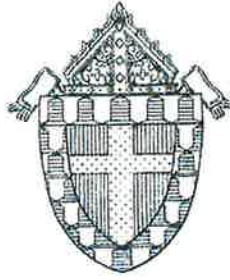


Diocese of Lafayette



Safe Environment Policy

INTRODUCTION:

There exists within the Church a sacred trust to protect and promote the dignity of all human life (cf. *Catechism*, nos. 356, 357, 362, 1700, 1738, 1944, etc.). Therefore, the Church has a special duty to foster a safe environment, especially toward children and vulnerable adults entrusted to her care. The Diocese of Lafayette recognizes that this sacred trust is profoundly wounded when clerics or any individuals representing the Church, engage in the sexual abuse of a minor or vulnerable adult (cf. *Catechism* no. 2389). The Diocese of Lafayette, therefore, condemns all acts of abuse and is committed to the punishment of perpetrators and to the prevention of future abuse. All of the faithful who have knowledge or reasonable suspicion of abuse have a moral responsibility and must comply with the reporting requirements of civil law as well as the reporting requirements of canon law. All persons who supervise or work with children or vulnerable adults (hereafter referred to as eligible adults) are subjects of this policy.

A. Reporting Allegations of Abuse

1. Clergy, employees, and all persons who supervise or work with children or vulnerable adults (hereinafter referred to as eligible adults) who know or suspect that a minor or vulnerable adult has been physically or sexually abused must report the abuse to the appropriate civil authorities (unless knowledge of the abuse is bound by the seal of confession—canons 983, 984, etc.; Louisiana Code of Evidence, art. 511, etc.).
2. In keeping with updates in universal law a vulnerable adult is considered equivalent to a minor for all particular laws, policies and protocols of the Diocese of Lafayette, especially for the purposes of protection, reporting and offenses against such persons. All diocesan particular laws, policies and norms which apply to “minors” shall henceforth also include and shall be interpreted to include “vulnerable adults.” A vulnerable adult/person is “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 offense...” (cf. art. 6 § 1, 1^o SST and art. 1 § 2, b VELM).

3. Sexual abuse also includes the acquisition, production, possession, and distribution of pornographic images of minors or vulnerable adults (cf. canon 1398).
4. Abuse must be reported to the proper authorities. If the alleged perpetrator is someone living in the same household as the victim, the report must be made to the Department of Children and Family Services for the State of Louisiana (1-855-453-5437) toll-free, 24 hours/day, seven days/week. All other reports must be made to local police or sheriff's department.
5. After reporting to civil authorities, eligible adults who witness or receive knowledge of abuse against a minor or vulnerable adult must also report this abuse to church authority, as set forth in greater detail in paragraph 8.
6. Eligible adults must cooperate fully with civil authorities in the investigation and subsequent prosecution of sexual abuse of a minor or vulnerable adult.
7. Anonymous reports of abuse may provide an occasion for investigation unless they are clearly false and/or presented purely for malicious purposes. Anonymous reports originally presented with no supporting proofs may have corroborative value if particular circumstances make the accusation plausible. However, anonymous reports lacking corroboration are never considered as proof of abuse.
8. Process for reporting within the Diocese:
 - a. Laity (non-clergy). *In addition to civil authorities*, if the accused is either a lay employee, brother in consecrated life (that is, not a cleric) or sister in consecrated life, a seminarian, diaconal candidate, or other eligible adult, a report of the allegation must also be made to the Director of Safe Environment for the Diocese of Lafayette (337-735-9434). A report against the Chancellor or the Director of Safe Environment is to be made to the Vicar General or the Bishop.
 - b. Priests and Deacons. *In addition to civil authorities*, if the accused is a cleric who is a priest or deacon (permanent or transitional), a report of the allegation must also be made to the Victims Assistance Coordinator for the Diocese of Lafayette (337-298-2987) or, barring that, to the Vicar General. A report against the Vicar General is to be made to the Bishop.
 - c. Bishops. If the accused is a bishop (diocesan bishop, coadjutor bishop, auxiliary bishop, or retired/emeritus bishop), allegations of abuse, lack of addressing, or serious mishandling of accusations must be reported either online at www.reportBishopabuse.org or by calling 1-800-276-1562. In addition, a report must also be made to civil authorities and to the diocesan Victims Assistance Coordinator (337-298-2987).

B. Investigating Allegations of Abuse

1. Against Laity (see 8a.):
 - a. Upon receiving an allegation, the Director of Safe Environment must confirm that the allegation has been reported to civil authorities and will provide to the Chancellor written documentation of information received.

The Chancellor shall ensure that outreach is extended to the alleged victim/family.

- b. Upon an initial inquiry, unless the accusation is manifestly false, the accused will be placed on administrative leave, with or without pay, depending on the circumstances. A non-employee will have his/her eligibility temporarily suspended.
- c. The Chancellor, with the approval of the Vicar General, will determine the appropriate means and person(s) to head and assist with the investigation.
- d. If an investigation would interfere with a civil investigation, it will be suspended until such time as it may continue without interference. The results of the civil investigation, to the degree available and reliable, may be incorporated into the diocesan investigation. A written report of the investigation is to be prepared.
- e. The rights to self-defense and not to defame oneself are to be protected though a person may freely confess at any time. An individual shall not be compelled to take an oath or to submit to psychological evaluation.
- f. If the allegation is proven to be unfounded, every reasonable effort will be made to restore the good name of the accused.
- g. If the accused admits guilt, does not contest guilt, or is found to be guilty, he/she will be immediately terminated.

2. Against a priest or deacon (permanent or transitional):

- a. Upon receiving an allegation, the Victims Assistance Coordinator must confirm that the allegation has been reported to civil authorities. The Victims Assistance Coordinator must immediately alert the Vicar General (followed by a written report) who shall report the allegation to the Bishop. At the Bishop's discretion, the matter may be reported to the Diocesan Abuse Review Board.
- b. In keeping with the norm of canon law, unless the allegation is frivolous, the Bishop will decree a preliminary canonical investigation into the allegation and to either personally, or through another, investigate the allegation. If the preliminary investigation would interfere with a civil investigation, it will be suspended until such time as it may continue without interference. The results of the civil investigation, to the degree they are available and reliable, may be incorporated into the diocesan investigation. A written report of the investigation is to be prepared.
- c. The rights to self-defense and not to defame himself are to be protected though he may freely confess at any time. An individual shall not be compelled to take an oath or to submit to psychological evaluation. Notwithstanding his rights, the accused may be requested, even urged, to seek an appropriate medical and psychological evaluation.
- d. If the allegation is against a cleric who is also in consecrated life, the Bishop will inform the cleric's Superior and then take appropriate action.
- e. In response to credible allegations against a cleric, the Bishop will notify the Congregation for the Doctrine of the Faith.

- f. The accused will be informed of his civil and canonical rights either during or after the preliminary canonical investigation. The accused will be encouraged to engage the assistance of civil and canonical counsel.
 - g. The accused cleric is presumed innocent throughout the investigation and appropriate steps are taken to protect his reputation.
 - h. If the allegation is proven to be unfounded, every reasonable effort will be made to restore the good name of the accused.
 - i. For further details regarding inquiry into allegations, please see, Diocese of Lafayette Policy Manual, *Procedure for Addressing Allegations of Sexual Abuse of Minors by Clergy* (<https://diolaf.org/policies-manual>, May 30, 2006) for which all norms which apply to “minor/s” shall also include “vulnerable adult/s” (see above, 104.1, A. 2).
3. Against a bishop (diocesan bishop, coadjutor bishop, auxiliary bishop, or retired/emeritus bishop):
- a. Allegations against a bishop will be handled by the Metropolitan ArchBishop (cf. *Vos estis lux mundi*, art. 10ff, and above, no. 104.2 A.8c).

C. Preventing Abuse

1. Pastors/Principals/Administrators must ensure that all eligible adults under their supervision are given a copy of this policy, understand its expectations, and are compliant with it.
2. To be deemed an “eligible adult”, individuals must successfully complete an *in-person* training session prior to working with minors or vulnerable adults. Each year thereafter all said eligible adults must participate in a continuing education session which may be in-person or by approved virtual/online training (e.g. Virtus).
3. All diocesan-sponsored educational programs (Catholic schools and parish programs) must provide age-appropriate safe environment education for all students and parents at least annually.
4. All parishes and Catholic schools must have a Safe Environment Coordinator to assist the Pastor/Principal/Administrator to ensure that diocesan safe environment norms are implemented.
5. Screening and Evaluation: The Diocese of Lafayette shall utilize rigorous instruments for screening and evaluation to determine the fitness of candidates for ordination.
 - a. All priests, deacons, diaconal candidates, and seminarians must undergo a criminal history check. All diaconal candidates and seminarians from this point forward must be fingerprinted.
 - b. All school employees must be fingerprinted prior to working with children or vulnerable adults.
 - c. All other eligible adults must undergo a criminal history check prior to working with children or vulnerable adults.
 - d. Reference checks must be performed on all laity prior to working with children or vulnerable adults.

- e. Letters of suitability must be provided by Bishops or Superiors (Provincials, Vicars General, Vicars for Clergy, etc.) for those clerics who wish to practice temporary ministry in the Diocese of Lafayette. The Pastor/Principal/Administrator must ensure that the required letters of suitability for priests are provided to the Office of the Chancellor and those for deacons are provided to the Office of the Permanent Diaconate.
- f. Transfer/Reassignment of Clergy: No priest, deacon, seminarian or diaconal candidate who has been proven to have committed an act of sexual abuse against a minor or vulnerable adult may be transferred for a public ministerial assignment to another diocese/eparchy or religious province. The Bishop must ensure that for even a single act of sexual abuse of a minor or vulnerable adult, admitted or established, the offending cleric or person in formation will be permanently removed from any form of clerical formation or public ministry and, if warranted, dismissed from the clerical state.

D. Enforcing Compliance

1. The Diocese of Lafayette shall maintain a Diocesan Abuse Review Board. The majority of the members are to be lay persons not employed by the Diocese. At least one member is to have expertise in the treatment of sexual abuse of minors and/or vulnerable adults. Members are appointed for a term of five years. Terms can be renewed.
2. The Diocesan Abuse Review Board functions as the Bishop's confidential consultative body in matters of sexual abuse of a minor or vulnerable adult by a priest or deacon. The Board advises the Bishop in his assessment of allegations of sexual abuse of minors or vulnerable adults, and in his determination of suitability for ministry, or other service to the Church.
3. The Diocese of Lafayette shall cooperate with the USCCB Office of Child and Youth Protection which produces an annual public report on implementing and maintaining the standards required by the *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. The Diocese of Lafayette must cooperate in the annual audit from which this report is produced.
4. The Diocese of Lafayette, through its *Code of Professional Conduct*, has established standards which govern ministerial behavior and appropriate boundaries for clergy, those in consecrated life, diocesan personnel and other eligible adults in positions of trust with minors and vulnerable adults.
5. All clergy, those in consecrated life, diocesan personnel and other eligible adults must adhere to the diocesan *Code of Professional Conduct*. Persons in violation of the Code of Professional Conduct will be subject to disciplinary action, up to and including removal from ministry, termination and/or loss of eligible adult status.
6. The Diocese of Lafayette will not enter into any confidentiality agreements in cases of sexual abuse where the victim is a minor or vulnerable adult, except for

grave and substantial reasons brought forward by the victim or the parent or guardian of a victim who is still a minor or vulnerable adult. Such reasons will be clearly noted in the text of the agreement.

E. Foundation Principles and Guidelines

1. The elements of this policy are governed by the requirements of civil and canon law as well as the *Charter for the Protection of Children and Young People and Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.
2. The Diocese of Lafayette reserves the right to make changes to this policy at any time, at its sole discretion, and to interpret and administer the policy considering changing events and circumstances.

Approved



Most Reverend J. Douglas Deshotel, D.D.
Bishop of Lafayette

December 21, 2022



Mrs. Maureen K. Fontenot, PHR SHRM-CP
Chancellor

