

A year ago Oct. 13, leaders from the Archdiocese of St. Paul and Minneapolis stood alongside sexual abuse victims attorney Jeff Anderson in St. Paul and declared that the longtime adversaries were partnering to eradicate child sexual abuse from the local Catholic Church.

“We’ve come here together today because we forged a new way,” said Anderson, who worked with archdiocesan officials to draft 17 child protection protocols. “That new way is an action plan — an action plan that not only protects kids in the future, but honors the pain and the sorrow and the grief of the survivors in the past.”

That “new way” was a buoy in what would become a tumultuous year for the archdiocese. In January, it entered Chapter 11 Reorganization in response to mounting claims of sexual abuse of minors by members of the clergy following a temporary lifting of the state’s statute of limitations on decades-old cases. In May, it announced that, as part of the Reorganization, it was voluntarily selling its three chancery buildings near the Cathedral of St. Paul.

In June, the Ramsey County Attorney’s Office charged the archdiocese with failing to protect minors in 2008-2011 in the case of the since-laicized priest Curtis Wehmeyer. Ten days later, Archbishop John Nienstedt and auxiliary Bishop Lee Piché resigned. By Aug. 3, a Reorganization-related deadline, 416 claims of clergy sexual abuse of a minor had been filed against the archdiocese.

For months now, archdiocesan leaders have been working to resolve the Chapter 11 Reorganization and the Ramsey County charges. (See page 6.)

In the midst of these challenging circumstances, archdiocesan leaders say they have pressed ahead with what Anderson also characterized as a “new day,” implementing the 17 protocols, which include publicly disclosing and barring from active ministry any clergy member who is under investigation, facing unresolved credible claims, or previously found to have abused a minor.

Archdiocesan leaders have also restructured key staff positions, rewritten or enhanced related policies, and attempted to improve relationships with clergy sexual abuse victims.

Undergirding these new policies and procedures, archdiocesan leaders say, is a deepened understanding of the Church’s place in abuse prevention and awareness as well as its relationship to victims and its goals for the future.

“These are difficult times, and as with all difficult times, opportunities are presented,” said Tim O’Malley, who oversees the newly formed Office of Ministerial Standards and Safe Environment. “We are facing some harsh facts from the past, but we’re facing them head on with an unwavering commitment to creating as safe a future as possible.”

Bolstering policies

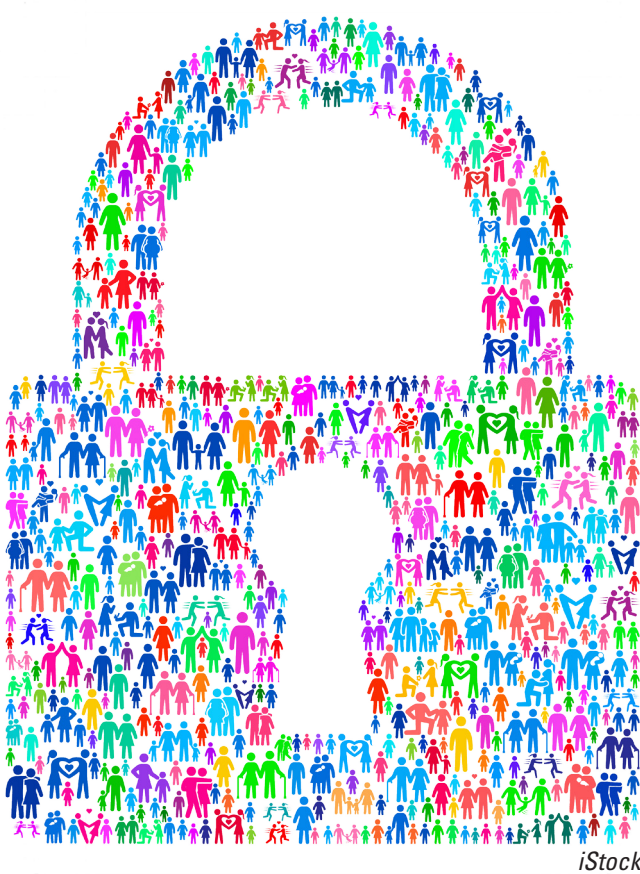
For Todd Flanders, headmaster of Providence Academy in Plymouth, sexual abuse allegations against the archdiocese have painfully underscored the vigilance necessary to protect kids now and in the future. Current policies are strong, he said, and the Office of Ministerial Standards and Safe Environment team has been responsive and collaborative in their commonsense implementation.

Fulfilling safe environment standards is about more than compliance, Flanders added; it’s about creating a place where students can flourish, learn and come to know God.

“It’s about much more than safety; it’s about how . . . we find out who we are as human persons in community,” said Flanders, who has been at the helm of Providence, a pre-K-to-grade-12 school, for 16 years.

He noted that the new office has been focused, professional and assertive in helping Flanders, 51, and his colleagues apply policies to particular situations.

In March 2014, a safe environment task force recommended the archdiocese overhaul the institutional structures responsible for safe environment policies and sexual abuse claimants. As a result, the archdiocese established the Office of Ministerial Standards and Safe Environment and in



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A year after Doe 1

What the ‘new day’ and ‘new way’ look like now

By Maria Wiering • The Catholic Spirit

September 2014 hired O’Malley, a retired judge and former FBI agent, to lead it. His purview includes safe environment standards and education, the handling of abuse allegations, and victim assistance, responsibilities previously split under multiple directors.

Although his office handles abuse claims from the past, O’Malley is focused on the present.

“We’re not just dealing with symptoms of individual misconduct; we’re dealing with root causes working backwards, and we’re dealing with systemic and organizational change moving forward that will prevent or at least minimize the risk of any kind of future abuse,” O’Malley said of his 11-member team.

Part of that change has included revisions to safe environment policies. In May and June, the archdiocese released two updated codes of conduct: one for church personnel and one for clergy. Other codes are also in place for adult and youth volunteers who interact with minors or vulnerable adults.

The codes are among the archdiocesan Safe Environment Policy and Requirements for people who work with children in Church institutions. The other components are background checks and safe environment training through the VIRTUS program, a model used in the archdiocese since 2004.

Known since their 2013 implementation as the “essential three,” the requirements are now called the “enhanced essential three.” They include fresh background checks and retraining every three years — requirements from which some personnel were previously exempt.

“I think tremendous progress has been made in the past year,” O’Malley said. “It is addressing individual situations and instances, but just as important, it’s positioning this archdiocese for a long-term solution.”

Father Michael Tix, pastor of St. John the Baptist parish and school in Savage and chaplain of the Academy of Holy Angels in Richfield, also said the archdiocese has come a long way in the past year. He credits the improved policies and ongoing conversations around best practices, as well as a heightened awareness about individuals’ roles in protecting children and vulnerable adults.

“Because of what we’ve learned from the past and measures that we’ve taken . . . we’re probably as safe as we’ve ever been because we’re more watchful,” he said. “We know more the signs to watch for, we’re doing more of the background checks, we’re [having] more of a real conversation about a terrible issue, and that has allowed us to become more transparent about that.”

Assessing priest misconduct

Father Tix is one of two priests who sit on the 12-member Ministerial Review Board, an otherwise lay-comprised entity that oversees all priest misconduct and makes recommendations to the archbishop. That role drives him to get the prevention component right, he said.

Prior misconduct review boards existed, but for a time one board handled allegations of clergy sexual misconduct with adults while another responded to allegations of clergy sexual misconduct with minors. A single board means key people have more complete information, O’Malley said.

The board also has overlapping membership with a group that focuses on clergy well-being and the board that recommends priest and deacon assignments.

“The idea is that we get the right information in the right hands at the right time in order to make informed and fair decisions,” O’Malley said. “Rather than a top-down, autocratic approach, it’s more of a collaborative approach to get a lot of people’s input.”

Investigating cases for the board are three staff members of the Office of Ministerial Standards and Safe Environment, all with law enforcement backgrounds. The team takes up a case after a police investigation, regardless of the outcome.

Since its formation, the Ministerial Review Board has recommended action be taken on a number of priests, including five who were removed from ministry pending investigations of sexual misconduct. Two were reinstated to ministry after local law enforcement agencies opted not to pursue the claims and an internal investigation found the claims to be unsubstantiated. Three priests remain out of ministry: One is still under investigation, another is undergoing a canonical review, and a third was referred to Vatican officials for review.

Jeri Boisvert, a parishioner of the Basilica of St. Mary in Minneapolis, said her passion for justice and fairness drives her work as a Ministerial Review Board member. Now retired from working in victim services, she draws on her professional work with victims, a background in offender rehabilitation, her role as a mother and grandmother, and knowledge of clergy sexual abuse suffered by a close family member.

She described the board’s conversations as collegial, honest and complex, where “everybody brings something different.”

“I wouldn’t serve on a token board. . . . Life is short and I need to do things of value,” said Boisvert, 66. “The board is very intense, it’s labor intensive, and it’s very thoughtful. We take a lot of time and consideration and reviewing the materials and considering all voices that are available to us. It is really hard work, but in the end I believe that it will promote justice. I really do.”

‘On the right path’

The 17 protocols and the era of collaboration that ushered them in was part of the archdiocese’s settlement with Doe 1, abused in the 1970s as a child by Thomas Adamson, a laicized priest of the Diocese of Winona who served in this archdiocese. His was the first case filed after the Minnesota State Legislature lifted the statute of limitations in 2013 for three years on historic claims of minor sexual abuse.

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Doe 1 has never publicly revealed his identity, but he is key to the local Church's direction, said Father Charles Lachowitzer, the archdiocese's moderator of the curia since October 2013 and a co-author of the safe environment protocols.

"Sometimes when we focus on the child protection protocols as part of Doe 1, we forget Doe 1, who himself is an incredible man," Father Lachowitzer said. He is "somebody who really gave us the opportunity not only to look at restitution, but also [to] look at what is the path of healing for those who feel they've been not just abused, but injured by the Church in terms of the Church's response."

The Doe 1 case also revealed to archdiocesan leaders that they needed to find a different route for restitution for future cases, Father Lachowitzer said. Settling each individual claim would have potentially exhausted the archdiocese's resources before it addressed all claims, he said. The archdiocese entered Reorganization to "do the most for the most" — as Father Lachowitzer often repeats — and to minimize adversity among parties.

Reorganization, however, again put the archdiocese and plaintiffs' counsel, including Anderson, on opposite sides of the courtroom, although the parties are working toward common ground in mediation. However, sustaining the momentum gained in the Doe 1 settlement hasn't been easy, Father Lachowitzer said.

"We're still in dawn," he said, drawing on Anderson's "new day" analogy. "The new day is going to be when people realize that over this past year they would be proud of us. No, we're not getting to things as fast as people want . . . but we're on the right path."

Charlie Rogers, an attorney of the Minneapolis-based firm Briggs and Morgan who represents the archdiocese in the Reorganization process, said the current work to make sure children now and in the future are protected from victimization is the first of three steps the archdiocese is taking.

The second step is the Reorganization process, which focuses on restitution for victims while maintaining the ability of the archdiocese to meet its core missions. The third is a concerted effort to reach out to victims and offer a role in their healing — efforts that unfortunately have had to be somewhat muted, he said, due to the legal parameters of the Reorganization process.

It was Rogers, with the blessing of archdiocesan leadership, who reached out to Anderson in the summer of 2014 hoping to change the dynamic of their relationship, a gesture that opened the door for the Doe 1 settlement.

In his assessment of the archdiocese's current safe environment efforts, he emphasized the number of lay leaders influencing the process, increased collaboration with law enforcement and the community, and the archdiocese's improved access to its own information, thanks to the comprehensive review of clergy files that Los Angeles-based Kinsale Management Consulting completed in 2014.

Referring to the policies and protocols, Rogers said, "We'll be judged not by the paper, but by our actions and by the people who are doing it."

In December, the archdiocese partnered with Canvas Health to provide counseling services and a 24-7 crisis hotline for victims of clergy sexual abuse. Prior to that partnership, it would have been an archdiocesan staff member who would have assessed survivors' needs and referred them for care or services. O'Malley indicated that he and other members of archdiocesan leadership still meet with survivors, but assessing their care and needs is best handled by a group of professionals.

In September, the archdiocese had planned to start a survivors support group, but only a few people showed interest. Its launch has been postponed until the archdiocese establishes stronger rapport and trust with victims, O'Malley said.

"People like to say, 'The people are the Church. The Church is the people of God.' That definitely is one of the images of the Church. But that also means that we're all part of the solution."

Father Charles Lachowitzer

Re-establishing trust

Trust is still a challenge for many local Catholics — not just those who are abuse survivors, said Frank Meuers, southern Minnesota director for the Survivors Network for those Abused by Priests, or SNAP. He believes O'Malley and Father Lachowitzer want to move the archdiocese forward, but he remains skeptical, recalling that previous Church officials had made new policies or promises that he believes were later broken.

New standards can be in place, but communicating them is key, said Meuers, a 76-year-old parishioner of St. Joseph the Worker in Maple Grove. For example, he wishes pastors would preach more often about the steps the Church is taking to keep kids safe. He also said it's important that people who want to discuss

abuse feel comfortable approaching Church leadership.

"I don't think this [trust] is going to happen in a month or two, or even a year or two, but it has to happen with systemic change," Meuers said.

That change involves every Catholic, Father Lachowitzer said. "People like to say, 'The people are the Church. The Church is the people of God.' That definitely is one of the images of the Church. But that also means that we're all part of the solution."

The solution isn't solely in a chancery office, he emphasized, but in a Church-wide commitment to keeping children safe.

"We can all be voices of healing, we can all be voices of restoring trust, we can all be voices of being the Church we want us to be," he said.

In the meanwhile, Father Lachowitzer continues to meet with victims who reach out to the Church.

"This is about where the Church must be, and the Church must be on the side of . . . those who bring wounds so deep that it will take my lifetime with the Church to be instruments of healing," he said.

He added: "Awareness is a painful process for all of society. Each chapter of crisis gives us that fork in the road where we're either going to succumb to the crisis and get ourselves out as much intact as we can, or we use the crisis as an opportunity to bring about greater awareness [and] to be in the preventative mode."

Looking ahead

Archbishop Bernard Hebda, the archdiocese's apostolic administrator since June, described archdiocesan staff as "committed to being proactive and collaboratively engaged in addressing these difficult issues." He believes the last year could serve as a case study for others.

"I have been impressed by both a heightened level of sensitivity to the needs of those who have been harmed and a real appreciation for the contemporary challenges that face priests, religious and laity who generously labor in the Lord's vineyard," he said. "The change of culture that has apparently resulted from the painful experience of Doe 1 offers great hope for the future and merits further study on the national and international levels."

The archdiocese's efforts from the past year were reviewed at the end of October, when, on behalf of the U.S. Conference of Catholic Bishops, an independent auditing team completed an onsite audit of the archdiocese's safe environment and abuse response structures. The USCCB audits the archdiocese annually, with an onsite audit every three years. The archdiocese also audits parishes and schools in the spring and fall, and reports results to the USCCB. A management plan based on their findings is expected in November.

"The direction of the archdiocese is very well set, both in our operations and in our determination," Father Lachowitzer said. "We're in this for the long haul, and this is a long haul."

He cautioned Catholics not to look for a quick fix to the problem of clergy sex abuse and its effects on the local Church.

"We are never going to be over this," he said. "There is no getting over this. We will get through it, by the grace of God, and we will be better for it. But [as for] this notion of 'When will it end?' At the end of time."

He's heard it suggested that the current crisis is a "distraction" from what the Church should be doing, and people are eager for things to return to "normal."

He vehemently disagrees. The work the archdiocese has done in the past year is not to "get over the crisis," he said, but to make child protection and victim/survivor outreach "an inseparable, inextricable part of the mission of the Church."

"This is what it means to be Church," he said. "This is not a distraction from our mission. This is our mission."

Milestones

October 2013

Task Force appointed

March 2014

Task Force report finalized

September 2014

Retired Judge Tim O'Malley hired to direct new Office of Ministerial Standards and Safe Environment; office structure reorganization begins

October 2014

Doe 1 settlement; 17 Child Protection Action Protocols announced

November 2014

Victim/survivor services reorganized

December 2014

Partnership with Canvas Health announced

January 2015

Archdiocese enters Chapter 11 Reorganization and begins mediation

May 2015

Archdiocese releases new codes of conduct; revises new safe environment policy; organizes Ministerial Review Board

June 2015

Archdiocese drafts new sexual abuse policy; Ramsey County Attorney's Office files charges against the archdiocese; Archbishop John Nienstedt and Bishop Lee Piché resign; Archbishop Bernard Hebda, coadjutor of Newark, New Jersey, becomes the archdiocese's apostolic administrator

August 2015

Reorganization-related August 3 filing deadline for sexual abuse allegations against the archdiocese