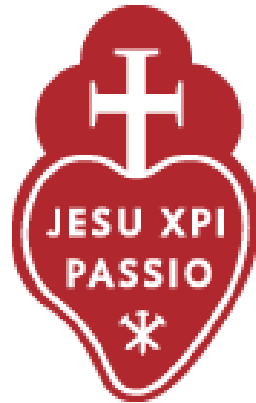


**The Congregation of the Passion,  
Holy Cross Province**



**POLICY STATEMENT ON SEXUAL  
MISCONDUCT  
CODE OF CONDUCT FOR MINISTRY  
FOR VOWED MEMBERS**

**REVISED JUNE 2025**

# Policy Statement on Sexual Misconduct

## Code Of Conduct For Ministry

### For Vowed Members

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## **Reflection**

*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 and deacons. Following this mandate, The Passionists of Holy Cross Province undertook a careful study and proceeded to update our Policy Statement on Sexual Abuse of Minors and have reviewed that policy annually and during each recertification of an independent accreditation organization. The Passionists are aware of our obligations to provide a safe environment for children and young people and to reach out to individuals who may have been abused as minors in connection with its vowed members of Holy Cross Province serving in Church ministry.*

*It is the policy of The Passionists of Holy Cross Province to promptly investigate all allegations of sexual abuse of a minor made against its vowed members. In connection with these allegations, The Passionists of Holy Cross Province will report allegations to the authorities as required by various state laws and cooperate fully with local authorities. Pending further investigation into these allegations, the Province will offer healing support and assistance to the complainant. The accused may be referred for treatment and, if appropriate, removed from active ministry. The Passionists of Holy Cross Province will endeavor to cooperate with the policies of each archdiocese and diocese in communicating with the parishes and communities its vowed members serve.*

*The Congregation of the Passion, Holy Cross Province, under the direction of the Provincial Superior, has established a Review Board comprised of laity and a vowed member of Holy Cross Province to, among other things, review and update this Policy periodically. The Passionists of Holy Cross Province will continue to educate its vowed members and foster awareness of the issues addressed by this Policy.*

## **Introductory Remarks**

- *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 behavior that disregards or demeans the dignity of the human person, especially sexual abuse of a minor. Such misconduct is behavior unacceptable for a vowed Passionist.*
- *For purposes of this Policy, sexual abuse of a minor by a Passionist is contrary to Catholic moral teachings, doctrine, and canon law and is against the law. It is never acceptable.*
- *It is the entirely the responsibility of the individual Passionist to maintain appropriate emotional and sexual boundaries with minors.*
- *This policy binds all vowed Passionists of Holy Cross Province.*
- *It is the policy of Holy Cross Province to:*
  - *investigate promptly all allegations of sexual abuse involving its vowed members regardless of the likelihood of truth;*
  - *offer compassionate assistance to the victims of sexual abuse by our vowed members;*
  - *comply with all applicable legal requirements policies;*

- *cooperate with the policies of the arch/diocese in which our vowed members serve; and*
- *assist the accused, as appropriate, in the processes of rehabilitation and recovery.*

## PART ONE – RESPONDING TO COMPLAINANT

### 1. Pastoral Response to Those Reporting or Making Allegations

- 1.1. Consistent with our commitment to promoting the dignity of the human person and to protecting minors and vulnerable adults, Holy Cross Province shall respond in a timely, compassionate, and pastoral manner to every person reporting abuse by a vowed member of Holy Cross Province (whether current, former or deceased), even if the informant wishes to remain anonymous.
- 1.2. The Provincial Superior shall appoint a Victim & Survivor Assistance Coordinator (VSAC), preferably a lay person, to support those alleging abuse by a vowed member of Holy Cross Province.
- 1.3. The VSAC must have appropriate education, training, and experience in the following areas:
  - 1.3.1. The dynamics of abuse;
  - 1.3.2. The effects of abuse;
  - 1.3.3. Providing comfort to those who have experienced sexual abuse;
  - 1.3.4. Encouraging trust with victims and survivors;
  - 1.3.5. Promoting healing.
- 1.4. The responsibilities of the VSAC are described in Victim Survivor Assistance Coordinator Position Description.
- 1.5. The VSAC shall be the primary contact between victims/survivors and the Province to promote healing. The VSAC communicates with victims/survivors to offer support and information, meeting in person whenever possible.
- 1.6. Documentation of all VSAC interactions shall be kept on file in the Provincial Office.
- 1.7. The Provincial Superior shall offer to meet with any individual alleging that he or she was sexually abused as a minor by a vowed member of Holy Cross Province to understand how the experience has affected the individual and to assure the victim/survivor of the Province's concern and ongoing care. This meeting shall be arranged in consultation with the VSAC and informed by the VSAC's recommendations for support. It shall be documented according to the Province's policies.
- 1.8. Because other vowed members, communities, and ministries may also be affected by allegations and incidents of sexual abuse, the Province shall respond pastorally and compassionately to all affected, advised as needed by the VSAC.

1.9. Any third party inquiries, including, but not limited to the media inquiries, about the details of an accusation are to be referred to the Provincial Superior.

## 2. Protocols for Responding to Reports and Allegations

2.1. Important protocols exist for responding to allegations of sexual abuse of minors by a vowed member of Holy Cross Province, specifying who bears responsibility for each step of the response and its documentation. These protocols are periodically reviewed and updated for the following activities:

2.1.1. *Protocol for Responding to Allegations and Reports of Sexual Abuse* details Holy Cross Province's procedures for:

2.1.1.1. Responding to individuals who report sexual abuse of a minor;

2.1.1.2. Responding to individuals who report they have been sexually abused as minors;

2.1.1.3. Responding to vowed members of Holy Cross Province who have been accused;

2.1.1.4. Complying with reporting requirements, including to civil authorities, diocesan bishops, and employers;

2.1.1.5. Carrying out canonical investigations;

2.1.1.6. Communicating with Passionist communities, faith communities, and the public.

2.1.2. *Protocol for Right and Obligations* details the rights and obligations for all parties involved.

2.1.3. *Protocol for General Investigation and Internal Investigation* describe Holy Cross Province's protocols for conducting non-canonical investigations.

2.1.4. *Policy for Review Board Guidelines* describes the roles and responsibilities of the Province's Review Board.

2.2. All documentation related to allegations and reports of sexual abuse shall be securely maintained in the Provincial Office, and each new Provincial Superior must become acquainted with these records at the beginning of his term.

PART TWO — PREVENTION

3. Screening of Applicants

- 3.1. Holy Cross Province shall screen all applicants seeking admission to the pre-novitiate to determine whether they have a history of, or risk factors for, sexually abusing or violating boundaries with minors. This screening shall include:
  - 3.1.1. A psychological evaluation, and a psycho-sexual history conducted by either a licensed psychologist or a licensed mental health professional with skills in conducting psycho-sexual histories and in assessing psycho-sexual health in preparation for a life of celibate chastity;
  - 3.1.2. A nationwide criminal background check; a nationwide sex offender registry check; a Social Security number trace and an alias search; and individual state and county level searches where the candidate has lived, studied, or worked during the past seven years;
  - 3.1.3. References, specifically, from the applicant's parents, a close family relative, pastor, spiritual director or other priest or religious, a supervisor (professional if employed, otherwise educational), and two others to whom he is close;
  - 3.1.4. A review of publicly accessible content from social media, personal blog sites, and websites associated with accounts controlled by the candidate;
  - 3.1.5. Three documented face-to-face interviews, conducted by the Vocation Director, a formation director, and a vowed member of Holy Cross Province:
  - 3.1.6. The Vocation Director is to ensure that this screening takes place and that the results of are reported to the Admissions Board. The final results must be reported to the Provincial Superior before an applicant is admitted to the pre-novitiate.
- 3.2. Any applicant with an established allegation of sexual abuse of a minor or vulnerable adult, or who has acquired, downloaded or intentionally viewed child pornography, or has shown a tendency to violate boundaries with minors shall be prohibited from admission to the Holy Cross Province formation program.
- 3.3. In order to assist in the initial screening process, the Vocation Director and the members of the Admissions Board must be trained and/or experienced in the identification of persons at risk of perpetrating sexual abuse.

#### 4. Fraternal Support and Accountability

2.1 Systems of fraternal support and accountability for all vowed members of Holy Cross Province. These strategies of fraternal support and accountability apply to all vowed members of the Province, regardless of where they reside or minister, and include:

4.1.1. All vowed members have a right to fraternal help in the spirit of confidentiality;

4.1.2. Residence in a Passionist community with limited access by others;

4.1.3. Full participation in common life, including prayer, liturgy, meals, recreation, retreats, community meetings, and chapters;

4.1.4. A local superior and/or ministry supervisor;

4.1.5. Periodic conversations with the Local Superior, ministry supervisor, and the Provincial Superior;

4.1.6. Participation in canonical visitations and regional and Provincial assemblies;

4.1.7. Healthy relationships with other vowed members in the Province;

4.1.8. Participation in programs and services that promote holistic health;

4.1.9. Caring for others, especially those experiencing difficulties;

4.1.10. Engagement with a spiritual director;

4.1.11. Presence and participation in the rhythm and life of the community;

4.1.12. Fulfillment of assigned responsibilities in a timely manner, seeking help when needed;

4.1.13. Seeking permission for variances and/or exceptions from approved community policies and procedures;

4.1.14. Compliance with the policies and procedures of the local community regarding absences, overnight excursions, vacations, use of community resources, finances, ministerial boundaries, and annual retreats.

4.2. The Provincial Superior, or his delegate, shall conduct and document in-person meetings with all vowed members of the Province annually to ensure strong systems of accountability are in place, to provide continuing support and ongoing formation, and to verify compliance with all safeguarding policies. The dates of these meetings shall be documented.

- 4.2.1. Ordinarily, the Provincial Superior shall conduct interviews with all vowed members of the communities he visits during a given year (i.e., canonical visitation);
  - 4.2.2. Local superiors are delegated to conduct interviews with the vowed members of the Province assigned to their communities, including those not in residence.
5. Education and Training Requirements for All Vowed Members of Holy Cross Province
- 5.1. Boundaries with Minors
    - 5.1.1. Guidelines for behavior with minors, which apply both to ministerial and non-ministerial contexts (including with vowed members family). It identifies appropriate forms of social interaction and affection, as well as prohibited behaviors. It also provides norms for the proper use of electronic communications and social media with minors;
    - 5.1.2. A copy of the Province's Policy Statement on Sexual Misconduct and Code of Conduct For Ministry, shall be provided to each vowed member and novice of the Province. Each vowed member of the Province must read the materials, paying particular attention to the *Guidelines for Behavior with Minors*. Written verification of the receipt and understanding of these policies shall be kept on file and renewed at least once during each accreditation cycle.
  - 5.2. Continuing Education of the Vowed Members of Holy Cross Province
    - 5.2.1. All vowed members of Holy Cross Province must participate in at least one hour of education for each year of a given accreditation period;
    - 5.2.2. During each accreditation cycle, there must be at least one program focused on each of the following topics:
      - 5.2.2.1. Reporting known or suspected sexual abuse of a current minor to relevant civil authorities;
      - 5.2.2.2. Recognizing and responding to boundary violations and/or inappropriate behavior with minors;
      - 5.2.2.3. Child pornography as both a criminal offense under civil law and a grave delict specified in the motu proprio *Sacramentorum Sanctitatis Tutela (2010)*;
      - 5.2.2.4. Recognizing and responding to sexual abuse of vulnerable adults, including as an offense under the motu proprio *Vos Estis Lux Mundi*.
    - 5.2.3. As part of the ongoing education program, the Province provides current information on a variety of topics that support the prevention of abuse, healthy boundaries and overall psychosocial wellbeing.

- 5.3. All vowed members of Holy Cross Province must complete the educational requirements listed above. The Provincial Superior, or his delegate, shall be responsible for determining the means of training and documenting its completion. The educational requirements must be completed before the end of the Province's five-year Praesidium accreditation cycle.
- 5.4. The Provincial Superior may exempt individual vowed members, e.g., those in healthcare facilities who are not involved in public ministry, from some or all of the continuing education requirements.
- 5.5. The Provincial Superior may also exempt members of Holy Cross Province residing outside the U.S. if their remote locations make the requirements unduly burdensome.
- 5.6. When a member of Holy Cross Province returns to the Province from ministry outside the U.S., he must complete the requirements included in pars. 5.1 and 5.2 within 30 days of his return. This requirement does not apply to vowed members who have been assigned outside the U.S. for reason of study only.
- 5.7. When a community receives a vowed member of another Passionist province, a vowed member of another religious institute or diocesan clergy for a period of more than six months, the Local Superior, in consultation with the Provincial Superior, shall ensure that the policy of Resident Guests are followed.

### PART THREE — RESPONDING TO ALLEGATIONS

#### 6. Addressing Boundary Violations

- 6.1. All vowed members of the Province must know how to respond when another vowed member of the Province exhibits warning signs, e.g., violating boundaries or having unhealthy relationships with minors or adults, or when they believe a vowed member of Holy Cross Province has violated any of the Province's policies in this regard. The process for responding is as follows:
  - 6.1.1. When a vowed member believes that another vowed member is exhibiting unhealthy behaviors or violating boundaries, he should express his concern directly with the vowed member without delay, if at all possible;
  - 6.1.2. If he believes there is risk of harm to an identifiable minor or vulnerable adult, he must intervene immediately to protect the person from danger;
  - 6.1.3. Whether or not he is able to speak with the vowed member in question, he must immediately report his concerns to the vowed member's Local Superior and the

Provincial Superior, in person or by phone. This initial report shall be followed by a written report of his concerns.

- 6.1.4. Once notified, the Provincial Superior, or his delegate, shall gather additional information from appropriate sources and then determine and implement interventions as needed;
  - 6.1.5. All documentation pertaining to the matter shall be maintained in the Provincial Office. The superior of the Local Community shall maintain copies of all documents.
  - 6.1.6. If a minor confesses abuse in the Sacrament of Reconciliation, they are to be encouraged to tell a trusted adult, thus holding the seal of confession sacred;
  - 6.1.7. Vowed members may dialogue with the Provincial Superior regarding the level of confidentiality.
- 6.2. All vowed members of Holy Cross Province must also follow the safe environment policies and/or codes of conduct of the dioceses and institutions within which they minister or are otherwise employed. If a vowed member becomes aware of boundary violations in such a setting, he shall report them to the appropriate supervisor in compliance with the policies of the given diocese or institution and, if the violation involves a vowed member of Holy Cross Province, shall also report them to the vowed member's Local Superior or the Provincial Superior, as specified above.
- 6.3. A vowed member of Holy Cross Province who has repeatedly violated boundaries or is otherwise deemed to be at risk of perpetrating sexual abuse shall be placed under a comprehensive intervention plan by the Provincial Superior, which shall be presented to the Review Board within 30 days.
- 6.4. Support, assistance, and counseling shall be immediately provided to a vowed member of Holy Cross Province who expresses concern to his Local Superior or the Provincial Superior about his own attraction to minors or about actual or potential boundary violations with minors or vulnerable adults. Such support may include professional assessment and treatment.
- 6.5. Any vowed member of Holy Cross Province who has been threatened with the assertion of a false allegation or otherwise has reason to believe he is at risk of being falsely accused of abuse shall contact the Local Superior and the Provincial Superior, who shall then determine an appropriate response.

## 7. Reporting Suspected Sexual Abuse

### 7.1. When the Alleged Victim is Still a Minor:

- 7.1.1. All vowed members of Holy Cross Province must report to appropriate civil authorities all known or suspected sexual abuse of anyone who is *currently a minor*, whether the alleged abuse was perpetrated by a vowed member of the Province or by another person and regardless of where in the United States the abuse reportedly occurred, even if a report is not mandated by civil law in a particular jurisdiction. Any anonymous allegation that a person who is currently a minor has been sexually abused by a vowed member of the Province or by any other person shall likewise promptly be reported to civil authorities;
- 7.1.2. Vowed members of Holy Cross Province must also report to appropriate civil authorities all known or suspected cases of creation, possession, distribution, downloading, or intentional viewing of child pornography. Vowed members of Holy Cross Province must make such reports regardless of whether the alleged perpetrator is a vowed member of the Province, and even if they are not required to do so under civil law in a particular jurisdiction;
- 7.1.3. Vowed members of Holy Cross Province shall be educated regarding their personal responsibility to report all known, suspected or alleged sexual abuse of a minor or creation, possession, distribution, downloading, or intentional viewing of child pornography to civil authorities, regardless of the civil mandatory reporting laws of the jurisdiction. All vowed members of Holy Cross Province shall receive specific instructions for how to make a report in the jurisdiction in which they reside and/or minister.

### 7.2. When the Alleged Victim is No Longer a Minor:

- 7.2.1. The Provincial Superior reports to appropriate civil authorities any known or suspected sexual abuse of a minor by a current, former, or deceased vowed member of the Province when the reported victim/survivor is no longer a minor, as obligated by the civil laws of the state where the sexual abuse of the minor allegedly occurred.
- 7.2.2. When a vowed member of Holy Cross Province receives an allegation or report of abuse by a vowed member of the Province, he must listen carefully and respectfully. He shall advise the person reporting sexual abuse that the Province has policies and procedures that it will follow, and that he will inform the Provincial Superior. He shall also inform the person that the Province's VSAC will contact him or her as soon as possible to offer support and guidance and to explain the procedures used by the Province.

- 7.3. All persons contacting Holy Cross Province to report or allege sexual abuse shall be advised of their right and responsibility to report such allegations directly to civil authorities and shall be encouraged to do so.
- 7.4. Holy Cross Province shall continue to publish on its website a description of the process it typically follows when responding to allegations of sexual abuse of minors. (See: <https://passionist.org/safe-environments/>)
- 7.5. The Provincial Superior shall provide written notification of any allegations of sexual abuse to the diocesan bishop and/or the organization where the abuse is alleged to have taken place. If the accused vowed member of Holy Cross Province is still living, the Provincial Superior shall notify the diocesan bishop and/or organization where he works or resides that an allegation has been received and is under investigation. The Provincial Superior shall provide updates at the conclusion of an investigation.

## 8. Investigations of Reports and Allegations

- 8.1. Holy Cross Province presents all reports and allegations of sexual abuse of minors and vulnerable adults by vowed members, former vowed members, and deceased members to the Review Board.
- 8.2. Holy Cross Province investigates all reports and allegations of sexual abuse of minors and vulnerable adults by vowed members and former vowed members of the Province, including anonymous and third-party reports.
- 8.3. If an allegation or report is made against a living vowed member of Holy Cross Province, the Provincial Superior shall seek the consultation of a canonist to determine whether a preliminary canonical investigation should be initiated. Procedures for a canonical investigation are outlined in *Protocol for Responding to Allegations and Reports of Sexual Abuse*.
- 8.4. When a canonical investigation is deemed unnecessary or more information is needed to determine whether the allegation has the semblance of truth, the Province's attorney may arrange for an independent professional investigation. Procedures for such independent investigations are outlined in *Protocol for General Investigation Procedure*.
- 8.5. If an allegation or report is made against a vowed member from another province who is assigned to, or residing in, Holy Cross Province, any investigation and/or response is the responsibility of his province of affiliation, which shall keep the Provincial Superior of Holy Cross Province informed about the progress and resolution of the matter. The accused vowed member must return to his home province within 48 hours of when the allegation or report is received by Holy Cross Province, unless his departure would interfere with a civil investigation of the matter. In cases of allegations or reports against resident guests, the same procedures shall be observed.

- 8.6. If an allegation or report is made against a deceased or former vowed member of Holy Cross Province, the Provincial Superior shall determine whether an investigation will be conducted by an independent investigator or internally, i.e., by a vowed member of the Province. Procedures for internal investigations are outlined in *Protocol for Internal Investigation*.
- 8.7. Any investigator shall provide to the Provincial Superior a written report to be kept on file in the Provincial Office.
- 8.8. Holy Cross Province presents all completed investigations of allegations of sexual abuse of a minor to the Review Board.
- 8.9. Cooperation with Civil Authorities during Investigations:
  - 8.9.1. The Province shall offer full cooperation with civil authorities during any investigation of alleged sexual abuse of a minor. The Province shall neither obstruct nor hamper investigations of vowed members by civil authorities;
  - 8.9.2. Any investigation by the Province shall be suspended until any related investigation by civil authorities has been brought to conclusion;
  - 8.9.3. The Provincial Superior shall seek the advice of legal and canonical counsel regarding the application of civil and canon law to protecting a vowed member's rights. The Provincial Superior and the Province's attorney have sole authority to speak with civil authorities on the Province's behalf; an accused vowed member's legal counsel has sole authority to speak with civil authorities on his behalf.

## 9. The Review Board for Holy Cross Province

- 9.1. The Review Board for Holy Cross Province provides consultation to the Provincial Superior regarding the Province's response to incidents and allegations of sexual abuse of minors and on policies and procedures. The Review Board is advisory to the Provincial Superior and has no civil or ecclesial governing authority.
- 9.2. The Review Board consists of five members appointed by the Provincial Superior. No members may be employees of Holy Cross Province or engaged in providing professional services to the Province. No more than one member of the Review Board may be a vowed member of the Province.
- 9.3. The Review Board may conduct its meetings in person, by conference call, or by video conference. The Chair has authority to call meetings of the Review Board in consultation with the VSAC. A regular schedule of meetings (at least one per calendar year) shall be established, but the Review Board may call additional meetings, as necessary. The Provincial Superior through the VSAC shall notify the Chair of any matters requiring additional action by the Review Board.

9.4. The VSAC is responsible for furnishing information to the Review Board, including:

9.4.1. Notification within 30 days of any allegation of sexual abuse of a minor;

9.4.2. Notification within 30 days of the completion of an investigation of allegations of sexual abuse of a minor;

9.4.3. All documentation necessary to deliberate regarding an allegation of abuse.

9.5. Policies and procedures of the Review Board are outlined in *Review Board Policies and Procedures*.

## 10. Standards for Documentation

10.1. The Provincial Superior shall maintain a confidential archive for all documentation and correspondence regarding investigations, findings, responses, Review Board recommendations, and any resolution of allegations of sexual abuse, including anonymous allegations and reports, against current, former and deceased vowed members of Holy Cross Province.

10.1.1. In particular, Holy Cross Province will maintain documentation of every case brought to its attention since June 2002, including:

10.1.1.1. Original reports or allegations;

10.1.1.2. Correspondence related to each report or allegation, including notifications;

10.1.1.3. Results of any investigation;

10.1.1.4. Pastoral response and resolution of the case;

10.1.1.5. Review Board deliberations on the case.

10.2. Access to the confidential archive can be granted only by the Provincial Superior.

10.3. The Provincial Superior may delegate maintenance of the archive files.

10.4. Documentation of allegations and reports shall be carried out in compliance with *Guidelines for Documenting Communications and Actions Regarding Allegations of Sexual Abuse of Minors and Vulnerable Adults*.

PART FOUR — SUPERVISION

11. Restrictions for Vowed Members of Holy Cross Province with Established Allegations

- 11.1. A vowed member of Holy Cross Province with an established allegation of sexual abuse of a minor shall be prohibited from working in any position which allows access to minors (including any position within a parish or school or human service agency) or in any ecclesiastical ministry or office, in accordance with the *Essential Norms for Diocesan / Eparchial Policies Dealing with Allegation of Sexual Abuse by Priests or Deacons* and the *Charter for the Protection of Children and Young People (2018)*.
- 11.2. Holy Cross Province shall establish and maintain a written individualized safety plan to guide the supervision of any vowed member with an established allegation, including those in residential treatment facilities or on probation or parole. An individualized safety plan shall similarly be required for vowed members who have created, distributed, downloaded, or intentionally viewed child pornography.
- 11.3. A safety plan must include the following:
  - 11.3.1. A summary of the vowed member's problem behaviors, including the number, age and gender of any known victim(s);
  - 11.3.2. The current assignment and residence of the offending vowed member;
  - 11.3.3. A description of how the vowed member spends the majority of his time;
  - 11.3.4. Any applicable requirements regarding sex offender registry, parole and/or probation;
  - 11.3.5. A summary of the vowed member's risk assessment;
  - 11.3.6. Risk reduction strategies including, but not limited to:
    - 11.3.6.1. Accountability for daily activities and time management;
    - 11.3.6.2. Limitations on the vowed member's access to minors and how any such access is supervised;
    - 11.3.6.3. Issues of personal relationships with other vowed member, family and/or friends, ensuring no unsupervised access to minors;
    - 11.3.6.4. Monitoring the vowed member's use of the internet, social media and electronic communications;
    - 11.3.6.5. Accountability for financial activity.
  - 11.3.7. A plan for issues of aging as they relate to the vowed member's risk profile;

- 11.3.8. Identification of the persons charged with the implementation and supervision of each risk reduction strategy;
- 11.3.9. Suggestions for appropriate work and any specific work assignment(s);
- 11.3.10. The frequency of formal meetings with the vowed member's safety plan supervisor to review compliance (at least once every two months);
- 11.3.11. Consequences for non-compliance with the safety plan;
- 11.3.12. Instructions regarding documentation of compliance with the safety plan;
- 11.3.13. Dates on which the safety plan has been reviewed by the Review Board.
- 11.4. No components of the safety plan may be in conflict with conditions imposed by civil or ecclesiastical authorities.
- 11.5. To ensure that their respective responsibilities and obligations are understood, the safety plan must be signed by:
  - 11.5.1. The vowed member subject to the safety plan;
  - 11.5.2. The supervisor;
  - 11.5.3. The vowed member's Local Superior;
  - 11.5.4. The Provincial Superior.
- 11.6. Appropriate work for a vowed member with a safety plan shall be determined in consultation with the Review Board and, when appropriate, with the local bishop. The Provincial Superior must approve the house of assignment and appropriate work for a supervised vowed member.
- 11.7. If a vowed member subject to a safety plan is employed or performs volunteer service, the Provincial Superior shall communicate relevant information regarding the vowed member's status to the organization's leadership.
- 11.8. The Review Board must review each safety plan within 30 days after it has been established.
- 11.9. Once approved by the Review Board, the Provincial Superior, or his delegate, shall provide copies of the safety plan to the vowed member in question, his local religious superior and his safety plan supervisor. A copy shall also be placed in the vowed member's file in the Provincial Office.

## 12. Supervision of Vowed Members with Safety Plans

- 12.1. Safety plan supervisors shall be appointed by the Provincial Superior. The vowed member's supervisor may be his local religious superior, another vowed member of the Province, a qualified lay employee, or a third-party contractor. Safety Plan Supervisors serve three-year terms, which may be renewed by the Provincial Superior.
- 12.2. The Provincial Superior must ensure that a safety plan supervisor:
  - 12.2.1. Possesses the physical, emotional, psychological, and spiritual stamina and resources necessary to help the supervised vowed member live a safe and healthy lifestyle;
  - 12.2.2. Is freely willing to commit the necessary time and effort to assure the integrity of the supervised vowed member's safety plan;
  - 12.2.3. Is free from other assignments that might interfere with his responsibility for supervision.
- 12.3. Safety Plan Supervisors shall receive written guidelines regarding their role and procedures for supervision, how to verify compliance and evaluate a given safety plan, and how to respond to violations. These guidelines are found in *Protocols for Supervision for Vowed Members with Established Allegations of Abuse*.
- 12.4. Safety Plan Supervisors shall be afforded, at the expense of the Province, opportunities to participate in initial and ongoing educational programs and support groups that address the prevalence, identification and prevention of sexual abuse of minors, their role as supervisors, procedures for supervision, canonical and civil matters, and intervention strategies for when a vowed member violates his safety plan.
- 12.5. Safety Plan Supervisors shall be provided with all pertinent information by the Provincial Superior (except for any information or records that are privileged or otherwise restricted by law or court order), so that they have adequate information to fulfill their supervisory duties, including the following as it pertains to the vowed member under supervision:
  - 12.5.1. Relevant personal history;
  - 12.5.2. All allegations of sexual abuse of minors and adults;
  - 12.5.3. Any prior history of compliance with a safety plan;
  - 12.5.4. Summary documents from specialists, including regarding current progress and/or treatment completion;
  - 12.5.5. Information regarding any civil or criminal actions against the vowed member;

12.5.6. Any history of substance abuse, if applicable.

13. Ongoing Evaluation of Safety Plans

- 13.1. Each safety plan shall be assessed at least annually by the Provincial Superior or his representative, with results presented to the Provincial Review Board.
- 13.2. The Review Board shall receive a written report from the Provincial Superior, or his delegate, regarding all supervised vowed members that details their cooperation, any violations, actions taken and consequences implemented.
- 13.3. All Review Board recommendations regarding safety plans shall be noted in the Review Board's official minutes and kept on file in the Provincial Office.
- 13.4. The Provincial Superior, or his delegate, shall review annually all safety plan related evaluations and recommendations, and more often if warranted.
- 13.5. Any finding and/or recommendation pertaining to a safety plan shall be communicated promptly in writing to the supervised vowed member and his safety plan supervisor. Any recommendation for change shall be implemented within 30 days of its approval by the Provincial Superior.
- 13.6. If a vowed member under a safety plan displays significant behavioral changes or is the subject of a new allegation, his safety plan shall be promptly reviewed by the Provincial Superior. Any adjustments to the safety plan shall be immediately communicated to the vowed member, his local religious superior, his safety plan supervisor and the Review Board.
- 13.7. A safety plan supervisor shall transmit any evidence of non-compliance to the Provincial Superior, or his representative, who will schedule a review meeting with the vowed member to enforce consequences specified in the safety plan (see par. 11.3.11), or other appropriate measures. The Provincial Superior shall consult the Review Board as needed.

## **Guidelines for Behavior with Minors**

1. In our ministries and our conduct, we are guided by our commitment to celibate chastity so that “we do nothing that people might object to, so as not to bring discredit on our work as God’s servants” (2 Corinthians 6:3 *New American Bible*). As Passionists of Holy Cross Province, we are bound to respect the human dignity of those to whom we minister, aided by the virtues of charity and prudence. Prudence requires special measures in our ministries and conduct with minors because of their state of dependency. We accept responsibility for establishing and maintaining clear and appropriate boundaries in all ministries and pastoral relationships, particularly with minors.
2. **Prohibited Interactions and Behaviors:** In order to maintain a safe environment for minors, the following behaviors are categorically prohibited:
  - 2.1. Inappropriate or lengthy embraces.
  - 2.2. Kissing on the mouth.
  - 2.3. Engaging in any sexual contact.
  - 2.4. Showing affection in isolated areas such as bedrooms, closets, staff-only areas, sacristies, stairwells or other private areas.
  - 2.5. Being in bed with a minor.
  - 2.6. Tickling or wrestling with a minor.
  - 2.7. Holding a minor over the age of four on the lap.
  - 2.8. Piggyback rides.
  - 2.9. Any type of massage given by a minor to an adult.
  - 2.10. Any type of massage given by an adult to a minor.
  - 2.11. Any form of unwanted affection.
  - 2.12. Compliments or comments that relate to physique or body development.
  - 2.13. Taking an overnight trip alone with one or more minors.
  - 2.14. Driving alone in a vehicle with one or more minors.
  - 2.15. Meeting privately with a minor in an area without windows, or where doors cannot remain open.

- 2.16. Introducing sexually explicit or pornographic topics, vocabulary or media.<sup>1</sup>
  - 2.17. Encouraging a minor to possess, use, or distribute pornographic materials.
  - 2.18. Photographing a minor in a state of undress or in a provocative position or situation.
  - 2.19. Providing alcohol, drugs, tobacco, or e-cigarettes to a minor.
  - 2.20. Being under the influence of alcohol or illegal drugs when supervising or ministering to a minor.
  - 2.21. Providing money or inappropriate or expensive gifts to a minor.
  - 2.22. Engaging in physical or verbal discipline that frightens or degrades a minor.
  - 2.23. Being the only adult present in a locker room or other dressing area when minors are using such facilities.
3. **Exceptional Situations:** The prohibited behaviors enumerated above are intended to apply both to ministerial and non-ministerial settings where minors are present. However, vowed members of Holy Cross Province may encounter exceptional situations (notably, with vowed members of their own families) where a vowed member's prudent judgment, with the express or implied consent of a minor's parent or guardian, may derogate from strict observance from a few of these norms (e.g., #14)
  4. **Guidelines for Positive Behaviors:** Appropriate affection between a vowed member of Holy Cross Province and a minor can constitute a positive dimension of pastoral care. Nonetheless, touching a minor can be misunderstood and must be considered with great discretion. Depending on circumstances, it might be appropriate for a vowed member to engage in the following positive behaviors with minors:
    - 4.1. Verbal praise.
    - 4.2. Handshakes.
    - 4.3. Pats on the shoulder or back.
    - 4.4. "High-fives" and "fist bumps."
    - 4.5. Hugging in the presence of a minor's parents or another adult.
    - 4.6. Holding hands during prayer.
    - 4.7. Placing arms around a minor's shoulders.

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<sup>1</sup> This restriction is not intended to preclude providing sound moral instruction concerning sexuality or the topic of pornography as part of an appropriate curricular or catechetical program.

5. **Guidelines for Individual Meetings with Minors:** Vowed members of Holy Cross Province who meet with minors individually must follow the guidelines of the diocese of organization where they minister. Where such policies are lacking, the following guidelines should be adopted:
  - 5.1. Meeting takes place in the public portion of a Passionist community or ministry site, and never in an isolated area or in a vowed member's room. If done virtually, a vowed member's room should never be visible in the background.
  - 5.2. The office door has a window or can be left open during counseling.
  - 5.3. Parents / guardians have consented to the meeting when done outside the ministry site and times.
  - 5.4. The vowed member remains professional, witnesses to his religious vows and authority, and maintains careful boundaries around physical contact at all time.
  - 5.5. Relationship between a vowed member and a counselee remains professional, all information is kept confidential, and counseling is kept to a reasonable timeframe.
  - 5.6. Whenever possible, another adult is in close proximity whenever a vowed member of Holy Cross Province meets individually with a minor.
  - 5.7. The sacrament of penance is ordinarily celebrated in the church (or at a place and time designated for this purpose).
6. **Guidelines for Electronic Communications and Social Media:** Vowed members of Holy Cross Province who are engaged in ministry to minors that involves social media and/or electronic communication (including videoconferencing) must follow the guidelines of the diocese or organization where they minister. Where such policies are lacking, unclear, or deficient, the following guidelines should be adopted:
  - 6.1. Parents must be notified of the methods of communication which are used in each ministry and must be granted access to such communications.
  - 6.2. Personal email or social media accounts should not be used for ministry communication.
  - 6.3. Social media or other electronic communication may not be used to communicate with children who have not reached the 9th grade. Such communications should instead be directed to their parents.
  - 6.4. Acceptable hours for electronic communication with minors shall be between 8:00 a.m. and 9:00 p.m. Communication shall occur outside these hours only in emergency situations or when necessary to communicate time-sensitive information related to ministry or a ministry-related event.

- 6.5. Vowed members of Holy Cross Province must never join social media groups that are created and maintained by minors.
- 6.6. Neither personal nor ministerial social media accounts shall be used to contact individual minors. If a minor contacts a particular vowed member engaged in ministry by social media, a polite reply is permitted, but the vowed member should not engage in sustained communication in this manner.
- 6.7. A minor's personal identifiable information, including photos and video, may never be posted or distributed without the written consent of a parent/guardian.
7. **Other Guidelines for Ministry Planning:** When planning or participating in ministry events, vowed members of Holy Cross Province shall comply with all policies of the dioceses and organizations where they minister. At a minimum, vowed members are to anticipate and comply with the following:
  - 7.1. Ensuring all activities (e.g., extracurricular, catechetical, youth ministry, scouting, athletics) have been approved in advance by parents and an appropriate administrator.
  - 7.2. Having an adequate number of adults (two or more) present at all activities and events involving minors.<sup>2</sup>
  - 7.3. Releasing minors only to parents/guardians, unless otherwise authorized by their written permission.
  - 7.4. Obtaining written parental permission, including signed medical release forms, before taking minors from a parish or school, or to an event of any kind. Permission slips must describe the activity or event, including its location and date, and include emergency contact information.
  - 7.5. Passionist communities must never provide overnight accommodations for minors in community houses unless the minor is accompanied by their parent/guardian.
  - 7.6. Passionist communities must never employ minors without the minor's parent/guardian written permission.
  - 7.7. Vowed members of Holy Cross Province must report any suspected abuse (sexual, physical, or by neglect) of any person who is currently a minor to the appropriate civil authorities then to the Provincial Superior.

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<sup>2</sup> A recognized exception exists for ministry in schools when the teacher is the only adult habitually present in the classroom, assuming that there are other adults in proximity in the building.

## GLOSSARY OF TERMS

*(Except where noted, definitions are drawn from Praesidium's Accreditation Standards for Men's Religious Institutes adopted by the Conference of Major Superiors of Men, July 2024.)*

1. **Allegation:** A first-person accusation of sexual abuse of a minor or vulnerable adult brought against a current, former, or deceased vowed member of the Province, which is reported to the Province through any form of communication, including from anonymous sources.
2. **Candidate:** An individual applying for admission to the novitiate.
3. **Child Pornography**
  - a. **Child Pornography (canonical):** Any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, or any representation of sexual organs of minors for primarily sexual purposes.<sup>3</sup>
  - b. **Child Pornography (civil):** "Section 2256 of Title 18, United States Code, defines child pornography as any visual depiction of sexually explicit conduct involving a minor (someone under 18 years of age). Visual depictions include photographs, videos, digital or computer generated images indistinguishable from an actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. Undeveloped film, undeveloped videotape, and electronically stored data that can be converted into a visual image of child pornography are also deemed illegal visual depictions under federal law.

Notably, the legal definition of sexually explicit conduct does not require that an image depict a child engaging in sexual activity. A picture of a naked child may constitute illegal child pornography if it is sufficiently sexually suggestive. Additionally, the age of consent for sexual activity in a given state is irrelevant; any depiction of a minor under 18 years of age engaging in sexually explicit conduct is illegal."<sup>4</sup>

4. **Confidential:** Private information which shall be kept restricted and only be disclosed to an authorized person for legitimate reasons of the Province, or because the disclosure is legally required.

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<sup>3</sup> *Vos Estis Lux Mundi*, Art. 1, §2, c

<sup>4</sup> United States Department of Justice. *Citizen's Guide To U.S. Federal Law On Child Pornography*. Retrieved October 18, 2024, from <https://www.justice.gov/criminal/criminal-ceos/citizens-guide-us-federal-law-child-pornography>

5. **Confidential Documents:** Documents given confidential status as defined by the Province in its policies and procedures, or as required by canon or civil law.
6. **Established Allegation:** An accusation of sexual abuse of a minor that has been substantiated by facts and circumstances, such that there is objective certainty of its truth.<sup>5</sup>
7. **High Risk Vowed Member:** A vowed member who has sexually abused a minor in the past and is likely to sexually abuse again if left untreated and/or unsupervised.
8. **Vowed Member:** A person for whom the Holy Cross Province is responsible according to canon law and the Constitutions of the Congregation of the Passion. For purposes of this policy only, this includes novices affiliated with the Province, notwithstanding their distinct canonical status.
9. **Ministry**
  - a. **Ecclesiastical Ministry:** Any ministry under the authority of a diocesan bishop.
  - b. **Public Ministry:** Any ministry under the authority of a diocesan bishop, and/or the sponsorship of a religious institute, and/or with the permission of the Provincial Superior.
  - c. **Internal Ministry in a Passionist Community:** Any non-public ministry under the authority of a Local Superior and/or the Provincial Superior.
10. **Minor:** A person under the age of 18.
11. **Safety Plan:** A formal, written supervision program for a vowed member who has an Established Allegation of sexual abuse of a minor.
12. **Report:** A third-party accusation of sexual abuse of a minor brought against a current, former, or deceased vowed member of Holy Cross Province that is brought to the Province, including reports made anonymously.
13. **Province Review Board:** A group of volunteers with unique knowledge, expertise and experience who provide counsel and recommendations to the Provincial Superior in situations involving the sexual abuse of minors by vowed members of the Province.

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<sup>5</sup> The judgment of the major superior must be based upon facts and circumstances discovered in the course of the investigation, not on simple opinion. "Established Allegation" is not based upon a "preponderance of the evidence," i.e., more likely to be true than not, which may be established by 51% or more of the evidence. "Established Allegation" is in keeping with the canonical standard of "moral certitude" which states that a major superior recognizes that the contrary (i.e., that the allegation is false) may be possible, but is highly unlikely or so improbable, that the major superior has no substantive fear that the allegation is false.

14. **Risk Assessment:** A prediction of the degree of possibility of re-offense by someone with a known history of sex offenses.
15. **Sexual Abuse of a Minor:** Contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. Abuse occurs when an adult engages a minor in any sexual activity, including both direct sexual contact and sexual non-contact such as frottage, exhibitionism, and/or the distribution, downloading, and/or intentional viewing of child pornography.
16. **Vulnerable Adult:** Any adult “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.”<sup>6</sup>

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<sup>6</sup> *Vos Estis Lux Mundi*, Art. 1, §2, b