter sent to the:

1) local Ordinary of the arch/diocese in which the misconduct occurred articulating the decision;

2) local Ordinary of the arch/diocese in which the Member is currently residing;

3) immediate parish in which the Member was ministering and;

4) local Passionist Community in which the Member was most previously or presently residing.

10. Province Sexual Misconduct Review Board:

a) The Provincial Superior will consult with the Province Review Board when a Passionist Member is accused of sexual misconduct. Notification that an accusation has been received will be provided within 30 days of first receiving the accusation (i.e., original, written report of an allegation). Notification will also be provided when an investigation is complete (i.e., final, written report).

b) The Review Board is advisory and consultative in nature and will consist of laypersons not employed by the Province, as well as religious persons and clergy, who are learned in civil law communications, or the human sciences and who may be in other disciplines, as appropriate to the

circumstances.

c) The Provincial Superior will share with the Review Board or appropriate members of the Review Board all pertinent information regarding the accusation (e.g., any other allegations of sexual abuse or sexual misconduct, any relevant disciplinary actions, etc.). The Review Board members will offer the Provincial Superior their opinion based on their professional expertise concerning the fitness for ministry of the accused and provide input concerning a particular course of action to be taken regarding the accused. The recommendation will include an assessment of whether the accused has other medical, psychosocial, and/or legal concerns that should be addressed.

d) The Review Board will offer the Provincial Superior a recommendation whether the accused should be evaluated by mental health professionals with expertise in sexual disorders.

e) The Review Board will recommend a particular course of action to be taken regarding the victim and his/her family, which might include ongoing pastoral and financial assistance. The Province will strive to ensure that all necessary assistance is offered.

f) In consultation with the Review Board and legal counsel, the Provincial Superior will determine if and how the religious and ministerial communities will be informed of the accusation against the Passionist Member. Proper attention is to be given to protecting the privacy and confidentiality of all parties.

B. Agents:

Should an accusation of sexual misconduct with an adult be made against an Agent, the response is guided by the following steps, as they are appropriate to the situation:

1. Immediate Initial Reporting:

a) The immediate Supervisor of the Agent is informed.

b) The immediate Supervisor informs the Provincial or Local Supervisor depending on the worksite location in which the alleged sexual misconduct occurred.

2. Continued Action: Reference to Employee Handbook (rev. 3/2/2022) or Working Agreement:

Immediate Supervisors and Local Superiors will refer to the Employee Handbook or, in the case of a sub-contracted entity, the corresponding working agreement (e.g., MOU, Contract, etc.) for comprehensive guidance concerning all appropriate and required action steps to be taken concerning sexual misconduct.

IV. SAFETY, EVALUATION, AND TREATMENT CONSIDERATIONS

A. Passionist Members (in Final Vows):

1. No Passionist Member against whom an accusation involving a minor or vulnerable adult has been substantiated through civil and/or canonical legal processes, or who has been treated for pedophilia; hebephilia; or ephebophilia may be returned to public ministry. The Provincial Superior will determine with the accused Passionist Member realistic expectations for the future. The Passionist Member will be presented with, in coordination with his canonical advocate, a Canonical Directive and Precept and a Safety Plan stipulating ongoing support for the Passionist Member and requirements related to ministerial restrictions and residential expectations. Review of the Member's recidivism risk will occur at least once per Praesidium accreditation cycle. The Passionist Member will be asked to participate in mental health evaluation and/or treatment.

2. A Passionist Member against whom an accusation of sexual misconduct has been substantiated, but not involving a minor, will be asked to undergo a mental health evaluation and/or treatment counseling. After that evaluation, the Provincial Superior, in consultation with his advisors and the Review Board, will determine whether that member should be permitted to serve in ministry, and, if so, under what conditions.

3. The Provincial Superior, in consultation with professional advisors and experts in the field of treatment, will further determine if long-term treatment is required, what after-care therapy is needed, residential placement, monitoring, and supervision.

B. Novices (in Temporary Vows) and Postulants:

1. In the case of a novice who is in a temporary vowed status, a canonical process will be initiated toward the establishment of an Indult of Separation from vows and from the Congregation.

2. A postulant or novice not yet in a vowed status against whom an accusation of sexual misconduct with a minor, a vulnerable adult, or the sexual assault, abuse, or harassment of an adult(s) will be removed from the application or consideration process.

3. In addition to establishing procedures for responding to sexual misconduct, the Province has undertaken a series of measures to prevent future incidents of abuse. These include extensive mandatory psychological evaluation of postulants and novices before they enter formation and the provision of continuing education programs for Passionist Members about issues of sexuality and personal conduct.

V. 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 websites:

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.

Canonical Advocate: an individual, generally possessing a doctorate or a license in Canon Law and who gives canonical assistance and advice, examines and assists in drawing up documents, and assists in preparation of the testimony to be presented to the Tribunal.

Canonical Decrees (Preliminary Investigation): Legal documents designed to ensure clarity, structure, and safety for all involved parties throughout the full investigative process. These include Decrees 1) Appointing a Promoter of Justice, 2) Imposing Precautionary Measures, 3) Initiating the Preliminary Investigation, 4) Mandate for Canonical Advocate, 5) Closing Preliminary Investigation.

Canonical Directive and Precept: An injunction, with binding force, given to a person or group of persons imposing an obligation to do something or to refrain from doing something (cann. 35, 49, *Code of Canon Law, CIC*). This is primarily a preventive measure intended to protect against the possibility of a more serious legal transgression (can. 1321 §1 *CIC*).

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).

Delict: A crime in canon law, an external violation of a law or precept gravely imputable by reason of malice or negligence. For the purposes of the Policy & Procedures Concerning Sexual Misconduct and Code of Conduct, a delict includes every external offense against the sixth commandment of the Decalogue committed by a cleric with a minor (cf. canon 1395 § 2 *CIC*; art. 6 § 1, 1° *SST*). This can include sexual relations (consensual or non-consensual), physical contact for sexual gratification, exhibitionism, masturbation, the production of pornography, inducement to prostitution, conversations and/or propositions of a sexual nature, which can also occur through various means of communication.

Dicastery: The oldest of the ‘departments’ of the Roman Curia in Vatican City.

Dicastery for Bishops: The department of the Roman Curia that is responsible for all matters pertaining to the establishment and provision of particular Churches and to the exercise of the episcopal office in the Latin Church.

Dicastery for Clergy: The department of the Roman Curia that deals with all matters relating to priests and deacons of the diocesan clergy, with regard to their persons and pastoral ministry, and everything needed for the fruitful exercise of the latter. In these matters, it provides suitable assistance to the Bishops.

Dicastery for the Doctrine of the Faith: This department of the Roman Curia was founded to defend the Catholic Church from heresy and is the body responsible for promulgating and defending Catholic doctrine. Its seat is the Palace of the Holy Office in Rome.

Dicastery for Evangelization: The department of the Roman Curia that serves the work of evangelization, so that Christ, the light of the nations, may be known and witnessed to by word and deed, and the Church, his mystical Body, may be built up. The Dicastery is competent for fundamental questions regarding evangelization in the world and for the establishment, assistance and support of new particular Churches, without prejudice to the competence of the Dicastery for the Eastern Churches.

Dicastery for Institutes of Consecrated Life and Societies of Apostolic Life: The competence of this department of the Roman Curia is to promote, encourage and regulate the practice of the evangelical counsels, how they are lived out in the approved forms of consecrated life and all matters concerning the life and activity of Societies of Apostolic Life throughout the Latin Church.

Dicastery for the Eastern Churches: The department of the Roman Curia responsible for contact with the Eastern Catholic churches for the sake of assisting their development and protecting their rights.

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.

Ephobophilia: Ephobophilia is when an older adult is sexually attracted to post-pubescent teenagers or adolescents but still biologically adults—usually those in the age range 15–19.

Ecclesiastical Authority/Ordinary: generally Arch/Bishops and Major Superiors who are the primary ecclesiastical authority who by reason of their office have ordinary power to make and enforce laws within their specific jurisdiction (i.e., Arch/diocese or Religious Congregation).

First Consultor: that Professed Member identified by the Provincial and confirmed by the Provincial Chapter as second to the Provincial in governance of the Province.

Hebephilia: Hebephilia is a sexual preference for children in early adolescence, between ages 11 and 14. The concept is distinct from pedophilia, which is marked by a sexual preference for prepubescent children, rather than those who have finished puberty and entered adolescence.

Judicial/Extrajudicial Penal Processes:

Extrajudicial (Administrative) Penal Process: An extrajudicial procedure for determining the truth

of an allegation. The Ordinary (Bishop or Superior General) assisted by two assessors or advisors examines the evidence and listens to the defense of the accused. He gives his decision in the matter through a decree.

Judicial Penal Trial: A judicial canonical court proceeding (i.e., trial) by which the truth of an allegation is determined and, if the accused is found to have responsibility for the delict, a penalty is imposed.

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.

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.

Pedophilia: Pedophilia is defined as recurrent and intense sexually arousing fantasies, sexual urges, or behaviors involving sexual activity with a prepubescent child or children—generally age 13 years or younger—over a period of at least six months.

Pontifical Right: Authority to establish and conduct ministry with the approval of the Roman Pontiff (i.e., Pope).

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 of Passionist Members and Agents.

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).

Safety Plan: A written, individualized summary document designed to clearly state the presenting issues of sexual abuse particular to the individual Passionist Member and to provide structure and guidance in managing any risk of existing and/or potential future recidivism. The plan identifies on behalf of the Member and his supervisor(s) applicable systems of support and accountability and helps ensure that supervisors have the information necessary to fulfill their support of the Member.

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”).