

Internal  
Report to

Provincial Minister  
Province of St. Barbara

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**INDEPENDENT BOARD OF INQUIRY  
REGARDING ST. ANTHONY'S SEMINARY**

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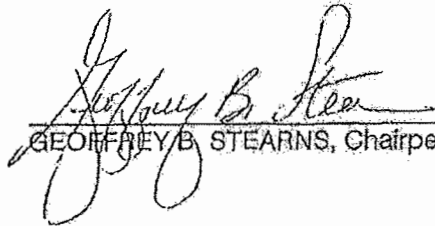
INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

TO:

Province of St. Barbara

On behalf of the Independent Board of Inquiry Regarding St. Anthony's Seminary, and in accordance with the *Board of Inquiry: Guidelines and Procedures*, I herewith submit to you the Board's final report.

Dated: November 22, 1993

  
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GEOFFREY B. STEARNS, Chairperson

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## TABLE OF CONTENTS

FOREWORD.....	ii
BACKGROUND.....	1
PROCESS.....	3
FINDINGS.....	16
Introduction.....	16
Offenders.....	19
Effect on Victims.....	41
Observations.....	51
Effect on Family and Community.....	51
Boundaries and Concerns.....	54
RECOMMENDATIONS.....	57
Regarding Friars.....	57
Ongoing Response to Victims and Families.....	69
Lalty in General.....	72
Permanent Board.....	73
THEOLOGICAL AND SPIRITUAL CONSIDERATIONS.....	75
CONCLUSION.....	81
APPENDIX	

## FOREWORD

This report of the Independent Board of Inquiry regarding St. Anthony's Seminary deals with a problem which is currently receiving a great deal of attention. It treats an especially painful situation of sexual abuse of young men whose total care was entrusted to a group of friars. Some of those friars abused that trust.

In fulfilling their responsibilities, the members of the Board have been dedicated to the discovery of the truth, however painful it might be. We have done so for the good of all concerned: victims and their families, perpetrators, the friars of the Province, and the Church at large. It is our conviction that healing can begin only when the full truth is recognized and acknowledged.

This report deals specifically with developments at St. Anthony Seminary in Santa Barbara from 1964 until the closing of the seminary in 1987. The Board did not have a commission to investigate any circumstances unrelated to the seminary. Its attention went beyond St. Anthony Seminary only insofar as this was deemed necessary to provide background for developments there, to follow up further possible activity on the part of friars who were found to have perpetrated abuse at St. Anthony's, and to assess treatment of these friars.

The majority of the friars at the seminary were not perpetrators of sexual abuse, nor were most of the students victimized. Moreover, the overall education and personal growth fostered by the seminary were accomplished despite the unfortunate and tragic developments described in this report. Still, it must be clearly stated that a cancerous evil existed in the institution which exerted, and

continues to exert, its pernicious effects in the lives of those who were abused and in the life of the Province. This report is offered not only in the desire to expose the full truth, but with the concomitant hope of promoting continuing healing for all concerned. This report is also offered in the hope that the findings and recommendations made herein will aid in preventing abuse in the future.

## BACKGROUND

From 1898 until 1987, St. Anthony's Seminary of Santa Barbara, California, was a minor seminary operated by the Province of St. Barbara of the Order of Friars Minor of the Roman Catholic Church. It operated as a boarding school for male high school students who aspired to become Franciscan priests or brothers. While the numbers varied over the years, an average of 5 to 10 percent of the graduates pursued their vocation into membership in the Order. The school was closed in 1987 for financial reasons.

In 1989 a former St. Anthony's student reported that over a two-year period, he was sexually molested by a St. Anthony's friar on numerous occasions, sometimes in the student's own home. The younger brother of the first student then reported in May 1992 that a second St. Anthony's friar, the founder and director of the Santa Barbara Boys' Choir, had sexually molested him on numerous occasions.

In October 1992, while the Province and Boys' Choir were considering the best pastoral response, and after there had been a period of significant effort and urging by members of the St. Anthony's Seminary Greater Community (a group much like members of a parish), the Santa Barbara Boys' Choir and the Provincial Minister jointly sent a letter to parents of choir members to determine if other boys had been molested, and subsequently held a community meeting for parents of seminary students and choir members. At this meeting, two additional families reported that their sons had also been sexually molested by the second friar.

In November 1992 the Provincial Minister stated that a plan for an investigation to look into the allegations would be presented in December. In the interim, 25-30 members of the Greater Community developed a set of recommendations that they felt would be necessary for a thorough and independent investigation. (See Appendix, *Commission Requirements*.)

In December 1992, the Province of St. Barbara committed itself to establishing an independent board of inquiry to investigate the reports of abuse. (See Appendix, *A Comprehensive Approach to Provincial Policy and a Pastoral Response to Instances of Sexual Abuse of Minors at St. Anthony's Seminary*.) The Independent Board of Inquiry was convened in January 1993. The Board consisted of six members who were chosen jointly by the Greater Community and the Province of St. Barbara. (See Appendix, *Members of Independent Board of Inquiry*.) Its mandate was to assess the nature and extent of sexual abuse at St. Anthony's Seminary for the period from 1964 (the beginning of the tenure of a third alleged offending friar) until the closure of the seminary in 1987.

## PROCESS

### Convening the Board of Inquiry Regarding St. Anthony's Seminary

On January 14, 1993, the six members of the Board of Inquiry assembled for two days of briefing by the \_\_\_\_\_ in order to get a thorough background about both existing reports of abuse and of the structure and scope of operations of the Province of St. Barbara. A set of guidelines and procedures for the Board, defining its mandate, authority, priorities and tasks, were jointly created by the Board and the Provincial Minister. (See Appendix, *Board of Inquiry: Guidelines and Procedures*.) Key guidelines were:

- 2.1. *The Board of Inquiry is established by the Province of St. Barbara, but it will function independently of the Provincial administration, and will report directly to the Provincial Minister.*
- 1.1.1. *The Board has an essentially pastoral purpose, acting to help the victims, the well-being of the community and the friars, and the integrity of the Church. It is fact-finding, consultative, and advisory to the Provincial Minister, not adversarial or adjudicative. Its process is to help identify victims of sexual abuse, the perpetrators of the abuse, and to assess the nature and extent of the reported abuse.*

The board was charged with reporting its findings and making recommendations to the Provincial Minister, which were to cover:

- 1) *An assessment of the nature and extent of sexual abuse of minors;*
- 2) *Whether or not there is reasonable cause to suspect the allegations against an individual are substantial;*
- 3) *How best pastorally to care for victims of abuse in accordance with the Province policies;*
- 4) *What steps can be taken to prevent the recurrence of such instances.*



The Board's members were Geoffrey Stearns, Esq., Chairperson, an attorney with expertise in mediation, and advocacy for children; Kathleen Baggerley, M.F.C.C., and Keith Mar, M.F.C.C., psychotherapists with expertise in the treatment of child and adult survivors of childhood sexual abuse; Eugene Merlin, M.F.C.C., a psychotherapist with expertise in treating sex offenders; Father Dismas Bonner, O.F.M., a Franciscan Friar from outside the Province, skilled in counseling and issues in the area of sexual abuse; and, Ray Higgins, Board Coordinator, father of a former St. Anthony's Seminary student.

#### Outreach to Victims

The Board's first important task was to develop and maintain an effective effort to contact as many of the approximately 950 former St. Anthony's Seminary students as possible. The intent was to inform them of the recent reports of sexual abuse, advise them of the existence and function of the Board, and, in as tactful a manner as possible, inquire whether they had experienced, or knew of any fellow student who had experienced sexual abuse by a friar or employee of St. Anthony's Seminary.

In February 1993, a letter was sent to all former students in the relevant time period. It was directed to their last known addresses, which were extracted and culled from seminary records through the considerable ongoing collaborative efforts of Ray Higgins and the friar in charge of the closed seminary. With particular help from the clinical members, the letter was drafted as carefully as possible to be clear, comprehensive, and sensitive to the potentially serious impact it might have on both students who had been victimized and

students who held cherished memories of a positive and meaningful high school experience (see Appendix, letter to students). Thus, it read in part:

*While our purpose is to investigate incidents of sexual abuse, we recognize that victims sometimes remember or characterize such experiences in different ways. Therefore, if you believe you were the recipient of either physical or non-physical contact by a member of St. Anthony's staff or faculty, which hurt you or left you feeling confused, frightened, guilty or bad about yourself, we encourage you make confidential (or even anonymous) initial contact with a member of this Board of Inquiry listed on the accompanying sheet...*

*In its long history, St. Anthony's Seminary has educated, nurtured and been home to many generations of fine men. As an institution, it has done much good for many individuals. It is in the spirit of that education and in witness to the compassion and concern which have been its hallmark that we now write to you in the continued search to be truthful and to heal.*

The initial mailing was made to approximately 350 students whose addresses were contained on a current St. Anthony's Seminary alumni list. Accompanying the letter was a return postcard for use of the student to indicate whether he would or would not respond further to the Board (see Appendix). Thereafter, a companion letter was prepared and sent to all clerical and lay faculty who worked at the seminary during the relevant time period (see Appendix).

Continuing review of seminary records produced the names of approximately 600 additional students for whom there was no known current address. The only addresses available were those of the students' parents at the time of attendance at the seminary. Consequently, the original student letter was slightly revised to be read by parents and mailed to them.

As the Board continued to operate and receive information from former students and their family members, it became apparent to it that the previous

outreach effort with respect to former members of the Santa Barbara Boys' Choir might not have been as effective as hoped, because:

- (1) concerns continued to be expressed about certain boys who had not responded to the previous choir letter;
- (2) the fact that the letter was co-authored by the Franciscan Province might have had an inhibiting effect on victims; and,
- (3) it was not clear that all former choir members had been sent letters.

Thus, with the cooperation of the current leaders of the Boy's Choir, a new letter was prepared by the Board and mailed to all former choir members listed on a complete roster furnished to the Board. The letter addressed the choir leaders' concerns about the reputation of their present choir and their ability to recruit for it; and the Provincial Minister's concerns that the choir not be misidentified as a Franciscan entity. It was drafted to avoid mention of the choir itself, and explained to the addressee that the Board wished to hear from anyone who might have come in contact with and been victimized by a friar or employee of St. Anthony's Seminary.

Approximately 175 student letters were returned as undeliverable. Two steps were taken with respect to these students. First, the names of all such students were published in the St. Anthony's Seminary Alumni Newsletter, with a request for information as to their current whereabouts. Subsequently, the services of a private investigator were engaged to perform skip tracing on all students whose letters had been returned. The efforts of the private investigator resulted in ascertainment of 30 valid current addresses.

The student letter produced various responses; in total, approximately 300 students responded in one way or another. When a postcard was returned indicating a further response was forthcoming (approximately 75 were received), but a significant lapse of time occurred without hearing from the student, the Board followed up with written reminders, followed by urgent letters and/or phone calls until the student had been contacted. Some students wrote letters of support with no specific information. A few students and faculty wrote letters critical of the process, although most of those tended to be mixed, e.g., urging the Board to use care and a healthy skepticism with respect to reports of abuse, while at the same time commending the effort to search for the truth. Any student who indicated, either in writing or by a phone contact to a board member, that he had been the subject of abuse, was interviewed.

#### **Meetings with the Greater Community and Relationship with News Media**

The disclosures of abuse by friars that predated the convening of the Board of Inquiry had received considerable coverage in the local press. Consequently, in the first months of the Board's operations, there were a number of inquiries from the media concerning numbers of victims and numbers of alleged or established perpetrators.

The Board was also charged with holding monthly meetings with the St. Anthony's Seminary Greater Community (a group much like a parish; for background on Greater Community, see Appendix) to "explain its procedures and give indications of its progress to those interested." (*Guidelines and Procedures, supra.*)

Its dealing with the Greater Community, and the larger community through the media, presented the Board with the challenge of preserving confidentiality without creating the appearance of perpetuating secrecy. On the one hand, we felt that the Greater Community in particular, and the larger Santa Barbara community, had legitimate interests in being kept abreast of our workings and significant developments in our process. We also felt that if we were to be thorough and effective in our solicitation of victims, the Board would need to be perceived as a credible, serious, humane entity, independent of the Franciscan Order, and definitely not part of any "whitewash" or cover-up. On the other hand, the Board was continually receiving and evaluating information of varying degrees of specificity and weight with respect to abuse. In order to assure victims that it was "safe" to contact the Board, and to prevent the premature condemnation through speculation or innuendo of any friar about whom some information had been received, the Board decided that not only would all names be held confidential, but that also there would not be any disclosure of the number of victims or number of possible perpetrators until its final report.

The Board held monthly meetings with members of the Greater Community during which progress reports were made which focused on the Board's process and efforts. At these meetings, valuable suggestions were made by those attending as to various courses of action that might enhance the Board's outreach and investigative efforts. Victims and parents of victims were encouraged to attend these sessions, and several openly vented their anger towards the Franciscans and the Catholic hierarchy for what had occurred. Others publicly revealed the devastating effect of the abuse on their lives. The meetings were filled with both intense emotion and thoughtful, profound

discussion. It was always our hope that these meetings would help promote healing of the great pain and confusion caused by the abuse.

Early on it was decided that members of the news media would be allowed to attend these meetings, provided that they identified themselves at the beginning of the meeting, and agreed to honor any attendee's request to speak "off the record," i.e., to not report anything that was said during that time. Once it had been determined that the media would be at these meetings, the Board decided to be as proactive as possible in its relationship with the media, and in March 1993, issued a press release (see Appendix) which was disseminated not only to local press and television representatives, but also to newspapers in all major metropolitan areas from which St. Anthony's Seminary students had traditionally come. The press release requested the news media's assistance in spreading the word of the Board's existence and operations.

Thereafter, a significant amount of news coverage, including television news stories and interviews of Board members, was focused on the Board, with emphasis on its desire to hear from any and all victims. The Board's contact phone number was given significant air time. Almost uniformly, members of the media were respectful of the need for confidentiality, supportive of the Board's mission, and cooperative and helpful in their dealings with the Board.

## Board Process and Relationship with Provincial Minister

### Victims

Immediately after being convened, the Board developed its Internal Guidelines. These were as follows:

#### INTERNAL GUIDELINES

1. Guiding Principles:
  - a. *Sensitivity to victims*
  - b. *Thorough gathering of information*
  - c. *Respect for confidentiality*
  - d. *Contemporaneous sharing of information among Board*
  - e. *Diligent and timely discharge of our duties*
2. Questions for Anyone Contacting Us:
  - a. *What do you want us to do?*
  - b. *What do you not want us to do?*
  - c. *What do you want us to do with information?*
  - d. *What do you not want us to do with information?*
  - e. *Which individual(s) would you feel most comfortable talking to?*
  - f. *Would you be willing to talk to the entire Board?*
  - g. *Is there any other person or persons you think we should talk to?*
3. Communication:
  - a. *Mail non-urgent written materials*
  - b. *Federal Express urgent written materials*
  - c. *Fax time-sensitive, non-confidential housekeeping documents*
  - d. *Keep others apprised of pending interviews and contacts*
  - e. *Report results of same ASAP to other members*
4. Basic Operating Procedure:
  - a. *First interview with clinical board member, unless person specifically requests non-clinician*
  - b. *Interviewer prepares and distributes to other members, his/her written summary of information received, impressions and recommendations*
  - c. *Victims and alleged offenders should be interviewed by full board in order to assess accuracy, nature and extent of reported abuse; recognizing that some victims may be not be ready,*

*willing and/or able to do so, and that some offenders may decline.*

5. *Decision-making Process: Consensus, with dissenting views given fullest exploration*
6. *Confidentiality of deliberations: Internal deliberations of the full board, and discussions among the board, or any of its members are confidential and shall be held in confidence, absent agreement of all board members for disclosure of specific information on a case-by-case basis, i.e., each and every disclosure needs to be specifically considered and agreed to by the board.*

The Board also developed a form (see Appendix, *Acknowledgment of Purpose and Scope of Operation*) which we requested that each interviewee sign. It essentially described the Board's status and mandate, and made it clear that it was not a legal, adjudicative body, nor was it to be relied upon for legal or mental health advice or services. With respect to legal issues, the Board decided:

1. That its mandated reporter members must and would report any instance of reasonably suspected abuse of an individual who was still a minor;
2. That it would make no non-mandated disclosures to the criminal authorities, but would encourage any victims with a case still within the applicable statute of limitations to consider direct reporting of same; and,
3. That it would neither encourage nor discourage the pursuit of civil damage claims by victims and/or their family members.

Thereafter, the Board met monthly for three-day sessions and began its process of interviewing former students who responded to its letter and who indicated that they had been victimized. A number of responses came from students who were not victimized, but who had information which substantiated statements of the victims. Depending on the weight of the information, geographical considerations, and the comfort level of the student, interviews were



held by telephone, personal sessions with one or more board members, and/or appearances before the full Board. We also interviewed several family members of victims.

The interviews started with explanation and signing of the Acknowledgment form, and a general presentation of the questions set forth in Section 2 of the above guidelines. Thereafter, interviewees were given the opportunity to relate their story in their own words, and convey other information they wished to communicate to the Board. While asking necessary and appropriate questions to clarify and elicit key points and to allow us to evaluate the credibility, weight and import of the information, we strove to keep victims at ease, and to avoid leading, challenging or argumentative questions or statements. In general, we tried to make the interviews as therapeutic as possible for victims and their family members.

The Board assembled a Resource Packet (see Appendix) which was distributed to victims, parents of victims and anyone else we felt could benefit from it. The packet included a list of Santa Barbara therapists who were selected by the Board as experienced and qualified in the treatment of survivors of sexual abuse. Selection was based on review of their *curricula vitae*, professional license, proof of professional liability insurance coverage, and personal interview with the Board's clinical members. Also included was a list of San Francisco Bay Area therapists, a bibliography of materials on sexual abuse, suggested guidelines for selecting a therapist, and relevant forms related to presenting a claim for therapy to the Board. In addition, we distributed two Hazelden Pamphlets, specifically written for male victims and their families, and a book, *Outgrowing the Pain* by Eliana Gil.

Because one of the primary functions of the Board was to facilitate victims requesting and receiving therapy paid for by the Franciscan Province, guidelines and procedures were created to handle this process. These were:

#### THERAPY PROCESS GUIDELINES

1. *Requests for therapy by victims will be passed upon by the full Board in an expedited manner. Following initial Board authorization of a request for therapy, ongoing submission of billings will be handled directly between the victim and therapist and the Province.*
2. *If requested, victim's anonymity will be preserved; code names or numbers will be assigned for use by victims and/or therapists in direct dealings with the Province.*
3. *In order to attempt to see that all victims get necessary therapy services, the following guidelines will be observed:*
  - a. *After fifty (50) sessions (group sessions will count as 0.4 of an individual session), or the expiration of eighteen (18) months, whichever comes first, further therapy sessions will be arranged by and between the victim, his therapist and the Province. In the event of disagreement, any dissatisfied party will be entitled to present the matter to the Permanent Board. (cf. p. 73)*
  - b. *Families of victims will be entitled to therapy on the same basis as victims, per subparagraph "a" above; provided that there will be a maximum of fifty sessions, absent extraordinary circumstances determined to exist by the Permanent Board, upon review requested by the family.*
  - c. *The requests of any "secondary victims", e.g. siblings of victim/perpetrators, will be carefully reviewed on a case-by-case basis with attention to the causal nexus, if any, between prior abuse and secondary abuse in light of all presenting circumstances.*
4. *The Board will develop a referral list of therapists who are experienced and qualified in the area of sex abuse treatment, and who have personally indicated their willingness to take on victims' cases on an expedited basis.*
5. *The Board will develop criteria for approval of pre-existing therapists of victims requesting compensated therapy, and will have the authority to impose conditions on payment for continuing therapy services of such therapists.*

6. *The Board will make recommendations to the Province for future treatment of offending friars and will evaluate any past or ongoing treatment of such friars.*

The above guidelines were formulated with reference to the State of California Victim Witness program. Although it was anticipated that some victims might require more than fifty sessions, it was decided that fifty sessions would be an appropriate point for the therapist to assess progress and provide a clinical rationale for additional sessions. A number of victims and family members wished to remain anonymous to the Franciscan Province, and were thus assigned code numbers. The therapy claim process was also designed to leave the Board "out of loop" after initial approval, unless a disagreement arose and either the therapist, the victim or the Province requested the permanent board to resolve the issue.

#### Offenders

Because of the gravity of its charge, and the risk that an identified perpetrator might continue to offend if not restrained, the Board decided early on that it needed to forge a working and collaborative relationship with the Franciscan Province with due respect for our respective areas of authority and operating constraints. While the Province had taken serious corrective steps with respect to certain previously disclosed friars, the Board received substantial information about friars whose offenses were either only partially known or previously unknown to the Province. On the other hand, although the Board was proving to be an effective receptacle of valid information from many victims, it had no subpoena, disciplinary or other power over any reported offender. The Provincial Minister, albeit constrained to a certain

extent by canon law precepts of confidentiality and personal privacy, was in a position to exert a substantial amount of influence and control over any given friar.

Consequently, when the Board determined that a previously unidentified friar had, to a reasonable certainty, been the perpetrator of sexual abuse, it promptly notified [redacted] in writing of its recommendation that such friar be sent for a complete and comprehensive sex offender psychological evaluation to one of the most expert, reliable and experienced evaluation facilities on the West Coast. Pending the evaluation, in accordance with existing Provincial policy, [redacted] handled the friar's case by placing severe restrictions on public ministry, ordering no contact with minors, and assigning a monitor to the friar.

The Board also acted in an advisory capacity to the Provincial Minister concerning friars who had been identified to the Province as perpetrators prior to the convening of the Board, and already had been subjected to evaluation, treatment and restrictions in accordance with Provincial policy (see Appendix, *Operating Policies and Procedures in the St. Barbara Province for Friar Misconduct*). In some cases, releases were obtained so that Eugene Merlin, M.F.C.C., the member of the Board with expertise in sex offender treatment, could review reports of previously performed evaluations and assess the quality and efficacy of treatment being provided to friar offenders. As evaluations of Board-identified friars were completed by the evaluation facility, its recommendations for treatment and handling of the friar were discussed with [redacted] the Board continued to act in an advisory capacity, assisting in, among other things, selection of appropriate outpatient sex offender treatment for individual friars.

## FINDINGS

### INTRODUCTION

As indicated, the Board of Inquiry interviewed victims by phone and by personal interview, some of which were conducted by the full Board and some by individual Board members. Most of the interviews were in excess of one and one-half hours long; few were shorter than an hour. Some of the interviews were moving and difficult for the Board because of the deep pain expressed by victims and family members; others were inspiring because of a sense that the victims were able to tell their stories to a group of people who listened and believed, and did not judge them. A significant aspect of the interviews is that, for the most part, we interviewed victims who had never had psychological treatment or been in therapy for the abuse perpetrated on them. In many cases, the interview constituted the first time a student had told his story to anyone, which is consistent with the fact that, in general, male victims do not reach out for help.

Based on its direct interviews and other corroborating information, the Board was able to identify ten friars and one person in Initial Formation who perpetrated sexual abuse on minors at St. Anthony's Seminary during the relevant time period (school years 1964-65 through 1986-87). Another friar was identified by the Board as having engaged in conduct that could have been preliminary to intended abuse ("grooming"). During the relevant time period, there was in any given year, at least one friar on the faculty that the Board identified to a reasonable certainty as having been an offender at one point during his tenure. There were six years during this time when at least 40 percent of the friars on faculty were offenders at some point during their tenure.

Of the students who responded to the Board's outreach effort, thirty-four were identified as victims of sexual abuse during this time. Additionally, one student was identified as someone probably being "groomed" for sexual abuse. These students constitute approximately 3.5 percent of the total number of students attending St. Anthony's Seminary during the relevant time period.

This section of the report is organized by perpetrator and, where applicable, describes their various *modus operandi*. We have labeled the friars by randomly assigned letters, and the victims by randomly assigned numbers. Where there was more than one victim, we have sometimes summarized victims' reports by the type of abuse. While victims are numbered for our own internal purposes, and in order to give them some identity, the reader should keep in mind that this section of the report does not attempt to describe every victim's experience, nor will victims necessarily be discussed in a numerical order. The two friars with the highest number of victims (one with 18, the other with 7) are discussed first, and discussion of the other friars follows.

### Dispositions

The Board of Inquiry was not granted, and has no direct power over the Province of St. Barbara or any given friar, to impose restrictions, order therapy or make any other disposition of an offender. It has acted throughout in an advisory capacity to the Provincial Minister, and has made recommendations to him on a friar-by-friar basis.

Within the context of Provincial policy and canon law, the Provincial Minister has received and discussed those recommendations with the Board, and

taken the steps he deems necessary with respect to each friar. It should be noted that any given friar's disposition is not frozen, but may be the subject of ongoing review and recommendation by the permanent board, which will continue to advise the Provincial Minister on issues of treatment, placement and aftercare plans for friars established to be offenders.

## OFFENDERS

### FRIAR A

Friar A sexually abused 18 students known to the Board. While several of these victims characterized the effect on them as relatively mild, most were seriously traumatized by the sexual abuse perpetrated against them by this friar.

One of Friar A's most widespread sexual abuse practices was what the Board refers to as a "bogus hernia exam." Despite the fact that students had undergone legitimate medical examinations by licensed physicians prior to entering the seminary, Friar A would call an entire freshman class into his office, one at a time, to check for hernias. Students were instructed to entirely disrobe. The friar then rubbed his hands down the inside of a student's legs, and lifted and examined his scrotum. Such examinations were conducted approximately monthly and were mandatory. While some of the class members brushed the experience off as an embarrassing episode, others were left dazed and devastated by it.

Another ruse of Friar A's was the "overweight club," in which students who were slightly overweight were called to his office, where they were told to undress. Friar A then weighed and examined them, and fondled their legs and genitals. Students in the "club" reported approximately every two weeks to his office for the same procedure. One "club member" (Student 17) also remembers Friar A asserting that he needed to check to see if the student was circumcised.

A third tactic of Friar A's involved his insistence that he personally had to apply ointment for treatment of poison oak or jock rash to students' genital areas



because, according to him, students were not allowed to have prescription medicines in their possession. These young male victims felt overpowered by his authority and thus submitted to his "ministrations" without protest (something that many now feel guilty and confused about). For instance, Friar A examined the genitals of one student (Student 14), and applied poison oak cream to them until the student had an erection. The friar then blew on his penis to "cool it down." While applying poison oak cream to another student's genitals (Student 19), Friar A said, "Don't worry if you get an erection -- it's normal." A third student (Student 18) sat on the friar's bed while Friar A washed his genitals until the student had an erection; the friar waited another full day until actually applying the jock rash ointment.

On another occasion, a student (Student 20) contracted poison oak in other than his groin area, Friar A examined and washed his genitals, and then proceeded to masturbate this student. During this episode, Friar A was smiling, perspiring, and the student reported that his eyes got very big; the friar also commented about the large size of the student's genitals which he was handling. The student stared at the Friar A's fish tank, trying to dissociate himself from the experience. Another student with poison oak (Student 13) was placed in the infirmary and while there, Friar A massaged his entire body with rubbing alcohol, spending considerable time on the student's genitals, and was heard to be moaning at the time.

In yet another incident, a student (Student 8) was called to Friar A's office for the purpose of having Friar A examine his uncircumcised penis for cleanliness. The student thereafter made a major effort to keep himself clean; however, Friar A examined him two additional times that semester. Subsequently, on three

separate occasions, Friar A called him to the infirmary and instructed him to shower, and under the guise of a medical examination, the student was told to lie down on the examining table and pull his foreskin back. Friar A then proceeded to masturbate the student, who stared at the ceiling and tried to think of other things to avoid becoming erect. Friar A tried harder to produce an erection and then began to orally copulate the student, asking him "Doesn't this feel good?" and "What are you thinking about?" The student never reached ejaculation. After each of the above described incidents, Friar A admonished the student to keep the occurrences secret under threat of expulsion from school.

Students described Friar A as a person who showed inconsistencies of behavior, and who, in addition to his sexual offenses, engaged in physical and emotional abuse of students. He referred to students as "ass," "lard ass," and in other derogatory and demeaning ways, such as saying unkind things about a student's parents during communal mail call.

One student (Student 15) who actually sustained a groin injury during sports, for which he was treated by a real doctor, was called to Friar A's office, where Friar A lectured, accused and interrogated him for an hour about the student's alleged masturbation. This freshman had never masturbated and did not know what masturbation actually was, but in his naivete, thought perhaps he might have been guilty of the sins for which he was being chastised. Friar A then shunned the student for the balance of the year.

Another time, in his belief that a class had been guilty of cheating, Friar A announced at dinner that the students would report for an examination dressed only in their underwear. He then had the class parade through campus while

being observed by other friars, and jeered and humiliated by onlooking upperclassmen.

Friar A had a regular practice of beating students as punishment for wrongdoing. One student (Student 3) was beaten on his naked buttocks until he had visible bruises and his skin broke open. Another student (Student 12) was called to Friar A's room, told to strip naked, beaten, and then, while still naked, held and consoled by the friar. A third student (Student 9) was voted "most beaten" by members of his class.

Provincial Minister's Disposition: This friar was disclosed as an offender prior to the convening of the Board. In accordance with applicable Provincial policies, he was subjected to a psychological evaluation and enrolled in individual and group therapy, based on the knowledge of his offenses at the time. He was also placed under severe restrictions. As indicated above, the Board heard from a substantial number of former students who were sexually abused (some physically and/or emotionally abused as well) by this friar. Based on the body of information developed by the Board, it became apparent that the previously disclosed offenses that formed the basis of his prior evaluation and current treatment were only the "tip of the iceberg".

While the friar continues to be placed in an assignment with no access to children, does not engage in external ministry, has a local guardian, and participates in ongoing group and individual therapy, the Board has recommended that he undergo a new and rigorous sex offender psychological evaluation, based on all known offenses, and that his current disposition be modified as necessary to conform to recommendations of the new evaluation.

## FRIAR B

The Board knows of nine victims of this friar, seven of whom we interviewed directly. The other two were unwilling to be interviewed; however, the Board became aware of sufficient corroborating information to be able to include these two students as victims of Friar B. Some victims were abused while members of the boys' choir, some while St. Anthony's students, and some victims were abused in both circumstances.

Several former choir members were photographed nude by this friar when they were young boys in the age range of seven to thirteen years old. Hundreds of nude photographs were taken in Friar B's office and the choir room at the seminary, as well as in the area of Mission Creek and Mission Canyon behind the seminary. Friar B often massaged the boys, sometimes prior to and sometimes after the "photography sessions." One young boy who later attended St. Anthony's (Student 24) had his genitals fondled by Friar B while sitting on his lap and listening to a Walkman. Another boy who also later attended St. Anthony's (Student 25) was told by Friar B that "it's only natural to have an erection." One of these boys spent many nights with Friar B in his campus quarters, ate meals with him and other friars and was taken for nude swims by Friar B in the pool at the Mission. Friar B rewarded these boys with ice cream and told them not to tell the other boys because the latter would be jealous.

At the seminary, Friar B was a dormitory monitor and would routinely molest students by performing uninvited, after-lights-out massages on them. He would rub their backs, stomachs, legs and thighs, and in some cases, masturbate them. One student (Student 21) indicated that the massages seemed to go on for

hours. These students would try to ward off Friar B's advances by feigning sleep, sleeping with their heads at the foot of their bed to confuse him, and not showering to try to become as unattractive as possible.

Friar B invited a number of boys' choir members, aged seven to thirteen, into his office and his living quarters at the seminary, where he would play strip darts or tag or other physical games, which often resulted in the boys being tickled and having their genital areas "accidentally" fondled. He also took boys on camping trips and played "road games," which involved boys taking off articles of clothing and being tickled and "accidentally" fondled in the course of the game.

Provincial Minister's Disposition: This friar was disclosed as an offender prior to the convening of the Board. In accordance with applicable Provincial policies, he was sent by the Province to an inpatient sex offender treatment program where he remained until recently. He is currently enrolled in an outpatient sex offender treatment program known to the Board to be rigorous and effective. He is engaged in both individual and group therapy. While the Board had some question as to the philosophy, approach and efficacy of the inpatient program, it is satisfied that the Province's selection thereof was made in good faith, based on its level of knowledge at the time. We also believe that this friar's present outpatient treatment will uncover, address and rectify any deficiencies in his prior course of treatment. This friar is now stationed at a Franciscan retreat center where he is under serious restriction. He does not engage in external pastoral ministry (he may say Mass only in the local friary with the adult community), has no access to children, and is under a strict program of monitoring.

## FRIAR C

There was one reported victim (Student 28) of this friar. Friar C's sexual abuse of this student started at the beginning of his freshman year and occurred, on an approximately weekly basis over the ensuing two and one-half years. The friar developed a friendship with the student and began tutoring him in his office. The tutoring progressed to fondling the student's genitals while he was clothed, to masturbation of the student and then to mutual masturbation, and finally to Friar C's request that the student sodomize him, which the student refused to do.

This student was romanced and seduced by the attention of Friar C and the "special time" he devoted to the student, including trips taken alone with the friar. As the student got older, he tried to avoid Friar C's sexual advances by making excuses or avoiding him, but often was cornered by the friar and then felt he had no alternative but to submit to him.

Provincial Minister's Disposition: Upon report by the Board of its findings of sexual abuse by this friar, the Provincial Minister called him back from his assignment, removed him from ministry, forbade his contact with minors, and assigned him a monitor. Shortly thereafter, he was sent to the recommended evaluation facility, where he underwent a comprehensive sex offender evaluation.

The evaluator's prognosis was positive, provided the friar complied with the treatment recommendations. In accordance therewith, the Provincial Minister has enrolled him an outpatient sex offender treatment program known to the Board to be rigorous and effective, and the friar is engaged in both individual and group therapy. He is being monitored by a local guardian (a former parolee

officer), while living at an internal formation center, with no associate position at any parish church. He has restricted ministry (sacramental work only, e.g., Sunday Mass, confessions), pending further evaluation and assessment of his progress by his treatment program. He has no contact with minors.

## FRIAR D

Friar D sexually abused a freshman student (Student 22) whom he had summoned to his office. He invited the student in and instructed him to lock the door and sit down in the chair in front of his desk. They proceeded to discuss points of religious studies. After awhile, Friar D got up from behind his desk and swaggered over close to the student, at which point he got on his knees and inched his way up to the student's chair. He put his arms around the student's back, his face in the student's lap, and proceeded to orally copulate him. The student stared at a book in the friar's library in an attempt not to experience what was transpiring.

Friar D also engaged in other instances of inappropriate behavior that had clear sexual overtones. The above student also was frequently touched by the friar in ways that made him feel uneasy, e.g., putting his arm around him or patting him on the rump. Friar D also grabbed his own crotch while lecturing to his class, saying "God loves you so much he would have a great big hard-on for you." Another student (Student 25) was, on several occasions, called to Friar D's office for discipline and forced by Friar D to strip to the waist and hold bricks in his outstretched hands or do push-ups while Friar D sat behind his desk smoking a cigarette and observing.

Provincial Minister's Disposition: This friar is currently in the process of being evaluated by the recommended evaluation facility. Pending the completion of the evaluation, he is not engaged in any external ministry. He is prohibited from contact with minors.



## FRIAR E

Friar E was working in the infirmary when he sexually abused a student (Student 12) who was there for a physical exam. On that occasion, Friar E grabbed the student's penis. Subsequently, on two other occasions when the student was sick in the infirmary, Friar E approached him in a warm and seductive way and masturbated him in his sickbed.

Friar E had another way of molesting students. Another student (Student 31) was sick in the infirmary during a flu epidemic. It was late at night and the student was half asleep. Friar E approached him and administered what was referred to as a "spoon enema," that is, he pressed a large spoon against and into the student's anal sphincter. After the "enema" was over, the student heard the rustle of rosary beads and the sound of footsteps as the friar made his way from the bed.

Provincial Minister's Disposition: This friar is deceased.

## FRIAR F

Friar F was a dormitory monitor. Following dinner one evening, a student (Student 29) complained to him that he had a moderate stomach ache. After lights out, the friar came to the student's bed and instructed him to come with the friar to his bedroom. He told the student to take down his pajama bottoms. The student pulled his pajamas and underpants down to just above his pubic area. Friar F proceeded to conduct a "hernia exam." He knelt down in front of the student and touched his stomach and lower abdomen below the navel for about one minute. The friar then closed his eyes tight and grimaced for about 15 to 20 seconds, following which he stood up, and with eyes still closed, embraced the student tightly with both arms and his head to the side of the student's head. The student could feel the friar's genitals through his clothes. The friar released him from the hug, relaxed, appeared enraptured, and slowly opened his eyes.

The following night, in the absence of any further complaints from the student, Friar F initiated and carried out the same episode in almost the identical manner with this student. Several days later, Friar F again attempted to bring this student into his office, but the student ran away. The friar pursued him, took him into his office and threatened, "You come when I call! If you ever run away again, I will hurt you!" At that point, the student became upset and started yelling, and another student banged on the door. Friar F then tried to smooth things over and released both students to go on their way.

Friar F also engaged in inappropriate conduct with sexual overtones when he suggested and carried out a full body massage on another student (Student

34), using oil, and during the course of it touched the student's inner thighs in a way that made the student feel very uncomfortable.

Provincial Minister's Disposition: This friar declined to go to the recommended evaluation facility as recommended by the Board. However, through the efforts of the Provincial Minister, he underwent an evaluation by a therapist trained in forensic evaluations, specifically directed at his psycho-sexual history and issues of possible misconduct. The result of the evaluation, and other review of this case by the Provincial Minister, was that the friar has not been enrolled in sex offender treatment at this time.

This friar continues as an associate at a parish; he has no involvement in youth work and does not have access to the parish grammar school. He continues in his ministry, but is forbidden to have contact with minors, except on official occasions, e.g., training altar servers, and then only in the presence of other adults. The parish pastor has been fully informed of this friar's situation and is acting as his monitor. It is the opinion of the Provincial Minister that this disposition is secure and appropriate given the current information about this friar; if any more information surfaces, his case will be reassessed in light thereof.

FRIAR G

This friar was the subject of a criminal proceeding for his sexual abuse of two students, who were not interviewed by the Board. The friar pleaded no contest to one count of oral copulation of a minor. The Board would refer the reader to the record of the criminal proceeding for details about these offenses.

While a senior at the seminary, this friar had a year long sexual "relationship" with a freshman student (Student 32). Later, as a friar faculty member, Friar G supplied students with cigarettes and alcohol, and abused alcohol himself. On one occasion, he left several suicide notes around the seminary, which were discovered by several students. One of them (Student 29) went looking for the friar, found him at the mission, and was told by the friar that he had been upset at having kissed another student (Student 35) on the lips.

Provincial Minister's Disposition: This friar was charged in a criminal proceeding filed in Santa Barbara Superior Court with sexual abuse of a minor; he plead nolo contendere, and served six months in the county jail. He left the Franciscan order, and is no longer subject to its supervision or control.

## FRIAR H

Friar H made sexual advances toward two students known to the Board. Due to the students' resistance, these incidents did not proceed further.

One incident involved a student (Student 25), who was also a victim of Friar B. The student and members of his own and several other families were on a camping trip. Several members of the group, including the student and this friar, were sleeping fully clothed, outside on a ground cover. After the student had fallen asleep, he felt a hand start to rub his back. Thinking it was a girl that he liked, he allowed it to continue for a while; he then discovered it was Friar H. Hoping that if he did not react, Friar H would stop, the student did not move or respond in any way. The friar's "massage" continued down the student's back until it reached his buttocks, which the friar then began to squeeze and knead. At this point, the student rolled away from the friar, over another sleeping person, and the incident ended.

While on a trip with Friar H and several other students, another student (Student 23; also a victim of Friar B), was invited by Friar H to "cuddle" with him under a blanket. The student refused.

Provincial Minister's Disposition: Upon the Board's report to the Provincial Minister of its findings with respect to this friar, he was restricted to contact with minors only in the presence of other adults. He was then sent for evaluation to the recommended evaluation facility. The friar refused to take a polygraph examination there. The evaluators were unable to come to any clear conclusions

or recommendations, due to the discrepancy between the student's and the friar's version of the incident in question.

As a result, the Provincial Minister took the following course with respect to this friar. The friar was allowed to remain in his current ministry, where he primarily works with adults. He is prohibited from any counseling of minors and from any other contact with minors except in the presence of other adults. He is to engage in a course of general outpatient counseling that is non-sex-offender specific. He is to participate in two workshops, one on psychosexual development and one on the specialized problems of sexual deviancy. The local pastor is aware of the friar's situation and is to monitor his compliance with the restrictions.

After approximately six months of this disposition, his case will be reviewed with him by his therapist and the Provincial Minister, and the appropriateness of any modifications to the above disposition will be assessed.

## FRIAR I

While Friar I and a student (Student 37) were on a trip visiting another student, they spent the night drinking in a bar. They then went back to the home they were visiting to sleep. A naked Friar I got into the student's bed and lay on top of him; the friar had an erection and was moving on the student as if having intercourse. Frightened, repulsed and not knowing what else to do, the student managed to elbow the friar out of bed while pretending to still be asleep. The friar exclaimed, "Oh, my God!", kissed the student on the forehead, and left the room. Another student (Student 30) had a similar experience on a trip with this friar. This student awoke to find that he was unable to move, because Friar I was lying on top of him.

Friar I woke students up in the morning by rubbing their backs and massaging them. After one student (Student 38) complained about this practice, Friar I continually thereafter sought his forgiveness. Another student (Student 23) was invited by Friar I to shower in the friar's private bathroom and was watched by the friar during the shower.

Provincial Minister's Disposition: This friar was sent to an inpatient sex-offender treatment program by the Province approximately five years ago, based on an allegation of sexual abuse of a minor, which occurred elsewhere in the Province, not in Santa Barbara. He was placed on restricted ministry at a Franciscan retreat center with no contact with minors and only sacramental activities at the local parish. He later (but prior to convening of the Board) voluntarily disclosed to the Provincial Minister an incident with a student that took place at St. Anthony's Seminary.

When the Board received a direct, first-hand report of sexual abuse by this friar of a former student interviewed by the Board, it recommended that the friar be sent for evaluation to the evaluation facility, which was done by the Province. The the evaluation facility recommendation was that the friar continue in his current living situation with the restrictions in force, including a monitor, but that he receive further specific group and individual outpatient treatment for sexual deviancy. The Province has implemented these recommendations.



## FRIAR J

Friar J regularly sexually abused a student (Student 2) over a two-and-one-half-year period, beginning in the student's freshman year. The molestation began when the student came to the friar because he was upset about something and feeling homesick. Friar J had the student lie on his bed in his office, wearing only his underwear, while he massaged the student in a sexual way using lotion. A few days later, the friar had the student on his bed again, and this time proceeded to masturbate him.

Friar J, who was the class moderator, afforded the student many privileges, including allowing him to spend time in his office/bedroom after lights out, providing him with whiskey and cigarettes, and sometimes letting him spend the entire night there. The abuse occurred both in the moderator's office and in his regular bedroom in the cloister. On another occasion while the student and friar were on a camping trip with other students and friars, J masturbated the student three or four times over a three-week period, once while among a group all sleeping in a van.

During his sophomore year, the student was in even closer and more frequent contact with the friar. He perceived him as a mentor and a loving father figure. For his part, the friar pursued his molestation of the student and expanded the acts to include not just masturbation and sexual massage, but oral copulation and digital anal penetration of the student, and mutual fellatio. In the summer after this school year, the friar was stationed at another Franciscan facility. He invited the student to come there to work at a summer job. There, the friar and student shared the same living quarters, and the sexual abuse, which progressed

to now include the friar's sodomizing of the student, occurred almost nightly for six weeks. Finally, during a trip in which he was having sex with the friar every night, the student, confused about his sexuality and with no friends, was able to find the strength to separate himself from the friar permanently.

Provincial Minister's Disposition: This friar was reported to the Province directly by the victim, prior to the convening of the Board. He was evaluated by a therapist selected by the Province. That evaluation resulted in no recommendation for ongoing sex offender or other therapy. Since that time, the friar has been, and continues to be stationed at a Franciscan retreat center. He is restricted from any contact with minors, except in the presence of another adult.

The Board reviewed the report of the evaluation performed on this friar and found it to be inadequate. The Board thus recommended that a new evaluation be performed either by the evaluation facility or some other evaluator of the same quality and expertise, and that the friar's case then be handled in accordance with the new evaluator's recommendations. As of this writing, no new evaluation has been undertaken.

MR. K (Person in Internal Formation)

St. Anthony's had a television room for the students' use, which was furnished with a television set, couches and chairs. It was common for students to be spread out about the room watching TV in the dark. One student (Student 29) was lying on the couch watching TV, when Mr. K, who had never had contact with the student before, came and sat next to him and began to massage him. Eventually reaching under the student's clothes, Mr. K, breathing rapidly, began masturbating the student. At that point, another faculty member came into the room, and Mr. K stopped. The student then ran out of the room, and hid from Mr. K, who searched out the student, and attempted to justify his behavior, before leaving the student alone. The student spent most of the night wandering around crying.

Another incident occurred during the summer at a party at a student's house. There was a gallon of wine in Mr. K's van, and Mr. K and the students would run out to the van, take a drink of wine and then return to a hot tub they were using. During one of these trips, Mr. K followed a student (Student 25) to the van, pulled down the student's swimsuit and grabbed his genitals. The student pulled away, returned to the hot tub and spent the night at the house, not wanting to ride home with Mr. K.

Provincial Minister's Disposition: This former Franciscan person in Internal Formation was working as a lay supervisor of a program for young adults located at a Franciscan retreat center. Upon report of the Board's findings to the Provincial Minister, the program was dissolved and the offender was directed to leave the Franciscan center. Although the Province has no further control or

power over this person, the Board will refer to the permanent board the issue of whether any reporting to secular authorities is appropriate and possible.

## FRIAR L

Friar L asked a new freshman (Student 32) who was extremely homesick, emotionally upset and depressed, to come to his room. He talked to him and consoled him and gave him a hug at the end of the visit. Thereafter, the student was invited by the friar to his room approximately every other day for the entire semester. Visits would last about one hour. During these times, the friar would have the student lie on his bed while he would hold/embrace the student, stroke his hair, massage his back and console him. Sometimes the friar would have the student put his head in the friar's lap while the friar stroked his hair. On a couple of occasions, the friar stroked the student's legs.

After the beginning of the second semester, the student started to feel better emotionally. He became uncomfortable as he felt that the friar was moving in a more overtly sexual direction with him, even though the student's need for comfort and consolation had essentially disappeared. The student was able to remove himself from further contact of this kind with Friar L.

Provincial Minister's Disposition: Although the conduct of this friar was open to different interpretation, it was the consensus of the Board that it was probably intended as "grooming" of the student by the friar, and may very well have resulted in sexual abuse, had the student not broken off the relationship. Consequently, the Board recommended to the Provincial Minister that this friar be sent for an evaluation. As of this writing, this has not occurred, and absent further information with respect to the friar, we are informed that no Provincial action will be taken.

## EFFECT ON VICTIMS

We talked with many men, some young men who are still leaving adolescence behind them, others who are middle aged with grown children. They described the impact sexual abuse at St. Anthony's Seminary had on their lives. The Board wants to share what it learned from these men by offering our impressions and observations of their experiences. It is important to keep in mind that children develop a sense and understanding of sexuality from authority figures, and that boys came to the seminary at age thirteen or fourteen years, when they were uniformly young and impressionable.

In general, reactions and responses to sexual abuse are not the same for each individual, except that an overwhelming majority rejected the Catholic Church. Thus, the effect and impact on victims abused at St. Anthony's varied from one victim to another. For some there was immediate, profound trauma, indelibly imprinted in their consciousness. For others, it was not until later in life that memories returned, sparked by an upsetting occurrence that triggered traumatic flashbacks. Although these episodes were painful, they often provided relief through a new-found understanding of the difficulties and struggles in their lives.

### Central Themes

The following are recurring themes that we found among the victims:

*No one would have believed me over a priest.*

Some believed themselves to be the only ones who experienced sexual abuse. Others did not believe that they were the only ones subjected to such

abuse. As one man said, "No one would have believed me over a priest." That statement reflects the cultural attitudes the boys perceived to exist at that time, that a young boy's allegations against a priest would have had little or no credibility. As a general principle, it is more difficult for an adult victim to be believed when an offender is a respected member of the community, such as a teacher, doctor or law enforcement officer; and no one was more respected in the community of the seminary than a priest. Many students related that in addition to fear of being disbelieved, they felt there was simply nowhere to turn, no "approachable figures" to talk to about issues of sexuality, let alone sexual abuse.

*Am I a homosexual or have I become homosexual?*

Unlike girls who have been molested by a female, boys molested by a male often find themselves struggling to sort out the true nature of their sexual orientation. It is common for abused boys to ask, "Am I a homosexual or have I become homosexual because of being molested by a man?" Or they question why they were chosen: "Is there something feminine about me?" As a result of their sexual abuse, many St. Anthony's students were confused about their sexual orientation, and some subsequently experimented with homosexual relationships in an attempt to understand who they were sexually as men. In contrast, there were some who identified themselves as gay prior to being abused and did not believe the abuse to be a factor in their sexual orientation.

*Had I been a real man, I would have been able to stop the abuse.*

Some men experienced damage to their personal sense of masculinity. Our culture's definition of masculinity does not allow for boys to be nonassertive, fearful, vulnerable or helpless. From childhood on, boys learn that masculinity

means not being weak or passive, in short, not being a victim. It is common for victims of sexual abuse to have feelings of failure for not being able to live up to stereotypical views of masculinity by successfully protecting themselves. The reason that if they had been real men, they would have been able to stop the abuse. It is not surprising that some of the survivors have a history of hypermasculine behavior, violent acting out, rebelliousness, or problems with authority. They were demonstrating an overcompensating "maleness" to address feelings of inadequacy. The ability to find security or comfort in one's identity as a man is impaired or precluded by the experience of sexual victimization.

*Even though I know I can trust my girlfriend, I am constantly haunted by the fear she will betray me.*

Many of the victims disclosed a history of difficulty in establishing and maintaining stable, close, trusting, intimate relationships. Some became involved in abusive relationships, mirroring the sexually abusive episodes they had already experienced. They found it difficult to become intimate and vulnerable within a relationship because they were afraid to be hurt or taken advantage of again. One man expressed his feelings about this by saying, "Even though I know I can trust my girlfriend, I am constantly haunted by the fear she will betray me in some way." To some, just a simple touch on the arm by a girlfriend or wife is sometimes intolerable because it triggers their memory of the abuse.

*I idolized priests. I wanted to be just like them.*

Abuse perpetrated by a cleric often causes serious spiritual damage. Seminarians, whatever their level of commitment to becoming a priest, were at least contemplating such a vocation. One victim stated, "I idolized priests. I



wanted to be just like them." Many victims came from families who held priests in high regard and enjoyed close friendships with priests, in some instances, the actual offenders. However, a familiar pattern emerged: after being abused, many students left the seminary early, causing families to speculate about their reasons for returning home; the apparent reason in many cases was academic inadequacy, which in turn became another source of shame. Other students who disclosed the abuse to their families were re-victimized by their families' refusal to believe the priest in question could do such a thing. Some may also feel guilty or sinful for accurately perceiving a priest's sexual intentions towards them, thinking, "How can I think such evil thoughts about a priest who is a man of God?"

*I believe God has a twisted sense of humor and he uses me for his amusement.*

Another aspect of spiritual wounding is the experience of feeling forsaken by God. Victims ask, "How could God have allowed this to happen if He truly cares?" This is highly significant for young men of thirteen and fourteen who were attending the seminary out of a strong desire to lead a life in service to God. Sadly, most of the men we talked to had rejected the Catholic Church and a God they felt had abandoned them. One man stated, "I believe God has a twisted sense of humor and he uses me for his amusement." In some instances, those who were the most desirous of emulating priests were the most trusting, and thus, the most vulnerable. Students who came from families where the Church was the hub of their lives, who invited priests into their homes as friends, appeared to have been unable to be objective enough to question a priest's actions. They seemed to "normalize" such behavior by thinking it must be all right if a priest suggested it. Only later in life did some students who received back rubs from

priests, after lights-out, recognize their sexual nature. They remember the tension in the room, that the priest was acting or breathing strangely, and a feeling that something might happen, although they did not know what it might be. These were not fond or pleasant memories of affection, but rather memories of a confusing and frightening ritual that they prayed would go away.

*I felt guilt and a crisis of conscience that I would have made a priest break his vows.*

As indicated previously, there was no predictable effect related to the type of abuse. What might seem to be nonintrusive events to many, e.g., episodes that did not involve genital touching, had a profound impact on some victims. One victim experienced a priest's sexual designs on him and became confused and guilt-ridden, resulting in a crisis of conscience. The student, not the priest, broke off the contact. Though fortunate to break away before overt sexual abuse took place, the student stated he felt guilt and a crisis of conscience that he could make "a priest break his vows." This is an example of the role reversal that takes place when there is abuse of any sort.

The belief that because the perpetrator is a man of God, sexual abuse must be the fault of the victim, is an illustration of the power that priests wield, and of the vulnerability of their victims. There is a special power a priest possesses by virtue of his position. The victim reasons that since a priest would never voluntarily break his vows, it must be he who tempted the priest and is guilty. For some, this can be sin for which there may be no forgiveness.

For three months I planned my suicide to make it look like an accident to my family.

A number of the former students have a history of suicide attempts. One man who was contacted by the Board was actually planning his suicide when he received the letter from the Board of Inquiry. He stated that if it were not for the persistent, continuous and personal effort of Ray Higgins, Board Coordinator, he would not be alive today. Another stated that he would put a pistol in his mouth night after night but could not bring himself to pull the trigger.

How can I bring a child into a world this unsafe?

One of the crippling aspects of sexual abuse is the development of a "victim mentality," a view of oneself and the world that continues long after the abuse ends. This may involve feeling as powerless, helpless and worthless in present-day situations as during the abuse. Some victims also transfer the character of the offenders onto the rest of the world (the world is not safe; it is dangerous and unpredictable) or onto the gender of the perpetrator ("all men will hurt me") or onto all clergy ("all priests are offenders"). Victims may believe that everyone is like the perpetrator ("If I can't trust a priest, then who can I trust?").

A history of alcohol and drug abuse was prevalent among the victims. Many are still struggling with this as they try to numb the pain of sexual abuse. Other problems reported to the Board included difficulty managing anger, sexual compulsiveness, self-destructive behavior, depression, isolation, poor self-concept, dissociative behavior. The Board is aware of two student victims who later committed sexual offenses themselves. While most victims of abuse do not become perpetrators, molestation is found in the histories of offenders at a much

higher rate than for non-offenders. In summary, the Board found that for most of the victims it interviewed, the aftermath of sexual abuse is this: the pain and confusion from sexual violation at St. Anthony's is long lasting, traumatic, and caused many victims to adopt extremely unhealthy and isolating behaviors in attempting to cope with their experience.

Finally, it needs to be mentioned that another effect that we observed is the phenomenon Keith Mar, M.F.C.C. and Kathleen Baggarley, M.F.C.C. have characterized as the "Black Hole Theory." The men interviewed by the Board were mostly in their thirties or older, and had gone through enough painful life experiences to realize that the effects of their abuse were persistent and unavoidable. We believe that many, if not most, younger men seem to fall into a "black hole," i.e., for a time they feel strong enough to leave the abuse behind them or deny it altogether. It is significant that the men in their twenties who did contact us did so only because of continued personal outreach and support by family members involved with the Greater Community or fellow seminarians. Only a few men in their twenties responded to our mass mailings. We suspect that there are other students, as yet unidentified, who will come forward only when they are ready and able to begin dealing with the effects of their abuse. One of the main functions of the permanent board will be to help them when their time comes.

### One Student's Experience

*This student tried to detach himself during the abuse by watching the brightly colored aquarium fish in the darkened room where the molestations occurred. It happened frequently during the entire school year. The abuse preyed on his mind and he could not concentrate. His grades dropped, and he began to hate everything about the seminary, until finally one morning, he could not take it any longer. He threw a shoe at the wake-up bell, got into trouble and quit. He has never recovered his self-esteem, and to this day, in spite of the fact that he is a successful contractor, he still considers himself a failure.*

*After leaving the seminary, this student abused drugs, had problems with priests, religious leaders, college teachers and others in authority.*

*He continues to have problems with severe depression, substance abuse, and self-destructive behavior. He had planned his suicide because of his feelings of failure and low self-esteem, working out a way to make his death appear accidental to his wife and children.*

*He is now undergoing therapy and recently stated that he is trying to accept himself for who he is today; not who he might have been.*

*At present, this man is a very spiritual person, but he has totally rejected Catholicism.*

### Another Student's Experience

*This student stated that he went into St. Anthony's as a happy young boy, but left as a confused and angry young man, who did not know why until he remembered being molested.*

*After leaving the St. Anthony's, he was very rebellious and could not contain his rage. Around age 23 or 24 he began to get into fights in bars, seemingly unable to leave a bar without hitting someone.*

*He has abused himself with drugs, including shooting cocaine, and continues to drink a lot. He has problems with severe depression and has attempted suicide on many occasions.*

*He cannot seem to trust anyone and as a consequence, is not successful in relationships. He has a son from a failed relationship. When he gets into a relationship, he becomes distrustful and jealous. He also has difficulty relating to his parents and gets into a fight with them almost every time he visits.*

*He has questioned his sexual orientation in the past because of his relationship problems, feeling that he must be gay. At one time he considered "chucking it all" and adopting a homosexual lifestyle. He is now glad that he did not because he is able to understand the source of his sexual confusion.*

*This student is currently in therapy paid for by the Province and is making a valiant effort to straighten out his life.*

### Summary of Effects on Victims

*Not every victim had all the problems listed below, but each was experienced by one or more of the St. Anthony's students abused by friars.*

1. *Feelings of anger*
2. *Rejection of authority*
  - a. *Blaming of parents*
  - b. *General distrust of men*
3. *Memory repression*
4. *Difficulty concentrating*
5. *Depression*
6. *Low self-esteem and achievement*
  - a. *Academic difficulties at St. Anthony's*
  - b. *Difficulty completing college*
  - c. *Feeling of failure no matter how successful years later*
7. *Damaged self-concept*
  - a. *Self-hatred*
  - b. *Feelings of unmanliness*
  - c. *Loss of innocence*
8. *Loss of spirituality*
  - a. *Rejection of Catholicism*
  - b. *Rejection of God*
9. *Alcoholism and drug abuse*
10. *Doubts about sexuality*
11. *Difficulty with personal relationships*
  - a. *Inability to maintain serious relationships*
  - b. *Broken marriages*
12. *A few victims' becoming perpetrators*
13. *Dissociative behavior*
14. *Suicidal ideation and attempts*

## OBSERVATIONS

### Effect on Family and Community

The pain and betrayal of sexual abuse is felt beyond the circle of actual victims. The effect of the sexual abuse at St. Anthony's Seminary has generally been outrage that the abuse occurred and loss of credibility of the friars, as well as the credibility of the Church hierarchy and all clergy. Parents of victims go through a grieving process similar to experiencing the death of a family member. There is depression, guilt, sorrow, anger and pain. Even former seminarians who were not abused have suffered the loss of their cherished memories of the institution, and the mentors in whom they believed.

The families of the victims are also victims. Parents have feelings of guilt arising from lingering questions of whether they could have prevented injury to their children. They question the way they raised their child: What made him want to leave home? Were we wrong to turn over parental responsibility to the friars? Why didn't we recognize that our son was being molested? Should we have let him return home when he first asked? Why didn't he feel he could tell us? We should have been more understanding of his problems (anger, alcohol and drug abuse, etc.). We might have saved him from devastation and feelings of hopelessness. If we had spent more time with him when he was young, we could have done more to develop his self-confidence. Have we caused our son to lose the best years of his life?

Parents and members of the Greater Community are angry at God, Church hierarchy and all clergy in general, and toward the friars and faculty of St.



Anthony's in particular. Parents ask: Where was God when my son was so severely molested? Many people ask why the Church does not do something about sexual child abuse. Why do clergy continue to deny that it is a serious problem? Are they all perpetrators? Why don't they speak out against sexual abuse? Families sometimes think all that the friars care about is protecting themselves that they do not care about the victims, that they are more concerned about how much they hurt, and how the spectre of false accusations, and damage to the morale of the Franciscans. Many people wonder how other friars could not have known about the abuse at the time.

The effect on the St. Anthony's Seminary Greater Community is wide-ranging. There has been some divisiveness. Some members were in denial that anything happened. Some believed that it would ruin the Greater Community to have the investigation. Some thought the inquiry was a witch hunt that would bankrupt the friars. Nonetheless, in general there has been solid support for the Board from the members of the Greater Community.

### A Mother's Experience

*A student was molested by two friars. He had a clear memory of his abuse by one friar; however, he originally stated that he could not remember any of the details about another friar. He later reported to a member of the Board that his memory had been recovered and gave a detailed account of the molestation by the second friar.*

*His mother, who was with him at the time his memory returned, was later interviewed by a member of the Board. She related that about 5:45 on a Saturday morning she found him lying on the couch trembling, pale and staring at the ceiling. Trying to comfort him, she asked if he was all right. His response was, "No, I'm not okay. I'm a mess! It's this whole thing with [another student], seeing how it messed him up too...going through it again with him...the walk through the seminary until some shitass friar ordered us off the grounds...the interview with the Board of Inquiry..."*

*After expressing his anger at all priests and friars, he began to despair, saying, "I'm losing it...can't work...can't think straight...can't cope...I'm scared." He began sobbing and trembling with spasms involving his entire body. Comforting him and holding him in her arms as though he were a six-year-old boy, she asked what he was afraid of at that moment. He responded between spasmodic sobs, "Fear all around me...helplessness...I'm so damned mad...it's tearing me apart. The seminary was filled with it [sexual activity]...there was no protection...no peer support."*

*Sobbing and trembling, he clung to her for several minutes and then began to hyperventilate. When asked if he could remember any more details, he nodded yes, pulled away from her and put his arm across his face. Suddenly, he said, "I remember...I remember it. I remember it all now!" He told her who it was, then putting both arms across his face, he said, "I can't tell you...it's too awful...I wouldn't do that to you, Mom!"*

*She asked him if he could write out everything that had come back to him, and he agreed. She gave him a tablet, pen and envelope. Sobbing and trembling, he wrote for about twenty minutes. Writing seemed to have a calming effect on him. When he finished, he placed the writing in the envelope and sealed it, then held it a few minutes before placing it under his keys on a table near him. Almost immediately, he went to sleep on the couch in a fetal position, and slept for about four hours. When he awakened, he appeared rested and responded warmly to his parents, telling his father that it seemed like a heavy weight had been lifted from his shoulders.*

*His mother described the episode as having watched her son go through an emotional grand mal seizure while he recovered his memory of the molestation which had occurred over ten years ago. She stated that the destructive effects on her son could fill a volume of horror. He has lost his Catholic faith and his family is struggling to keep theirs.*

*She stated, "The devastating effects on me and the rest of my family do not seem to have a limit. Trust has been destroyed. Will I ever be able to cope with my outrage in a constructive mode? I will never forget the effects of these criminal acts that have created so much anguish for us, nor will I ever forgive the perpetrators; only God can do that!"*

## BOUNDARIES AND CONCERNS

This section explores issues of boundaries and other concerns of the Board arising from its findings. One of our premises is that the friars were teachers as well as guardians, and as such, should be held to the rules of conduct for teachers and guardians. From that viewpoint, an obvious question that arises is how abuse of this magnitude could have gone on unchecked. There is no simple answer. One must consider the historical context; for example, the institutional changes that occurred after Vatican II, e.g., the shift from a system using a prefect of discipline to one employing class moderators. One must also recognize that at the seminary there existed a complex dynamic which was contributed to by a familial atmosphere; by attitudes of trust among the friars and towards their respective areas of responsibility; by secretiveness and cleverness of offenders; and by nondisclosure and internalization of experiences of abuse by the victims.

It must also be stated that within this system, over the years, many rules were broken: rules governing the conduct of guardians and teachers, and rules both explicit (canonical and constitutional law) and implicit in the religious life. Perpetrators had to use their authority as priests to isolate, intimidate, confuse and manipulate these young boys in order to satisfy their own needs and ensure silence. From the information provided by the students with whom we had contact, it appears to us that at times there was non-communication, denial, avoidance, and lack of sophistication about sexual issues among faculty and staff at St. Anthony's. Further, students were provided no clear understanding of what constituted appropriate behavior of their caretakers. This allowed the offenders to victimize students without any apparent fear of repercussion.

Private Rooms: Although the Board of Inquiry was assured that no student was ever allowed into the private rooms of the friars, the converse of this was heard time and time again from victims during the investigation. Despite both physical and psychological barriers (doors and rules), the perpetrators often molested students who they brought into their private rooms. One offender had a private room in a house next to the seminary where he had children in his room overnight. The Board learned that on several occasions, two young boys, nonseminarians, were at the friars' table for both dinner and breakfast the following morning.

Alcohol/Drugs: While some friars expelled students for drinking, others allowed drinking in their private rooms; one friar actually bought alcohol for students and permitted them to "sleep it off" in his room. One student reported that a lay teacher encouraged him to try a drug (amyl nitrate) in his private room.

Medical Exams: As indicated previously, a substantial amount of sexual abuse was perpetrated under the guise of medical examination and treatment. It is clear that friars were not doctors or nurses and should not have been allowed to act as such. There was an available on-call physician who could have been used in these instances.

Massage: The Board was made aware of the fact that massages of students by faculty members, not all of whom were perpetrators, was an accepted occurrence during the latter years of the Seminary's operation. Given the age of the students and the power relationship between student and friar or teacher, it is doubtful that a true informed consent to a legitimate massage could

have been made. A full body massage poses a delicate and tricky situation, even if both participants are adults. Where a minor is the intended recipient, it is a decision to be made by his parents. Further, the instances of massage at the seminary, albeit many may have been performed in a completely nonsexual manner, created a blurred boundary which allowed perpetrators an avenue to exploit.

Physical Abuse: As mentioned, some students told of being beaten until they were bruised and bleeding. One student was voted "Most Beaten" by his classmates. Another student told of being backhanded by a friar so hard that he was lifted up and knocked off the cart upon which he was sitting. One teacher kept a supply of yardsticks to break over students' backs during class. Such physical intimidation was one tool used by this friar to help keep silent the students he sexually abused. Another student was dumped upside down into a garbage can by a lay faculty member. This kind of physical misconduct towards students blurred boundaries and diluted any sense that students had a right to the security and sanctity of their own bodies.

Student Sexual Abuse: Student-to-student sexual abuse was similar to the abuse perpetrated by friars in that it often involved an upper classman as perpetrator and a younger, smaller student as victim. Clearly, students did not feel there was a safe adult with whom to discuss issues of sexuality or masculinity; and particularly to whom they could turn for help in warding off or coping with the effects of sexual advances by another student.

## RECOMMENDATIONS

In accordance with its prescribed duties, the Board developed recommendations addressing the issues of prevention of abuse and the treatment of both victims and perpetrators. The Board recognizes that there are Provincial programs (e.g., education about psycho-sexual issues in both initial and ongoing formation; establishment of a program of pastoral outreach to victims) in place designed to address these difficult issues. The Board has not attempted to describe these programs in any comprehensive way; however, we wish to acknowledge the significant steps already taken by the Province and to make recommendations which augment and support existing measures, while proposing new ones where we believe such to be necessary and appropriate.

### I. REGARDING FRIARS

#### A. Prevention of Future Abuse

In order to keep sexually aberrant behavior from happening in the future as much as is humanly possible, we are recommending the following measures be taken by the Province:

1. Screening of Applicants: With an eye to assuring, to the extent possible, that those accepted into the fraternity of Friars are appropriate for a communal, ministerial, and celibate life, we recommend that certain assessment procedures be instituted. They are as follows:
  - a. Psychological Testing: to assess the general emotional and characterological status and stability of applicants, a general battery of personality, projective, intelligence and vocational protocols be administered;

- b. Specific Psychosexual Testing: to assess for deviant attraction (but not for sexual orientation), values, behavioral risk and dysfunction, a series of specific tests should be administered, such as:
- Interpersonal Reactivity Index
  - Social Avoidance and Distress Scale
  - Fear of Negative Evaluation Scale
  - Michigan Alcoholism Screening Test
  - Buss-Durkee Hostility Inventory
  - Burt Rape Myth Acceptance Scale
  - Attitudes Toward Women Scale
  - Abel and Becker Cognitions Scale
  - Abel Becker Sexual Interest Card Sort
  - Wilson Sex Fantasy Questionnaire
  - Multiphasic Sex Inventory
  - Penile Plethysmograph
- c. Detailed Sexual History: to aid in the above, each applicant should be required to provide a detailed sexual history which would be reviewed by the evaluator and clarified/expanded at the latter's discretion;
- d. Polygraph: To assure the veracity of the sexual history;
- e. Penile Plethysmograph (or any successor test, e.g., Abel Screen): to give some "objective" information to both applicant and the evaluator, to help through any denial regarding deviant attraction;
- f. Fingerprinting: to do an appropriate records check for any disciplinary or criminal background (as is routine for teachers, daycare providers, therapists, *et al.*);

[N.B.: It should be noted that the purpose of the above "psycho-technologies" is not to trap, demean or persecute any applicant. The purpose, rather, is to help such a person be direct and honest regarding matters that he may be loath

to discuss given the shame, embarrassment or guilt attached to them. Additionally, the findings of such approaches do not prove, nor should they be seen to prove, what someone will do in the future. Rather they may be indicators of possible problems in the future.]

2. Training: In the Formation program, both initial and ongoing, there should be training on sexual ethics and boundaries. Such training would include informal discussions in the Formation program, as well as more structured, instructional arenas, such as regularly scheduled lectures, workshops, required readings, and the like. Equally important, there should be formal academic courses in these areas given and required, most especially for those friars who will be in direct ministry with people, whether such friars be priests or brothers.

The content of such trainings and education would include:

- a. healthy sexuality in general (including psychosexual development and moral development concerning sexuality);
  - b. celibacy as positively lived;
  - c. sexuality/celibacy in the context of a religious fraternity;
  - d. sexual boundaries and limits;
  - e. misuse of position and power;
  - f. effects of molestation and sexual misconduct on victims
3. Policies: The Province should have a clear set of published and promulgated guidelines, directives, and delineated boundaries of behavior for friars. These should not be set forth nor be seen as rigid repressive controls, but rather as indicators and guideposts for behavior that witness to a truly Gospel life. These "norms" should deal at least with the following areas:
    - a. Vocational: What behaviors and internal dispositions does a Gospel life, committed to fraternity, poverty and celibacy require of a friar in relation to other people? Such guidelines



should be both theoretical and quite specific. (For example, the Gospel requires that others be respected as fellow children of God and holy parts of Creation. Thus, one does not think of them or use them as sexual objects, either in fantasy or act, and one confronts any thinking that would permit such usage and looks for help to deal with it.) What are positive and healthy ways Christians interact with others?

b. Ministerial/Professional: Norms or guidelines for the specific ministry each friar has should be established; that is, what is the way a person with a particular "job" within the Franciscan life comports himself? What are the difficult or problems areas? This may differ from ministry to ministry. Nonetheless, each task (whether it be parochial work, teaching, community development, AIDS ministry, physical labor, managerial direction, etc.) has its own rules and demands; these should be spelled out as to how they most especially apply to friars. Examples and resources might be:

- (1) School teachers' ethical and behavioral guidelines;
- (2) Medical professionals' ethics;
- (3) Dual relationship issues for psychotherapists;
- (4) Norms for pastoral counselors.

c. Communal: Given the training on sexuality that should be given to all friars, there should also be clear guidelines for personal interaction within Franciscan communities. A few areas such norms should address would be:

- (1) Healthy personal intimacy (within the fraternity but not limited to it);

- (2) Mutual respect for other friars, including care and concern for others' frailties and failings, and being each other's "keeper";
  - (3) A commitment through trainings and channels for clear, charitable and assertive communication, both between individual friars (lateral) and with superiors (vertical).
4. Help: When a friar realizes or fears that he has a problem with sexual behavior (or urges towards such), there should be a clear and generally anonymous channel set up for the friar to get help. Examples of such methods are:
- a. a friar or non-friar (or non-religious, non-cleric or non-professional) staffed confidential "hotline," from which a friar could get immediate support, guidance and referrals;
  - b. a designated therapist, expert in the area of sexual behavior problems, to whom a friar could go for confidential treatment;
  - c. the Provincial or his agent to whom the Friar could go in confidence to get help and/or specific and specialized assessment of his risk of acting out, and have the matter remain confidential from the rest of the Province.

#### B. **Reported Friar Offenders**

This report has described the conduct of friars we believe to have committed sexual offenses against minors at St. Anthony's Seminary, the number and type of offenses, and their effects on victims. We have been in contact with the Provincial Minister as offenders have been disclosed, so that he might take action to protect any further possible victims and to get assessment and treatment for known (and suspected) offenders. Below we summarize what we believe should be done in the future with friars who are reported to have molested children or who have acted out inappropriately or criminally in a sexual way.

1. Assessment/Investigation: With a credible report, a friar should undergo an assessment to see what risk he may pose in the future, and what treatment he needs for past offenses. Such assessment should minimally include:
  - a. Offense Information:
    - (1) Clear information of who has been victimized, what the friar is reported to have done and how often, recognizing that initial reports are often incomplete and get filled out later as victims' memories become more clear;
    - (2) Details of prior placements and former jobs and lifestyle, in case further investigation is needed;
    - (3) Information gathered from victim, friar, superiors, staff and other appropriate persons regarding friars' placement, behavior and lifestyle -- and, when possible, their reactions to the report(s);
  - b. Additionally, the Province should establish a current thoroughgoing protocol for investigation, looking to the experience of other Provinces, orders and dioceses, as well as to children's protective service and criminal procedures.
2. Clinical Evaluations: When a report is made and is credible, a referral of the friar for clinical evaluation should be made. The purpose of such evaluations is to judge the level of deviance, the openness to treatment, the risk of re-offending, the need for treatment and the best placement. The purpose of evaluation is not to determine whether the offense occurred, whether the friar can be "cured" (as distinct from being "treated"), or whether he and/or the Province can be sure that he will not re-offend.
  - a. Expertise: The mental health professional who performs the evaluation of any alleged friar-offender should be licensed in his field and state, should have practiced independently for at

least five years, should be experienced in the evaluation and treatment of sex offenders, should be able to demonstrate (not just claim) such experience (i.e., through published writing, through knowledge of the literature, programs and modalities in the field, through referrals [attorneys, probation officers, CPS workers, district attorneys, professional organizations, colleagues]), should be able to demonstrate ongoing training in the field and membership in organizations specific to sex offender treatment (e.g., Association for the Treatment of Sexual Abusers);

- b. Approach: The theory and technique such evaluators use should be mainstream and justifiable as usual and customary; they should not cater to special concerns (e.g., religious communities). They should not justify unusual or extreme methods, no matter the internal coherence of the justification.
- c. Procedure: The evaluation should contain many of the different tests available and not be limited to one or two. It should include contact with victims and collateral sources (e.g., former therapists, superiors, personnel file, placements, etc.). It should include both personality assessment and deviance evaluation (i.e., DSM III-R Axis One and Axis Two). It should be concise and should contain clear descriptions of the problems, and recommendations for the friar and for the provincial response.
- d. "One Hat": Any therapist or evaluator who agrees to do both the assessment and the treatment should not be used in either guise. It is unethical and clinically close to impossible to evaluate and treat the same sex-offender client.
- e. The Province should have a list of evaluators, who fit the above description, ready to present to a suspected offending friar so that he and the Provincial may pick one appropriate

to the friar's personality, offense, location and needs. While the Provincial should be sensitive to and supportive of the friar, he should also be aware of the friar's possible resistance and denial as an ultimate reason for avoiding evaluation.

- f. Outpatient: The norm for evaluation should be outpatient, that is, friars should be evaluated in the community by mainstream sources; they should not be sent away to residential treatment facilities no matter what these facilities claim to be able to do, and no matter what their reputation is (whether it be for treating "sexual addiction" or priest/religious offenders). The purpose for this preclusion is to get the best evaluations available; to avoid even the appearance of the "geographic cure" and of coddling an offender by sending him to a "country club"; to keep the friar's awareness connected to the community and not allow him to separate his offense from the people upon whom he perpetrated it; to conserve Provincial resources for the victims' needs (while attending to the friars'); and to avoid the risk and scandal of evaluation in a treatment facility that is later shown to be clinically incompetent and/or negligent in the supervision of patients and the safety of the community.
- g. Exceptions: Exceptions to outpatient evaluation and community placement would be cases in which an alleged offender is violent and needs a locked facility, or in which he is so substance-dependent that he needs sobriety prior to sexual offense evaluation, or in which a psychiatric condition (major depression, anxiety, suicidality, reactive psychosis, etc.) or characterological problem (e.g., avoidant or dependent personality) requires treatment before there can be evaluation for the reported offense. In such cases as the latter, inpatient treatment for such problem could be considered, but not in lieu of the sexual evaluation.



- d. It should not be "sexual addiction," 12-step or "self-help". The Board questions the efficacy and appropriateness of these treatment models for sexual offenders, due, among other things, to the lack of participation by trained professionals
  - e. Term: The length of treatment should be from two to five years, depending upon the severity of the offender's psychological and sexual disturbance; any program that alleges that it can do it sooner should be suspect and not used.
  - f. List: A list of appropriate treatment providers has already been provided the Province by the Board of Inquiry; the permanent board should look into expanding this list according to the diverse areas in the Province.
4. Prevention of Re-Offense/After-Care/Relapse Prevention: One of the main reasons for disclosing offenders is so that they may get treatment and, because of the treatment, be reasonably sure that they will not re-offend. However, treatment isolated to therapeutic work alone with a therapist in his/her office is not enough; complete treatment and preclusion of recidivism must include therapy, plus external social controls and reinforcement. This should be predicated on:
- a. Commitment on the part of the friar and the Province to change and control of the offender's sexual behavior should be paramount, not the "feeling good" of the friar, not a comfortable or convenient place to live, not the "getting this over with" discomfort of the offender.
  - b. The optimal situation is a program in one place, one friary/placement, where all friar offenders would go, located near a treatment program expert in sexual offense therapy (or, preferably, near several such treatment facilities). This placement would have a management team of monitors and

support personnel and a structure to assist behavioral, social, emotional, cognitive, and pastoral change and self-responsibility. Given the numbers of friars disclosed in this report and the statistical likelihood of future disclosures, such a placement facility would seem quite sensible and practical; and it need not cost the Province any more than attempts at individual placements. It could be done at existing facilities, say as a wing or part of a retreat center.

- c. Therefore, the Province of St. Barbara should establish its own Wounded Brothers program, possibly modeled after Bert Miller's program in the St. Louis area.
- d. During establishment of such a program, or if there are compelling reasons why creation of such a program is impracticable in the near future, the Province should establish, as the next best and significantly less viable alternative, a Comprehensive Relapse Prevention Program with the following elements:
  - (1) The central, governing feature is that each friar would be assigned to a comprehensive, multi-modal, outpatient sex abuse treatment program which consists of a group of professionals who operate in an ongoing, collaborative manner and provide the following services to the offender:
    - (a) Individual therapy;
    - (b) Group therapy;
    - (c) Assertiveness training;
    - (d) Stress reduction training;
    - (e) Psychiatric consultation and medication;
    - (f) Polygraphy; and,
    - (g) Plethysmography (or any successor test, e.g., Abel Screen).



- (2) Placement of friars shall be made to allow for participation in a outpatient program meeting the above criteria, rather than placing a friar and then trying to construct a program around the placement.
- (3) An individual friar's relapse prevention program should be directed and overseen by a Case Management Team consisting of:
  - (a) A designated representative from the outpatient treatment program;
  - (b) The friar deputed by the Provincial Minister to oversee and manage the Province's relapse prevention program on a Province-wide basis;
  - (c) The local superior of the facility where the friar is placed; and,
  - (d) A designated representative of the permanent board (known as the "Independent Response Team").
- (4) Each friar offender should be assigned a Monitor, who will:
  - (a) Be carefully and thoroughly screened, trained, and provided regular education on an ongoing basis;
  - (b) Be a lay person whenever possible;
  - (c) Report to and receive direction from the case management team, participating in team meetings, but without decision-making authority;
  - (d) Monitor and regulate the whereabouts and activities of the friar at all times, obtaining and maintaining written verification of thereof as necessary (e.g., attendance at therapy, workshops, work, etc.);

- (e) Be responsible for the friar's compliance with all applicable restrictions;
  - (f) Confront, support and encourage the friar as appropriate;
  - (g) Help the friar be more effective in, and supported by the friar's participation in the life of his placement community; and
  - (h) Keep the friar aware that his placement is a privilege, and if necessary, recommend termination thereof and transfer of the friar to a more restrictive and secure placement.
- (5) Unless a unified "Wounded Brothers" program has been established, no more than one friar should be placed at any facility, unless it can be clearly demonstrated that sufficient safeguards exist to allow for the secure placement of additional friars.
  - (6) Guidelines, procedures and criteria with respect to secure ministry and secure work opportunities for friar offenders shall be modeled after and adapted from those of the Wounded Brothers program, St. Louis, Missouri.
  - (7) Vocational (employment) counseling should be established for those friars who cannot safely be returned to ministry.

## II. ONGOING RESPONSE TO VICTIMS AND FAMILIES

The primary issue in the abuse of minors is, of course, the effect on the victims and their families (including both emotional and spiritual effects). The Province should show concern for what has already happened to them by the abuse itself as well as by the disclosure process; additionally, the friars should attend to the chronic after-effects that will occur. This two-fold response, to both past and future, should minimally include the following:

- A. Pastoral Outreach: to past victims, where such has not already been done, and to any future victims who disclose, the Province should immediately attempt to reach out to and contact the victims in an empathic, concerned and supportive way. The victims should be shown genuine Christian loving concern for their emotional well being, as well as for their religious lives and belief. This would appear best done in an accepting and believing atmosphere rather than one fraught with suspicions about unfounded reports, disbelief, and adversarial positions. Though the victims may at times show great anger and resentment, the friars are urged to recall their vocation to be brothers of lesser estate and acceptance and service. Also the Province is urged to be aware of how fragile the faith of victims may be, and how an unmeasured or neglectful response by the friars could well aid in the death of that belief and thus further victimize those already hurt.
- B. Therapy: As a symbol of Gospel loving concern, the Province should be immediate in its offering and providing treatment specific to the needs of abuse victims. A process for this has already been established by the Board of Inquiry, and we offer it as a model for the Province to continue to follow.
- C. Support Groups: where possible and requested, support groups for victims, their families, Franciscan parishioners and laity (i.e., for the wider number of people negatively affected by the abuse's ripple effect) should be established to help healing of these victims, to provide true Franciscan service and concern for those hurt by the acts of fellow friars. The specific form of such groups should be affected by the particular needs of a given community. A model of one such effort has begun with the lay community around St. Anthony's Seminary.
- D. Revisiting St. Anthony's Seminary: For those wishing it as an effort to facilitate their healing, the frequent chance for victims and their therapists to visit the seminary, to review and recapture, according to the demands of their particular healing, should be afforded. Such a visit (or visits) can often

be important and powerful in recapturing and integrating assaults, in coming to terms with them.

- E. Apology Sessions: For both offender's and victim's growth and healing, it may be suggested by the victim and his therapist that there be a formal apology session between the victim and offender, with both therapists present, in a place and at a time of the victim's choice. The offender must be ready to accept total responsibility for his actions without placing blame elsewhere, e.g., alcohol, celibacy, or loneliness. The offender's therapist must have rehearsed with the offender, the latter's apology and gone over possible questions the victim might ask to be certain there are no thought-disordered comments or placement of blame on victims. Prior to the session, there should be written and agreed-to rules of procedure. It should be in a safe place for the victim (e.g., his therapist's office). The apology session can be preceded by a videotape of the offender apologizing to the victim in advance and/or a record of the actual session may be kept (e.g., audio or videotape). Such sessions allow the victim to tell the offender what he experienced and how thinks and feels, in an effort to recapture some power over the molestation. It allows the victim to ask the offender questions personally important to him, and it affords the offender a chance to openly accept responsibility, to admit his awareness of why what he did was abusive, and to respond to questions from the victim, outline a plan for amends, etc. The particular form of such sessions should be worked out on a case-by-case basis.
- F. Visible Accountability: In line with the above process, there should be some way that the victim and the extended affected community can be aware of how both the offender and the Province are taking responsibility. Thus there should be available to such interested parties information as to where the offender is in treatment, how he is doing, what, if any assignment he has or is planned, his plans for making amends. Additionally, information about the offender's HIV status may be of vital importance to the victim and should be shared. If the offender has not been tested, he should be so, for both his and the victim's benefit. (One is reminded that many offenders in the civil and criminal arenas are required by court order to undergo HIV testing for the knowledge and benefit of a

victim. Should any less be undertaken by a friar who has committed his life to love and service, who has violated that commitment and now wishes to right his wrongs?)

### III. LAITY IN GENERAL

It would not be imprudent to suggest that the Province has some duty to aid in the assault on child abuse both within itself and in society at large. The latter call is due to both the involvement of members of the Province in the horror of molestation and to the more general call to religion in this regard. As Jade C. Angelica says:

*I believe that the religious communities possess the opportunity and the power to name the atrocity of child abuse, to begin dismantling the denial, to offer solace to the victims and survivors, to insist upon accountability from the abusers, and to plant the seeds of universal outrage. I also believe that the religious communities are morally obligated to do so. "We didn't know" can no longer be accepted as an innocent excuse for not protecting our children. (A Moral Emergency: Breaking the Cycle of Child Sexual Abuse, p. xli)*

Thus we are suggesting a two-fold response to the people and the Church with whom the Province comes in contact:

- A. Prevention: The Province should take upon itself to provide education and training in child abuse to parents, teachers, children in Confraternity of Christian Doctrine (CCD) and parochial schools and with its own employees.
- B. Resource Communication: The Province should also help to communicate to the public, both Catholic and not, the resources it has for those abused by fellow friars, to wit:
  - 1. The Independent Response Team (permanent board), its function resources and availability;
  - 2. The presence and availability of an ombudsperson, an independent lay person, trained in the area of child sexual abuse, who serves as

an additional contact to help in making report of sexual abuse within the Province and acts as an advocate and support within the reporting process;

3. The accessibility of the Provincial or his deputies to whom abuse by a friar can be reported and the provision of support and help through this office directly;
4. Information on the history of the problem within the Province, of the Province's response, of the purpose and goal of the Province's past, present and future response.

#### IV. PERMANENT BOARD ("INDEPENDENT RESPONSE TEAM")

The Independent Board of Inquiry Regarding St. Anthony's Seminary was established as a preliminary and temporary body to investigate and assess reports of abuse by friars at their minor seminary. Its purpose was also to set up a process whereby pastoral service could be provided to the victims (e.g., in the form of referrals and payment for treatment and the availability of a special pastoral agent) by the Province. Finally, its goal was to provide the Provincial with a report on its findings and recommendations. Part of the initial agreement with the Board was that when its term was over, there would be a permanent board established that would carry on its work as necessary regarding St. Anthony's Seminary and would handle any other such reports within the further confines of the Province.

The Board wishes to note regarding the permanent team:

- A. That a protocol for it was provided to us by the Provincial Minister and that we have responded with a suggested revised protocol (see Appendix, *Protocol for Independent Response Team for Sexual Misconduct and Abuse*);
- B. That special consideration must be given to the possibility that professionally mandated reports may be occasioned by future allegations and that a system for doing this must be set up. That in

its initial deliberations, the Response Team should determine a way to notify any people who come before it that allegations may have to be reported to the civil authorities (this is not an issue that this board had to face because all the people making allegations to us were adults and thus outside the purview of the Child Abuse Reporting law);

- C. That a neutral forum be established for talking with reported friars wherein their confidentiality be respected; That the fraternity in general be respected in its concerns for the impartiality of the Team's work; and that friars, too, be kept informed of the work and progress of the Team;
- D. That the Team develop a thorough protocol and description of the function and purpose of the ombudsperson (e.g., how this person is contacted, how he/she interacts with the Team, etc.);
- E. That it be clear to all coming into contact with the Team that any waiver of legal claims should not be a condition, nor the goal of the use of the ombudsperson or the provision of pastoral care or treatment through the Province;
- F. That it examine closely what should constitute a quorum and how this issue could impact its own process (i.e., should the quorum be a simple numeric one, or one by field, etc.);
- G. That it leave itself enough flexibility to deal with unforeseen issues, and new requirements or needs of victims and friar offenders.

## THEOLOGICAL AND SPIRITUAL CONSIDERATIONS

### Incarnational Theology

In the Mystery of the Incarnation, God became human in the person of Jesus Christ. Consequently, our human flesh is forever the meeting place of God with men and women. Our humanity in all its aspects is, therefore, holy ground. The human body and human sexuality are profoundly sacred, to be cherished and revered as privileged ways for people to come into contact with the Mystery of God. Spirituality based on this view of humanity empowers a person to make of these truths a lived reality in dealing with the practical situations of life.

Sadly, the full meaning and implications of the Incarnation have often been set aside as if they were too good to be true. Unable to comprehend that God could be humble enough to take up the weakness of human nature, Christological heresies through the centuries have watered down or denied the full meaning and power of the Incarnation. In so doing, they weakened and set aside the idea of the holiness and dignity of human nature. A kind of dualism resulted, which set the realm of the spiritual, the soul on a higher plane over against the material, the body, our "lower nature." Needless to say, this devalued notion of the body tended to weaken and destroy the notion of sexuality as a profoundly sacred reality. The integration of sexuality and deep spirituality was lost. Negative attitudes towards the body and sexuality became common, while the realm of the spiritual was safely set apart where it would not be contaminated by the material, bodily side of life. The attitude of reverence for the gift of sexuality was replaced by the outlook of a materialistic culture which exploits sex in many ways.



Current theology and spirituality have gone far in the effort to reinstate the values of Incarnational theology, to restore the sense of the sacredness of the human. However, we are still reaping the bitter fruits of failure to appreciate the sacredness of human sexuality. Many religious and priests, Franciscan friars included, received formation that included negative and even repressive attitudes toward sexuality. People were taught to pray and to engage in many practices of a fervent spiritual life which brought them close to the Lord, but these practices would often turn out to be a spirituality that was not really in touch with the practicalities of real life. Unable to deal with some very human psychological factors, out of touch with powerful emotions and needs for intimacy, this kind of spirituality was ill equipped to help friars deal with sexual needs and issues of intimacy. People with severe human problems, many of them sexual, found that prayer alone was not an adequate solution for their difficulties.

### **Spiritual Roots of Sexual Abuse**

When people consecrated to God in the priesthood or religious life engage in dysfunctional behavior, such as sexual abuse of minors, one can only conclude that such behavior is symptomatic of serious and deeply rooted personal problems. Experience teaches that individuals who perpetrate such abuse are seriously wanting in regard to a spirituality that is in touch with their practical lives. The mystery of God fails to influence their choice of actions in significant ways. If their relationship to God is not vital, their relationships to other people are often woefully inadequate as well. Intimacy needs go unrecognized and unmet, and low self-esteem results. Often, these individuals deal with their alienation by compulsive absorption in only seemingly healthy involvements such as excessive work, and in patently unhealthy actions such as sexual abuse.

Needless to say, these unhealthy ways of coping only serve to accentuate the troubling personal difficulties of trying to live devoid of intimacy with God and others. Such people are alienated even from themselves. Dysfunctional and compulsive behavior such as sexual abuse proves an inadequate substitute for true intimacy. People who engage in this behavior are so very lonely and estranged.

The irony is that some, if not most, of these people are well educated and pastorally skilled in many ways. They may hold positions of authority which set them as mentors, teachers and spiritual guides for others. The problem is, however, that they are attempting to inculcate into others truths and ways of living they themselves have never integrated into their own lives; or perhaps they have gradually lost the power of ideals and values once interiorized but long neglected. Such men are in the painful position of leading a double life, living a lie as they try to teach and model for others a way of life they do not espouse deep in their own hearts. Small wonder that feelings of dishonesty and hypocrisy further erode self-esteem and serve to give greater impetus to abusive behavior. And all the while, the mind, in the face of the enormously painful truth of what is really going on builds up an ever more impregnable wall of denial.

#### **How Can We Help the Situation?**

Evidently, recovery from such spiritual disability requires that friars be helped once again, or perhaps for the first time, to espouse and live deeply the life they may have already vowed. This is absolutely necessary and crucial if there is

to be any chance for recovery from and cessation of abusive behavior. Is there any hope that this deep commitment can and will take place?

Such hope is fostered by a study of the psychological maturity of American priests published by the Bishop's Committee on Priestly Spirituality in a document entitled "The Spiritual Renewal of the American Priesthood." There is no reason to doubt that the results fit the situation of many religious as well. The pertinent text, slightly adapted to fit the situation of the offending friars reads as follows:

*A large proportion of American priests [and religious] are underdeveloped psychologically. This does not mean that they are sick, but that their growth has been arrested. Generally they have not worked through the problems of intimacy, and their level of maturity is lower than their chronological age. They do not relate deeply or closely to other people. In itself, this is not an indictment of their spirituality, because they may possibly have a high degree of theological love for their fellow men and women but are unable to show it. In this case psychological blocks prevent the manifestation of love.*

*As a matter of fact, however, the spiritual life of these priests [and religious] is generally of a piece with their emotional arrest. Their faith tends to be superficial and not integrated into the rest of their lives. They tend to excuse themselves from the pain of the growing process into full maturity in Christ. The priesthood [the religious life], the Church, and the faith are used as screens and cover-ups for psychological inadequacy; religious ideals remain abstract and unactualized.*

*Once a psychological awakening occurs, however, and they come alive and start moving forward again as developing persons, they experience a spiritual conversion as well and begin to make progressive efforts to realize the spiritual ideals of the priesthood [and the religious life]. In similar reciprocity, a spiritual conversion can confront the immature person with the challenge of the Cross, by calling him to undergo the pain of growth into freedom or by helping him to accept what cannot be changed.*

It would be hard to find a better statement of the challenge to spiritual growth that confronts some friars of St. Barbara Province at the present time. Sobering as it is, this study holds out hope that a psychological and spiritual growth process can begin which will deal realistically with dysfunctional behavior, and in particular, the issue of sexual abuse.

Nothing less than complete honesty, openness and sincerity in facing the present situation will do if true healing is to occur. This is the case for any spiritual growth, and it is surely needed in these crucial circumstances where the tendency toward denial is so strong. Needless to say, friars need a great deal of support and acceptance, as well as loving challenge and confrontation, if they are to be completely honest.

The Province can help this recovery process by providing and insisting upon adequate therapy and spiritual direction for friars who have perpetrated abuse. Moreover, the Province can provide preventive medicine by offering workshops, retreats and other programs dealing with issues of intimacy, sexuality and the affective life of the friars. But the Province and its administration can do only so much. When it comes to spiritual growth and striving for solid maturity, no one can do a friar's work for him or force him to grow. Deep personal reflection and prayer, fruitful use of spiritual direction, willingness to share personal faith and problems with one's brothers in the fraternity, and other aspects of a spirituality that is more than superficial can be implemented only by individual friars who make these things a regular part of their lives.

In this connection, it is worth citing Wayne Fehr's research on the importance of one's relationship to and understanding of God in the process of recovery for religious professionals in crisis:

*The pathology of each patient almost always involves long-established images of God which are enslaving and anxiety-producing. The radical shift in mentality, ways of feeling, and patterns of behavior include new images of God which are liberating and empowering. (Fehr, W., "The Spiritual Assessment of Clergy in Crisis," *Action-Information*, Alban Institute, Washington, D.C., 1990, vol. XVI, no. 4, p. 8.)*

Evidently, all of this challenging work requires a great deal of courage and humility. It demands the recognition of personal weakness, sinfulness and serious misconduct. It requires one to experience a deep need for mercy and forgiveness. If all of this seems threatening, it is also vital to recall that it is precisely in the owning of our helplessness and need that we meet the God of mercy and forgiveness. This experience of meeting the God who forgives leads to a sense of inner healing and personal integration that comes in no other way. It is a fundamental movement of the spiritual life that brings life out of death, health out of sickness, new ways of living and acting out of our former dysfunctional attitudes. It is an experience of healing witnessed over and over again in the scriptures and in the lives of those who have opened themselves to the healing grace of God. Such a graced moment seems now at hand.

## CONCLUSION

The Board is confident that it has made a thorough effort to reach as many students as possible. We also believe it is probable that, for one reason or another, not all victims have as yet come forward.

It will be the responsibility of the permanent board to carry on with the significant undertaking commenced by the Province of St. Barbara and to do so on a Province-wide basis. We wish to commend the Provincial Minister and the Province of St. Barbara for their willingness to initiate and maintain this concerted effort to pursue truth and healthy development, no matter how painful. It is only through commitment of this level by the Province, in conjunction with the continuing active and vocal participation of the Greater Community and other concerned laity throughout the Province, that this "graced moment" can be seized, and healing can begin.

APPENDIX

FRAF 00087

December 4, 1992

## COMMISSION REQUIREMENTS

INDEPENDENT COMMISSION REGARDING SEXUAL, PHYSICAL AND  
SUBSTANCE ABUSE MATTERS WITH MINORS THROUGHOUT THE ST.  
BARBARA'S PROVINCE

### PURPOSE OF COMMISSION

1. Develop a plan to determine victims and offenders.
2. Develop a plan for assistance to victims.
3. Monitor, document and report an implementation of plans.
4. Obtain agreement on removal of offenders from opportunities for abuse.
5. Make recommendations to the Franciscans about a future action program on this issue throughout the St. Barbara Province.

### COMPOSITION OF COMMISSION

As a minimum the Commission should be composed of the following disciplines:

1. Licensed practitioner whose specialty is in sexual abuse of minors.
2. Lawyer, whose specialty is in sexual abuse of minors.
3. Social worker who has experience in dealing with sexual abuse of children.



In addition, the Commission should have available the following:

1. Parent(s) of a child or children who have been sexually abused as minors.
2. A Franciscan.
3. Investigator/skip tracer.
4. An adult who was sexually abused as a minor and who is restored emotionally (preferably a person who was abused by a religious).

#### SCOPE

1. St. Anthony's Seminary
2. Recommendations relative to other entities of the St. Barbara's Province.

#### SELECTION OF COMMISSION

Members of the Commission should be selected jointly by a delegation of the St. Anthony's Greater Community and the St. Barbara's Province.

#### COMMISSION LOCATION

The Commission should have its deliberations in a location that is not affiliated with the Church. One meeting of the Commission should be held with the Greater Community.

#### COMMUNICATIONS

The St. Anthony's Greater Community will be kept informed about the activities of the Commission on a regular basis.

December 4, 1992

SUGGESTIONS FOR A FUTURE ACTION PROGRAM

INDEPENDENT COMMISSION REGARDING SEXUAL, PHYSICAL AND  
SUBSTANCE ABUSE MATTERS WITH MINORS THROUGHOUT THE ST.  
BARBARA'S PROVINCE

We anticipate that the Commission will develop many recommendations. In so doing we request that they consider the following points:

1. Oversee the professional contacting of former seminarians as far back as 1960 to explain what has surfaced regarding the molestation by Phillip Wolfe and Robert VanHandel and other Friars. The purpose of such contact would be to reach out to any victims and families of any friar and encourage them to seek appropriate counseling help to be paid for by the Franciscan Province. Based on the results of this outreach determine if such contact should go back further in time. Oversee such outreach if such is needed. This outreach should commence at the earliest possible time but no later than sixty days from December 4, 1992.
2. Oversee the independent review of the Formation Program as it deals with all forms of psychological evaluation particularly dealing with potential for sexual abuse and related matters. Review the formation program's sexual education program particularly as it relates to sexual molestation. Review the Province's policies in dealing with matters of reported or suspected sexual abuse. As a result of these reviews recommend the necessary changes and perform follow up to insure their implementation. To assist in this review and any recommendations, review the structure and policies presently in place in the Dioceses of Newfoundland, Chicago and Baton Rouge.

3. Upon completion of the above take the necessary measures to insure that all friars are given the same psychological evaluation and education as outlined for the formation program. Based on the results of this insure that any necessary remedial actions of the friar are taken by the Provincial and the Definitorium.
4. Review the educational program dealing with all forms of sexual abuse of minors that are being given to teachers, students and parents of CCD and schools operated by the Province. Oversee the modification of such programs as deemed appropriate.
5. Oversee and monitor the handling of any future sexual abuse cases. If it appears that the matter is not being dealt with appropriately take the necessary action to correct the matter.
6. Should it appear that a friar will need legal defense the public defender should be used, not the financial resources of the Province.
7. All costs incurred in performing the above activities should be funded by the Province.
8. This commission should be an independent ongoing body. Periodic reviews of the Province's functions relating to the above should be made to insure that the established programs are being followed. As additional professional expertise and knowledge is developed, the commission should insure that such is incorporated into the relevant programs of the Province.

A COMPREHENSIVE APPROACH TO PROVINCIAL POLICY  
AND A PASTORAL RESPONSE TO  
INSTANCES OF SEXUAL ABUSE OF MINORS  
AT ST. ANTHONY'S SEMINARY

THE RELIGIOUS FRATERNITY

The sexual abuse of minors is an egregious violation of personal integrity which results in the breaking of society's most basic bonds of human loyalty and trust. It is an invasion of both the personal and familial life of the victim. I cannot express in words the sorrow that all of us feel for the victims and families. We are deeply compassionate.

When this abuse is perpetrated by a priest or religious, the offensiveness is compounded by the high regard, faith and power given to those in positions of pastoral example and leadership in the Catholic Christian community.

Knowledge of the action provokes confusion about faith, anger at the personal violation, and sows distrust in all directions. In many instances it creates a "solidarity in victimhood" between the minor, his family, and the community to which they belong. Often the violation is so fundamental that it is met with denial and incomprehension. Because defensiveness is frequently a factor, those once victimized can become twice victimized--and the cycle of violence continues. I am truly sorry if, in some ways, we have contributed to this cycle.

Vowed to the Gospel life, we friars unreservedly believe that sexual abuse cannot be tolerated in any form. Above all, we abhor the sexual abuse of children who are essentially powerless and voiceless. As a religious fraternity we must take decisive, unequivocal, effective measures to speak for those who have no voice, to tend the wounds of those in the Body of Christ who have been violated, and to begin to restore the basic trust and fidelity which have marked the close relationship between the friars and the community which received them in the bonds of friendship.

We friars must also share the pain of facing the truth about ourselves and our brothers. We publicly and firmly want to take personal and corporate responsibility for systemic changes to heal the past, address the present and plan the future. As "penitents from Assisi" and vowed peacemakers within the Church and society, we will, with your help, "turn our face like flint" to the urgent task at hand. Within our Gospel way of life we believe that our pastoral response should be dictated by the integrity of the Gospel and our covenant with you, the People of God. With your help and partnership, we seek "truth with a pastoral face."

THE PRESENTING ISSUES

In March of 1989 Paul and Bernard Smith filed charges of sexual abuse against Philip Mark Wolfe, a Franciscan priest and teacher at St. Anthony's Seminary from September 1981 to June 1984. The molestations occurred between 1983 and 1987 but, because of the statute of limitations, only the charges of Bernard Smith were dealt with.

In September of 1989 Philip Wolfe pleaded "no contest" to one count of oral copulation with a person under eighteen and was given a six month's jail sentence followed by six months in a treatment center.

Recently, in May of this year, the Smith family informed the Provincial Minister that Bernard, a member of the Santa Barbara Boys' Choir, had been inappropriately, sexually touched by Fr. Robert Van Handel, founder of the choir and teacher at St. Anthony's Seminary from May 1975 to its closure in June 1987.

In October of this year a public letter was sent to all participants in the Boys' Choir. On October 28, during a meeting at St. Anthony's Seminary, new information surfaced, indicating that Fr. Robert's sexual abuse of minors extended into the seminary itself. Since that time, several other victims--some both members of the Boys' Choir and seminarians--

have come forward. In addition, past allegations, dating back many years, have come to light, along with rumors.

### THE EVOLUTION OF PROVINCE POLICIES

The first Province policy concerning issues of sexual misconduct was developed by the Franciscans in 1988. Subsequent revisions in this policy have been prompted by the persistence and honest challenging by the Smith family; and we are indebted to them.

After meeting with the Smiths in January 1990, in the wake of the dreadful first victimization, the definitorium worked on achievable goals actively and with the strongest pastoral responsibility. Many of these goals have been presented by the Smiths themselves. Let me give a few examples:

For myself, I have shared the fruit of my own experience the past two years with Region VI of the Conference of Major Superiors of Men, insisted on the importance of major policy statements and reviews at that level, and spoken on the importance of correct action and attention to victims with the Committee on Priestly Life and Ministry of the National Conference of Bishops, of which I was a member for three years. Our experience has had a major effect on the English Speaking Conference of the Order of Friars Minor covering Malta, England, Canada and the United States. Our own experience in Santa Barbara, then, has had a ripple effect for the good far beyond the boundaries of the friars and Santa Barbara. The response on all of these levels has been tremendous.

Locally, this process of growth these past two years involved the entire Franciscan fraternity. Admissions' procedures were scrutinized and modified; professionals in the fields of psycho-sexual development and sexual deviancy conducted sessions for both those in formation and for the fraternity at large. After an interim policy, a clear and precise statement on sexual misconduct was adopted by the Province in January 1992. Our policy has been composed with the best psychiatric, pastoral and legal advice possible.

We see our policy and programs as developmental because, for example, the policy now in place was designed to deal with current rather than historical issues of misconduct. The most recent knowledge of past instances of abuse opens up a new chapter in our own painful growth. In all of this, we have committed ourselves to working in a comprehensive way.

### COMPREHENSIVE PROVINCE POLICIES

#### 1. Formation Programs

Aspirants to our way of life come to us by way of our Vocations' Directors. After thorough initial interviews and tentative approval, the candidates then undergo a lengthy process of discernment which includes independent and objective professional evaluation, using such instruments as the Object Relations Test, the Rocharch, hostility quotients and word association testing as well as extensive interviews covering family history, work experience, socialization patterns, psycho-sexual development and so on.

The application process is concluded with a final interview with the candidate and the independent Admissions to Formation Committee consisting of five friars. Having reviewed all the testing and other documents and consulting with the vocation directors, the Admissions Committee deliberates privately and prepares its own recommendation for each applicant. This is presented to the Provincial for final approval or rejection.

Although this is a thorough process, in the light of recent events the entire structure will be reevaluated and, if necessary, augmented through the recommendations of an independent review board.

## 2. Ongoing Education

In our formation program which lasts from six to nine years, we have in place extensive programs of continuing education in the areas of sexual maturation, pastoral responsibility and sexual deviancy. After final vows and admission to pastoral responsibilities as a priest or laic friar, the programs of education continue, sometimes through the local diocese and more often through the Province itself. All of these programs will likewise be reviewed by an independent board. If necessary, these also will be augmented.

## 3. Personnel Review

As a corporate entity the Province does not operate any educational establishments involving minors. Parish programs are regulated by the policies of each diocese in which we work. It is, however, incumbent upon us to institute an independent review of all friars involved in ministry to minors. Likewise we will review all past personnel decisions and request recommendations from the independent board so that any current policies may be corrected where they are found to be inadequate. We will insist on total cooperation and compliance with local diocesan programs and requirements in the area of youth ministry.

## 4. Review of Current Policies

Our current, public policies governing the sexual abuse with minors will be stringently upheld, especially those regulating the placement and ministry of offenders. Article 9 of our policies states in part:

Where appropriate, the accused will be required to undergo a psychiatric evaluation by a mental health facility specializing in sexual disorders and approved by the Provincial.

When the psychiatric evaluation has been completed, the Provincial, in consultation with the Provincial Team and, where appropriate, with legal counsel and mental health professionals, will determine whether the friar should be permitted to minister and, if so, under what circumstances...

Ordinarily, no religious against whom a serious accusation has been substantiated will be permitted to return to public ministry unless: (a) he has undergone long-term psychotherapy (including prescribed medication) and the psychotherapist has advised that he is not a threat to the public; (b) he participates in a therapy group or life management support group; (c) it is possible to adequately supervise and monitor his contacts with the public; (d) he is subject to special placement and supervision by an on-site supervisor and the Provincial or his delegate.

## 5. Review Board

By August 1993 the Province will establish a separate review board designed to address the above areas of concern; it will make further recommendations to the provincial administration to insure the integrity of the friars' lives and ministries as these relate to minors. This board will also deal in a continuing manner with cases of sexual misconduct with minors which may arise.

This ongoing review board will be directly under the Provincial. It will be composed of five persons: two friars and three lay specialists. Articles of procedure will be drawn up and based on the best models currently available. These articles will be reviewed by the board itself and then approved by the provincial definitorium. The definitorium explicitly commits itself to the establishment of this permanent project.

## A PASTORAL PLAN FOR ST. ANTHONY'S SEMINARY

With respect to the allegations involving the conduct of certain friars at St. Anthony's Seminary, the following steps will be taken:

PROVINCIAL POLICY AND PASTORAL RESPONSE

The friars will continue to be proactive in responding to known victims and their families through the offering of counseling, the identification of local resources, personal visits and remuneration for therapy.

Because there may be victims unnamed and undiscovered as yet, a Board of Inquiry (see below) will send a letter to all known students from the school year 1964-1965 to the time of the seminary's closure. While maintaining appropriate confidentiality and sensitivity, the Board will thus be able to identify the victims of sexual abuse, the perpetrators of the abuse and the credibility of the allegations. Established procedures will be followed to determine the truth as best as possible (outside of a court of law).

A formal Board of Inquiry will be established by the Province of St. Barbara (January 1993). The board will function independently of the Provincial administration and will report directly to the Provincial Minister. The board has an essentially pastoral purpose, acting for the good of the victims, the well being of the community and the friars, and the integrity of the Church. It is fact-finding, consultative and advisory, not adversarial or adjudicative. This board will process the results of past pupil contacts and investigate the allegations of sexual misconduct with minors and related issues at the seminary. It will follow Province policies on active care for victims.

This Board of Inquiry will have five members: an outside friar skilled in counseling and issues of sexual abuse (Fr. Dismas Bonner, O.F.M.); a professional layman (Dr. Eugene Merlin) with the same qualifications; three other members, one of whom will be a recovering victim and/or parent of a victim.

A draft of procedures will be drawn up under the authority of the Provincial Minister and the Board of Inquiry before final adoption in consultation with the Provincial Minister.

With respect to confidentiality, the "Chicago Policy Regarding Clerical Misconduct with Minors" principles will be invoked. Final recommendations and observations to the Provincial Minister will, respecting confidentiality, be made public jointly by the Board of Inquiry and the Provincial Minister.

After sufficient review, a friar established to have been an offender against minors will not return to active public ministry without thorough and enforceable guidelines as recommended by the Board of Inquiry.

In the course of the next five months, the friars will sponsor a series of fora to educate both the Franciscans and the local faith community on issues of child abuse and its implications; the spiritual dimensions and meaning for the church; and the identification of local resources in the area. These goals may be accomplished by a day of recollection or weekend retreat, workshops and study groups.

The Province will work with the archdiocese in sponsoring a workshop for the broader Catholic community in Santa Barbara for the purposes of education and community information.

December 4, 1992

INDEPENDENT BOARD OF INQUIRY  
Regarding St. Anthony's Seminary  
P.O. Box 1065  
Santa Barbara, California 93102

MEMBERS OF INDEPENDENT BOARD OF INQUIRY

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Santa Barbara, CA 93101  
(805) 564-4481

A practicing attorney for 21 years, Geoffrey Stearns has since 1978 represented hundreds of children by court appointment in juvenile court abuse and neglect cases; many of these children were physically and/or sexually abused. Since 1985, Mr. Stearns has also represented children in family law custody cases, many of which involve allegations of abuse. In addition to his child advocacy practice, Mr. Stearns has been a trained, practicing mediator in family and other civil disputes since 1984, and is currently a principal of The Mediation Group of Santa Barbara.

2. KATHLEEN BAGGARLEY-MAR, M.A., M.F.C.C.  
KEITH MAR, M.A., M.F.C.C.  
\* 55 Hitchcock Way, Suite 204  
Santa Barbara, CA 93105  
(805) 687-1741

Kathleen and Keith Mar are Co-Clinical Directors of the Aspen Center for Therapy in Santa Barbara, and have specialized for 14 years in the area of child abuse. In 1979, they started the first program providing child sexual abuse treatment and prevention services in Santa Barbara County. They serve as consultants in the field, have shared their expertise in statewide, national and international workshops, and have authored A Handbook for the Prevention of Child Abuse. They currently lead a program for child victims and adult survivors of child abuse.

3. EUGENE A. MERLIN, M.A., M.F.C.C.  
1727 Martin Luther King, Jr. Way, Suite #212  
Oakland, CA 94612  
(510) 835-5131

Eugene A. Merlin is a licensed Marriage, Family & Child Counselor, specializing in treating adult male survivors of sexual abuse and sexual offenders. He also has a doctorate in Systematic Theology. He was for four years an investigator

\* New address: 5266 Hollister Avenue, Bldg. A, Suite 124  
Santa Barbara, CA 93111  
(805) 964-1966



INDEPENDENT BOARD OF INQUIRY  
Regarding St. Anthony's Seminary  
P.O. Box 1065  
Santa Barbara, California 93102

MEMBERS OF THE INDEPENDENT BOARD OF INQUIRY

Alameda County Childrens Protective Services, as well as working at the California Youth Authority, Bear Creek Ranch (a residential treatment facility for teen offenders), and Sture Larsson Continuation High School (Stockton, CA). In addition to his clinical practice, he also trains Child Welfare Workers, Probation Officers, and therapists on the treatment of sexual offenders.

4. REV. DISMAS BONNER, OFM  
St. Germain Friary  
Box 278  
Dittmer, MO 63023  
(314) 285-3593

Father Dismas Bonner is a Franciscan priest of the Sacred Heart Province, St. Louis. He holds a Doctorate in Canon Law and was Professor of that subject at Catholic Theological Union in Chicago, where he served as a member of the Archdiocesan Board of Conciliation and Arbitration. Fr. Dismas was canonical visitor of St. Barbara Province and several other Franciscan provinces. From 1978 to 1987 he was provincial minister of his Province. At present, he is spiritual director at St. Michael Center in St. Louis, a treatment center for priests and male religious operated by the Servants of the Paraclete. In this capacity, he has with men who have been sexually involved with minors.

5. RAY HIGGINS  
4509 Atascadero Drive  
Santa Barbara, CA 93110  
(805) 964-6175

Ray Higgins is a retired businessman who holds a degree in Accounting and Business Administration from Regis College in Denver, Colorado. He was a member of the 1991-1992 Santa Barbara County Grand Jury, which, among other things, investigated the Sheriff's Department's handling of an incident involving a group of college and college age students. He is the father of a former student of St. Anthony's Seminary, is a member of the St. Anthony's Greater Community, and was chairman of its task force that was instrumental in establishing this Board of Inquiry. His purpose for serving on the Board of Inquiry is to ensure that there is a thorough investigation into the facts of the allegations and that the Board maintains independence from St. Anthony's Seminary and the Franciscan Province of St. Barbara.

Appendix

FRAF 00097

#### Board of Inquiry: Guidelines and Procedures:

1.1 The nature, purpose, and scope of the Board of Inquiry will be governed by the "Pastoral Plan for St. Anthony's Seminary" presented on Pages 3-4 of "A Comprehensive Approach to Provincial Policy" (Cf. Documentation II.1) In all cases it should comply with the applicable demands of the law.

1.1.1 The Board has an essentially pastoral purpose, acting to help the victims, the well-being of the community and the friars, and the integrity of the Church. It is fact finding, consultative, and advisory to the Provincial Minister, not adversarial or adjudicative. Its process is to help identify victims of sexual abuse, the perpetrators of the abuse, and to assess the nature and extent of the reported abuse.

1.1.2 The Board is charged with assessing the nature and extent of the reported sexual abuse of minors at St. Anthony's Seminary from the school year 1964-65 to the time of the seminary closure in 1987, and to report its findings and recommendations to the Provincial Minister in accordance with sections 2.2.6 and 2.2.7 of this document.

1.1.3 The final recommendations should address the following areas: 1) An assessment of the nature and extent of sexual abuse of minors; 2) Whether or not there is reasonable cause to suspect that the allegations against an individual are substantial; 3) How best pastorally to care for victims of abuse in accordance with the Province policies; 4) what steps can be taken to prevent the recurrence of such instances.

1.2 The first point of contact with the seminary students will be to send a letter to all known students during the period under question. This listing will be provided by the Minister Provincial and the local seminary authorities. A sample letter will be given to the Board, but it will be sent out under the Board's name. Former students who were sexually abused in any way will be requested to respond to the persons designated by the Board.

1.3 The Board will also invite all former faculty members and friar staff to respond to the process and actions being taken.

1.4 The Board will decide upon its own operating procedures with respect to interviews with individuals, families, and groups.

1.5 In specific cases the Board will be guided by applicable state law and by Provincial policies governing misconduct, assistance for victims, and policies governing accusations of sexual misconduct. (Cf. documentation II.2)

2.1 The Board of inquiry is established by the Province of St. Barbara, but it will function independently of the provincial administration, and will report directly to the Provincial Minister.

Appendix

FRAF 00098

2.2 It is understood that the Board of Inquiry operates under the authority of the Provincial Minister.:

2.2.1 The Board serves the Minister Provincial alone by making determinations and recommendations contemplated by these guidelines and procedures for St. Anthony's Seminary. The Board is not accountable to other officials of the Province.

2.2.2 The members of the Board will be recompensed in accordance with the individual arrangements made between members and the Provincial Minister. The work of the Board will be funded by the Provincial Minister.

2.2.3 The guidelines and rules of procedure will be drawn up under the authority of the Provincial Minister, revised and amended in consultation with the Board members, and adopted and thereafter amended by mutual agreement.

2.2.4 The Board will select its own chairperson in consultation with the Provincial Minister.

2.2.5 After the adoption of the guidelines and rules of procedure and a meeting with the Provincial Minister to review the presenting information, the Board of Inquiry will establish its own schedule, mode of procedure, and meeting times. The Provincial Minister will not attend the meetings unless requested by the Board of Inquiry.

2.2.6 When the Board is prepared to make its final report, it will meet with the Provincial Minister to review the contents of the report and make further remarks as is agreed appropriate.

2.2.7 The text of the report as discussed in 2.2.6, respecting confidentiality, will be made public jointly by the Board of Inquiry and the Provincial Minister.

3.1 With respect to confidentiality, the following policies will be invoked;

3.1.1 Information received and generated in connection with the Board of Inquiry will be maintained in a confidential manner, and may be disclosed only in accordance with this section.

3.1.2 The Board is the custodian of all information and shall develop an appropriate record keeping system to ensure accountability for and security of the information. Upon completion, this information will be turned over to the Provincial Minister under seal and/or destroyed.

3.1.3 The Board shall provide the individual identified as an abuser with information sufficient to enable him to respond to the report of abuse.

3.1.4 The Board will provide the person making the report of abuse and the abuser with appropriate and timely information about the Board's recommendations and the Provincial Minister's response.

3.1.5 Individual members of the Board shall provide all appropriate information learned in the context of this investigation to the remainder of the Board.

3.1.6 The Board shall provide access to all information to the Provincial Minister in connection with the reports of abuse about a member of the religious community or the appropriate religious superior in the case of another community.

3.1.7 The Board or individual members may disclose information if required by law.

4.1 After sufficient review a friar established to have been an offender will not return to active public ministry without thorough and enforceable guidelines as recommended by the Board of Inquiry, (Cf. Provincial Policy for "Accusations of Sexual Abuse"). The Provincial Minister will meet with the Board of Inquiry, as requested, to discuss the recommendations and to detail the actions which have been taken.

5.1 The Board will follow Province policies on active care for victims.

6.1 The Board will meet regularly with those members of the Greater Community of St. Anthony's Seminary interested in the progress of the inquiry. As much as possible the Board will explain its procedures and give indications of its progress to those interested. Until the conclusion of the inquiry, the identities of the people involved in the incidents under investigation shall not be revealed.

6.1.1 The final report of the Board to the Provincial Minister, respecting confidentiality, will be made public to the members of the Greater Community of St. Anthony's.

6.1.1 The Board will establish its own procedures as to public disclosure in the press. It may ask an individual member or, if appropriate, the Provincial Minister to act as spokesperson.

7.1 Because it is in the interest of all concerned that the investigation be concluded as quickly as is reasonable, the Board will be constituted until May 1, 1993. It may finish its work and, upon consultation, dissolve before that time or, if necessary, ask for an extension of time from the Provincial Minister. If it sees the importance of ongoing work, it may request that this be done by the permanent Review Board to be established by the Province by August 1993 (Cf. documentation II.1, page 3, #5).

INDEPENDENT BOARD OF INQUIRY  
Regarding St. Anthony's Seminary  
P.O. Box 1065  
Santa Barbara, California 93102

Dear student,

We are an Independent Board of Inquiry convened to investigate and assess instances of sexual conduct with students by faculty members of St. Anthony's Seminary, during the period from 1964 to closure of the school in 1987. Our purpose is to help victims get necessary therapy, to identify perpetrators, and to make recommendations to the Province of St. Barbara to ensure that such sexual molestations do not recur. The Board is composed of one friar and five professional and concerned lay people (please see the brief biographical statements enclosed for your reference).

In recent years, charges of sexual abuse have been made against Fathers Robert Van Handel and Philip Wolfe. The former priest is on administrative leave, and the latter priest entered a plea of nolo contendere in Santa Barbara Superior Court and served six months in the County Jail. Most recently, former students have come forward with allegations of physical and sexual abuse against Father Mario Cimmarusti.

While our purpose is to investigate incidents of sexual abuse, we recognize that victims sometimes remember or characterize such experiences in different ways. Therefore, if you believe you were the recipient of either physical or non-physical contact by a member of St. Anthony's staff or faculty, which hurt you or left you feeling confused, frightened, guilty or bad about yourself, we encourage you to make confidential (or even anonymous) initial contact with a member of this Board of Inquiry listed on the accompanying sheet.

Appendix

FRAF 00101

POSTCARD

The undersigned has received the letter from the  
St. Anthony's Seminary Independent Board of Inquiry, and

\_\_\_\_\_ will respond further. Please contact me.

\_\_\_\_\_ will not respond further.

\_\_\_\_\_ will contact the Board by \_\_\_\_\_  
[date]

Date: \_\_\_\_\_

\_\_\_\_\_  
[signature of recipient]

\_\_\_\_\_  
[phone number]

\_\_\_\_\_  
[printed name]

Appendix

FRAF 00102

INDEPENDENT BOARD OF INQUIRY

Regarding St. Anthony's Seminary

P.O. Box 1065

Santa Barbara, California 93102

Dear \_\_\_\_\_,

We are an Independent Board of Inquiry convened to investigate and assess instances of sexual conduct with students by faculty members of St. Anthony's Seminary, during the period from 1964 to closure of the school in 1987. Our purpose is to help victims get necessary therapy, to identify perpetrators, and to make recommendations to the Province of St. Barbara to insure that such sexual molestations do not recur. The Board is composed of one friar and five professional and concerned lay people (please see the brief biographical statements enclosed for your reference).

Enclosed please find a letter we have composed and are sending to former students of St. Anthony's Seminary. The letter should be self-explanatory.

We wish to extend an invitation to all former members of the faculty and staff of St. Anthony's to speak to us, and we would further greatly appreciate any cooperation or assistance you might be willing and able to lend us. If you know of any former faculty, staff or alumni you think may not have received this letter, feel free to pass it on to him or her. We do want to be as thorough as possible.

Please feel free to contact any member of our Board of Inquiry at the address or phone number listed on the accompanying biographical sheet.

Sincerely,

ST. ANTHONY'S BOARD OF INQUIRY

By: \_\_\_\_\_  
Geoffrey B. Stearns, Chairperson

[Faculty/Staff Letter]

Appendix

FRAF 00103

## THE GREATER COMMUNITY

About 25 years ago an informal group of Catholics who were interested in supporting the goals of the seminary, as well as fulfilling their own needs as Catholic Christians, began attending Mass at the seminary chapel. The group grew quite rapidly during the early seventies when the Christian Family Movement was popular among young families, and the many Franciscans on the faculty took on the duties of chaplains of C.F.M. chapters as extra ministries in addition to their regular duties. Because St. Anthony's Seminary is not a parish within the structure of the Diocese, the members cannot be called parishioners. So for lack of a better term they are designated as members of the St. Anthony's Seminary Greater Community.

The members are generally serious Catholics, as well as some non-Catholics who actively support various causes including Villa Magella, a home for unwed mothers; an orphanage in Mexico; Transition House, a shelter for homeless; a Franciscan outreach in Guatemala; and help for needy families, among others. For example, a local group called "Aero Medico" flies to Mexico to provide medical care in remote areas. One of the nurses on the team is a member of the Greater Community who asked the group to help a nearly blind boy to come to Santa Barbara for eye surgery. Members provided accommodations and food, making it possible for the boy to undergo the surgery.

This is a relatively small group whose structure is not as rigid as that of a parish; consequently, the members have a feeling of involvement. The impersonal bureaucracy found in most large parishes is not present, so the allegations of sexual abuse at the seminary are all the more appalling to the members because everyone knows one another and has a personal feeling for the victims and their families.

Appendix

FRAF 00104



ST. ANTHONY'S SEMINARY  
INDEPENDENT BOARD OF INQUIRY

PRESS RELEASE - MARCH 1993

The St. Anthony's Seminary Independent Board of Inquiry was convened in late January; its composition and purpose is described in the attached letter to former students [with included biographical sketches of board members].

This letter has been mailed to approximately four hundred students so far, and the board is actively seeking ways of contacting the approximately three hundred remaining students for whom valid current addresses are not available.

In addition to developing its own internal policies and procedures, the Board has been active in interviewing former students, and family members of former students, and has gathered a significant amount of information concerning instances of sexual abuse of students of the Seminary.

While the information varies in its specificity and weight, and while the Board is not yet able to make conclusive determinations about reports of abuse by friars, the Board is actively and carefully looking into reports of questionable conduct by several friars other than those already named in the letter referred to above.

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(805) 564-4481

Appendix

FRAF 00105

ST. ANTHONY'S SEMINARY  
INDEPENDENT BOARD OF INQUIRY

[Continuation of Press Release of March, 1993]

The Board recognizes the importance of keeping former students and the members of the St. Anthony's Seminary Greater Community (a group much like members of a parish), as well as the community as a whole, apprised of its progress. It is also aware of the need to maintain confidentiality of the persons contacting the Board, so that victims feel safe in coming forward. Consequently, periodic press releases will be issued. Further, there will be periodic meetings with the Greater Community to which the news media will be invited. The next such meeting is scheduled for the evening of March 18th, and members of the media are requested to contact the Board for specifics.

Finally, the Board wishes to enlist the help of the media in disseminating the message that it wants to hear from any person, whether former student, member of the Boys' Choir or otherwise, who was the recipient of either physical or non-physical contact by a member of St. Anthony's staff or faculty, which hurt him or left him feeling confused, frightened, guilty or bad about himself.

-2-

Post Office Box 1065, Santa Barbara, CA 93102  
(805) 564-4481

Appendix

FRAF 00106

INDEPENDENT BOARD OF INQUIRY  
Regarding St. Anthony's Seminary  
P.O. Box 1065  
Santa Barbara, California 93102

ACKNOWLEDGEMENT OF PURPOSE AND SCOPE OF OPERATION

By signing below, the undersigned acknowledges that he or she has read and understands this statement regarding the purpose and scope of operation of the Board of Inquiry, and freely and voluntarily decided to communicate and provide information to the Board and/or its individual members in light of this knowledge:

1. The Independent Board of Inquiry was established by the Provincial Council of the Franciscans of the Province of St. Barbara and convened to investigate and assess instances of sexual conduct with students by faculty members of St. Anthony's Seminary, during the period from 1964 to closure of the school in 1987. Its purpose is to help victims get necessary therapy, to identify perpetrators, and to make recommendations to the Province of St. Barbara to insure that such sexual molestations do not recur.

2. The Board is composed of one friar and five professionals and concerned lay people, who are receiving compensation for their time and out-of-pocket expenses from the Province of St. Barbara.

3. Although members of the Board are professionals, the Board and its individual members do not undertake or attempt to offer legal, mental health or any other type of professional advice or services, and individuals communicating with the Board should not rely on it or its members for same.

4. Individuals communicating or dealing with the Board or its individual members should consult an independent legal, mental health or other outside professional in the event they have any question or concern of a legal, therapeutic or other professional nature.

5. The mental health professional board members are mandated child abuse reporters under reporting provisions of the California Penal Code, and must and will report any instances of reasonably suspected child abuse to an identifiable victim under the age of eighteen years.

6. The Board of Inquiry is charged with rendering a report of its findings, conclusions and recommendations to the Provincial Minister. It is otherwise independent of the Province of St. Barbara or its administration, and is not a subentity, agent or representative of the Province or the Provincial Minister. Neither the Board, nor any of its individual members is authorized or able to speak or act for the Province or the Provincial Minister, nor can the Board or its members legally bind the Province or the Provincial Minister in any manner or form whatsoever.

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

Appendix

FRAF 00107

INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

RESOURCE PACKET

Appendix

FRAP 00108

INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

RESOURCE PACKET

In an effort to be as responsive and helpful as possible to victims and their family members, the Board of Inquiry has developed this Resource Packet, which contains the following materials:

1. Suggestions for selection of a therapist;
2. A list of Santa Barbara therapists experienced in treatment of sexual abuse issues;
3. A list of San Francisco Bay Area therapists experienced in treatment of sexual abuse issues;
4. A bibliography of literature on sexual abuse topics;
5. A copy of the Board's "Therapy Process Guidelines" and "Request for Therapy"; and,
6. A list of the members of the Board of Inquiry.

While substantial effort has gone into compiling these materials and in attempting to provide quality resources, the Board cannot and does not guarantee or recommend that any particular therapist or item of literature is appropriate or suitable for any given reader of this packet.

Each person availing himself or herself of these materials is cautioned to use his or her own judgement in deciding which, if any of the resources to utilize; and, in the event of a question, is advised to contact one of the members of the Board for clarification.

4/93

Appendix

FRAF 00109

INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

### Choosing A Therapist

Choosing an individual therapist can be an overwhelming experience. In most cases, the individual therapist will be the "anchor" for the recovering survivor, the parents of the survivors and the partners of survivors from the beginning to the final stages of recovery. You can lessen your anxiety and feel more empowered by reviewing the list below and choosing the questions that most fit what you want to know about an individual therapist prior to establishing a therapeutic relationship.

I. Most therapists will spend from 10-15 minutes on the phone answering some of your questions and discussing your needs. Be prepared to answer some questions yourself about your particular problems. You can initially screen some therapists by asking on the phone some of the following questions:

- A. How long have you worked with survivors of sexual, physical or emotional abuse? Do you specialize in any area of abuse?
- B. How many sexual abuse cases have you treated per year? How many are you currently treating? Have you ever worked with a survivor of religious or clergy abuse? What kind of training do you have in this work? Where and When? How long?
- C. How do you work with survivors? What are the techniques you use? Do you work with women, men or both? How do you work with the family or significant others of a survivor?
- D. What techniques do you use for memory retrieval? Do you believe that adults or children fantasize their abuse?
- E. What is your policy on crisis calls?
- F. Would you support my participation in a survivor's group?
- G. Can you provide me(us) with three references of people in the community that know of your work?
- H. What role do you feel forgiveness plays in the healing process?
- I. How much experience have you had working with gays/lesbians? What is your attitude regarding homosexuality?

Appendix:

FRAF 00110

- J. What kinds of clients do you typically see?  
Offender/Victims  
Adults/ Young Adults/ Children/ Teenagers?  
Men/ Women  
What is the age preference for your clients?
  - K. How much do you charge? Would you be willing to file a claim with the Province for your fees?
2. After you have spoken to several therapists, make an initial session appointment and then evaluate afterwards some of these thoughts and feelings:
- A. How did the therapist respond to your questions and your needs?
  - B. How did I feel talking to this person? Did I feel heard and valued?  
Everyone's experience is different. Some people love going to their therapist and some dread every session, but the main issue is: Do I feel believed, cared for and understood?
  - C. How did this therapist compare with the others I spoke to?
  - D. Do I feel I can speak my mind about very private matters and feel heard and understood?

INDEPENDENT BOARD OF INQUIRY  
Regarding St. Anthony's Seminary  
P.O. Box 1065  
Santa Barbara, California 93102

The following list of therapists (listed alphabetically) from the Santa Barbara area, have met with members of the Board and agreed to the procedures for reimbursement for therapy through the Province. Their own descriptions of their training and experience in sexual abuse is synopsisized below:

**Ron Alexander, Ph.D.**

3887 State Street, Suite #22  
Santa Barbara, CA 93105 (805) 963 - 2621

Bio: I have worked with survivors, both male and female, as a group facilitator for one rotation at a local service agency, as well as through my work in private practice, and at the University of California, Santa Barbara where as a Counseling Psychologist I developed and facilitated a group for male survivors:

**Michael Dunn, M.F.C.C.**

(available in both Santa Barbara and Los Olivos)

2971 Grand Ave  
Los Olivos, CA 93441 (805) 688-7475 MWF

Bio: I have been counseling families, couples and individuals for twelve years. My areas of specialization include depression, adolescent issues, anxiety and phobias, obsessive compulsive disorders and, sexual abuse.

**Candice Etz, M.F.C.C.**

510 De La Vina  
Santa Barbara, CA 93101 (805) 965-9556

Hrs: Afternoon and evening appointments

I see men and women and have worked with Sexual Abuse in my practice since 1983 and lead two women's groups for incest survivors. My areas of specialization include parent education, family transitions, prevention and treatment of sexual abuse. I use Jan Hindman's treatment model which is directive and task oriented. I have also had training in family systems which is a great asset to my overall treatment program.

(I will not be available 4/20-5/23)

**Annette Goodheart, Ph.D.**

635 North Alisos Street  
Santa Barbara, CA 93103  
(805) 966-4725

Hrs: Afternoons, early evenings and Saturday morning

I see men or women and have worked with Sexual Abuse since 1970. I am a survivor myself and work well with helping people retrieve occulted memories. I work cathartically, with emotional release and I work especially well at a very light level on serious topics. I offer intensives (up to six hours per day).

**Bette Robinson, M.F.C.C.**

510 De La Vina  
Santa Barbara, CA 93101 (805) 965 - 9556

I see men or women and have worked in private practice since 1985. I have worked with Sexual Abuse in my practice with both men and women. I have had training in family systems and child abuse and was one of the co-founders of the Family Counseling Program at Klein-Bottle Social Advocates for Youth.

Appendix

FRAF 00112



INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

BAY AREA THERAPISTS

Jeffrey Bodmer-Turner, Psy.D. 2827 Concord Boulevard Concord, CA 94519	(510) 685 - 9670
Fran George, LCSW 225 West Winton Avenue, Suite 202 Hayward, CA 94544	(510) 887 - 1995
James H. Mehlfeld, LCSW 5532 Kales Avenue Oakland, CA 94618	(510) 653 - 1057
Barbara Fisher, LCSW 609 Kearney Street El Cerrito, CA 94530	(510) 528 - 4455
Keen Turner, MFCC 225 West Winton Avenue, Suite 113 Hayward, CA 94544	(510) 732 - 0229

Appendix

FRAF 00113

INDEPENDENT BOARD OF INQUIRY  
Regarding St. Anthony's Seminary  
P.O. Box 1065  
Santa Barbara, California 93102

BIBLIOGRAPHY

FOR SURVIVORS:

- Wounded Boys, Heroic Men: A Man's Guide to Recovering From Child Abuse, Daniel Jay Sonkin, PhD., Longmeadow
- Victims No Longer: Men Recovering from Incest and Other Sexual Child Abuse, Mike Lew, Harper and Row, New York
- Abused Boys: The Neglected Victims of Sexual Abuse, Mic Hunter, Fawcett Columbine, New York
- Childhood Sexual Abuse: A Survivors Guide for Men, Suzanne Nice and Russell Forrest, Hazelden
- Men Surviving Incest: A Male Survivor Shares on the Process of Recovery, T. Thomas, Launch Press, Walnut Creek, CA
- Men In Pain: Understanding The Male Survivor of Childhood Abuse, Coe Neil Cabe
- The Courage To Heal: A Guide for Women Survivors of Child Sexual Abuse, Ellen Bass and Laura Davis, Harper and Row, New York
- The Courage To Heal Workbook: For Women and Men Survivors of Child Sexual Abuse, Laura Davis, Harper and Row, New York
- The Right To Innocence, Healing the Trauma of Childhood Sexual Abuse, Beverly Engel, M.F.C.C., Ivy Books, New York
- The Sexual Healing Journey, Wendy Maltz, M.S.W., Harper Collins
- Helping Victims of Sexual Abuse, Lynn Heitritter and Jeanette Vought, Bethany House, Minneapolis, Minnesota
- The Emotional Incest Syndrome: What to Do When a Parent's Love Rules Your Life, Dr. Patricia Love with Jo Robinson, Bantam Books, New York
- Thou Shalt Not Be Aware: Society's Betrayal of The Child, Alice Miller, New American Library, New York
- Soul Survivors: A New Beginning for Adults Abused as Children, Patrick Gannon, Prentice Hall, New York
- The Healing Way: Adult Recovery from Childhood Sexual Abuse, Kristin Kunzman, Hazelden

INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

**Surviving With Serenity: Daily Meditations for Incest Survivors**, T. Thomas, Health Communications Inc., Deerfield Beach, Florida

**SPECIFIC TO CLERGY ABUSE**

**Child Sexual Abuse: A Handbook for Clergy and Church Members**, Lee Carlson, Judson Press, Valley Forge

**Is Nothing Sacred?: When Sex Invades the Pastoral Relationship**, Marie Fortune, Harper & Row, San Francisco, CA

**Slayer Of The Soul: Child Sexual Abuse and the Catholic Church**, Stephen Rossotti, Mystic, CT: Twenty-Third Publications (PO Box 180, Mystic, CT 06355)

**Christianity and Incest**, Annie Imbens and Ineke Jonker, Fortress Press, Minneapolis

**Spare the Child : The Religious Roots of Punishment and the Psychological Impact of Physical Abuse**, Philip Greven, Vintage Books, New York.

**Lead Us Not Into Temptation: Catholic Priests and The Sexual Abuse of Children**, Jason Berry, Doubleday, New York.

**FOR SUPPORTERS OF SURVIVORS:**

**Allies In Healing: When the Person You Love was Sexually Abused as a Child**, Laura Davis, Harper Perennial, New York

**When Your Child Has Been Molested: A Parent's Guide to Healing and Recovery**, Kathryn Hagans and Joyce Case, Lexington Books, Massachusetts

**Mother's of Incest Survivors: Another Side of the Story**, Janis Tyler Johnson, Indiana University Press, Bloomington, Indianapolis

**Out Growing The Pain Together: A Book for Partners and Spouses of Adults Abused as Children**, Ellana Gil, Dell Bantam Doubleday, New York

**The Mother's Book: How to Survive the Incest fo Your Child**, Carolyn Byerly, Kendall/Hunt Publishers, Dubuque, Iowa

**Making Peace With Your Adult Children**, Shauna Smith, Plenum, New York.

**Family Fallout: A Handbook for Families of Adult Sexual Abuse Survivors**, Dorothy Beaulieu Landry, Safer Society Press

**INDEPENDENT BOARD OF INQUIRY**  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

## **Resources and Support**

The following are lay self-help support groups formed by ans for victims of clerical abuse. These groups are potential resources for support and education, but should not be relied on as substitutes for professional therapeutic services.

**SNAP (Survivors Network Of Those Abused By Priests)**  
8025 So. Honore  
Chicago, Ill 60620  
(312) 483 - 1059

**VOCAL (Victims of Clerical Abuse Linkup)**  
Jeanne Miller, President  
PO Box 1268  
Wheeling, ILL 60090  
(708) 202-0242

**NOTE:** This VOCAL is not to be confused with another California based organization named- "VOCAL- Victims of Chld Abuse Legislation"

Appendix

FRAF 00116

INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

THERAPY PROCESS GUIDELINES

1. Requests for therapy by victims will be passed upon by the full Board in an expedited manner. Following initial Board authorization of a request for therapy, ongoing submission of billings will be handled directly between the victim and therapist and the Province.
2. If requested, victim's anonymity will be preserved; code names or numbers will be assigned for use by victims and/or therapists in direct dealings with the Province.
3. In order to attempt to see that all victims get necessary therapy services, the following guidelines will be observed:
  - a. After fifty (50) sessions (group sessions will count as 0.4 of an individual session), or the expiration of eighteen (18) months, whichever comes first, further therapy sessions will be arranged by and between the victim, his therapist and the Province. In the event of disagreement, any dissatisfied party will be entitled to present the matter to the Permanent Board.
  - b. Families of victims will be entitled to therapy on the same basis as victims, per subparagraph "a" above; provided that there will be a maximum of fifty sessions, absent extraordinary circumstances determined to exist by the Permanent Board, upon review requested by the family.
  - c. The requests of any "secondary victims", e.g. siblings of victim/perpetrators, will be carefully reviewed on a case-by-case basis with attention to the causal nexus, if any, between friar abuse and secondary abuse in light of all presenting circumstances.

Appendix

FRAF 00117

INDEPENDENT BOARD OF INQUIRY  
*Regarding St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

THERAPY PROCESS GUIDELINES

4. The Board will develop a referral list of therapists who are experienced and qualified in the area of sex abuse treatment, and who have personally indicated their willingness to take on victims' cases on an expedited basis.
5. The Board will develop criteria for approval of pre-existing therapists of victims requesting compensated therapy, and will have the authority to impose conditions on payment for continuing therapy services of such therapists.
6. The Board will make recommendations to the Province for future treatment of offending friars and will evaluate any past or ongoing treatment of such friars.

INDEPENDENT BOARD OF INQUIRY  
Regarding *St. Anthony's Seminary*  
P.O. Box 1065  
Santa Barbara, California 93102

REQUEST FOR THERAPY

NAME:
ADDRESS:
PHONE:

The undersigned having read and understood the Therapy Process Guidelines, requests that the Province of St. Barbara pay for his/her therapy as:

- Victim  
 Family Member  
 "Secondary Victim"

in accordance with those guidelines.

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The Province should be responsible for therapy because:

Dated: \_\_\_\_\_

\_\_\_\_\_  
[signature]

Appendix

FRAF 00119

OPERATING POLICIES AND PROCEDURES IN  
THE ST. BARBARA PROVINCE  
FOR FRIAR CONDUCT

"Wherever they may be, (the Friars) can and must have recourse to their ministers. On their part, the ministers are able to welcome them with great love and kindness, and be so approachable toward them that these friars may speak with them and act as masters deal with servants." [Rule of St. Francis, Chapter 10]

In recent times there have arisen not infrequently accusations against members of religious communities, and at times members themselves have made self-accusations, regarding misconduct in their ministry or even in their general behavior. The following procedures have been developed by the province for dealing with such accusations.

As an operating premise the province will use a pastoral approach as mandated for us by our founder, St. Francis. This means that we will act out of pastoral concern for both the friar and for anyone who may have been injured by the alleged behavior of a friar.

The possible failures in behavior may be very broad. Every circumstance is different. Our province lawyer has advised us against trying to develop a detailed policy to deal with every case. Nevertheless, the provincial council has felt it helpful to provide some guidelines when these accusations arise either from the friars themselves or from others.

- I. The provincial administration has established a team that will operate when such accusations arise. This team consists of the provincial minister and two friars knowledgeable about the province, its policies, its insurance, finances, and other resources. This team shall have access to legal and financial consultation.
- II. The team will consider the following in addressing particular accusations of misconduct:
  - (1) After considering the accusation and consulting with the friar, the team will take any steps necessary for the protection of the possible victim. The friar may be put on administrative leave from his assignment and/or moved from the immediate area. If for significant reasons, he remains in the same location, appropriate guarantees must be made that the suspected behavior cannot continue.
  - (2) Should the particular behavior involve child abuse, the team will ascertain that the appropriate reporting has been made according to state child abuse laws. (Cf. Province Policy: "Reporting Known or Suspected Instances of Child Abuse," p. 4).
  - (3) The team will consider the appropriate pastoral response to any alleged victim of the behavior of the friar. They will determine those to approach the possible victim, the family, the others involved. Where appropriate they will offer whatever assistance that might be helpful.
  - (4) While careful to avoid any interference in the legal process, the team will inquire as to the circumstance of the charges, ascertain if there are other possible victims, and to the best of their ability attempt to discover what is the nature of the problem of the friar; and if the charges seem to be validated, how may the problem be addressed. In every case the mandate of St. Francis will be followed; the friar will be treated as a brother with love, compassion, and dignity. At the same time diligent care will be taken that the behavior is not left undressed.
  - (5) If there seems to be a basis for the accusations, the team will arrange for appropriate psychological evaluation. Normally the recommendations of the evaluation will be followed regarding treatment, limitations on ministry, and other considerations of the friar.



- (6) Following the treatment program or other appropriate measures to address the behavior, the team will recommend to the provincial council whether reassignment is appropriate, and if so what kind of assignment should be made, any possible restrictions that might apply, and any followup program that is prescribed. Normally this will be on the recommendation of those responsible for the treatment program. Spiritual direction will be part of this program.
- (7) During all this the team will consult with legal counsel wherever necessary. If there is a matter of a criminal charge, legal counsel shall be obtained for the accused friar independent of province legal counsel.
- (8) At the appropriate time the team will see to it that the insurance company is notified. It should be noted that where liability coverage is applicable, we will work with the insurance carriers to appoint legal representatives.
- (9) Wherever possible the team will keep the knowledge of accusations on a "need to know" basis. This may involve the provincial council, also the superior, formation director, or the person responsible for the ministries in the situation. The intent here is not to cover up the behavior but to protect the friar and the other party or parties involved until any formal charges are filed, or indeed in case the allegations not be substantiated.
- (10) The provincial minister and the team he appoints shall supervise long term care and follow up programs resulting from evaluations and treatment. They shall see to it that appropriate superiors and supervisors are informed on the basis of "need to know". They will also do all they can to support the friar in the period of recovery.
- (11) These policies shall be promulgated to all the friars of the province.

(April 22, 1988)

Protocol  
for  
Independent Response Team  
for Sexual Misconduct and Abuse

In recent years there has been increased reporting of cases of sexual offenses against children and adults by members of religious orders and the diocesan clergy. These offenses are compounded by the high regard, faith and power given to those in positions of pastoral example and leadership in the Catholic community. Whenever there is sexual abuse by such a person, there is spiritual and emotional abuse. Victims feel betrayed by the one who represents the Church, and, in turn, God.

Vowed to the Gospel life, we friars unreservedly believe that sexual abuse and sexual harassment cannot be tolerated. Above all, we abhor the sexual abuse of children, who are essentially powerless and voiceless. We also detest the sexual harassment of adults by any member of our communities, or by employees of the Province or of our institutions. Because breaking the silence is often a frightening and traumatic experience for victims, the Province needs to create an atmosphere of trust and safety for those reporting abuse or harassment; and the Province must respond to such reports in a quick, thorough, effective and sincere manner.

If abuse is reported/discovered, we want to proactively provide necessary support services to help heal the victims, their families, and the local community in which the abuse occurred. The Province's primary goal is to help the victims and their families, and to provide necessary safeguards for both victim and accused, and to institute appropriate treatment and aftercare for those established to be offenders.

As followers of Saint Francis of Assisi, a man of peace and reconciliation, we committed to search with all available resources to find the truth and to set a course of healing based on Gospel values and beliefs. To carry out this directive, the Provincial Definitorium, will establish a permanent Independent Response Team to investigate cases of sexual abuse and sexual harassment when the accused is a member of the Province.

This Independent Response Team has an essentially pastoral purpose, acting for the good of the victim, the well-being of the community and the friar, and the integrity of the Church. It is fact-finding, consultative and advisory, not adversarial or adjudicative. Its primary tasks are two: (1) pastorally to care for victims; and (2) to advise the Provincial Minister or his

[Permanent Board Protocol]  
[Board of Inquiry Suggested Revision of 9/30/93]

Appendix

FRAF 00122

delegate on how to best work with the friar in the case of sexual misconduct.

Because the victims and/or their families may not be able to directly deal with the Province for fear of not being heard or believed, and in order to be as proactive and pastoral as possible, the Provincial will also designate provincial ombudspersons, who will be liasons to the Independent Response Team. Such persons shall be lay people, trained in the issues and dynamics of sexual abuse and harrassment, who will be stationed strategically throughout the Province in distinct regions in order that the Independent Response Team shall be as visible and accessible as possible. They will act as the initial contact point for persons reporting abuse and harrassment, will assist in the formulation and presentation of formal reports for the Independent Response Team, and will act as advocates and support persons for victims and their families throughout the process of the Team's investigation and resolutions of such reports.

This protocol for an Independent Response Team for sexual misconduct and abuse supplements the Provincial Policies and Procedures re Accusations of Sexual Abuse of Children (II.2, January, 1992); and is a supplement to all other policies which are already in place in the Province of St. Barbara.

#### DEFINITIONS

1. Sexual Abuse includes, but is not limited to any contact or interaction between a MINOR or VULNERABLE ADULT on the one hand, and an adult on the other, when the MINOR or VULNERABLE ADULT is being used for sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between an adult, and a MINOR or VULNERABLE ADULT is always considered forced whether or not consented to by the MINOR or VULNERABLE ADULT.

A "MINOR" is anyone under the age of 18.

A "VULNERABLE ADULT" is any person 18 years of age or older who is in a pastoral or professional relationship with a friar of the Province. The pastoral or professional relationship constitutes a "forbidden zone" which exists because the one in power (the friar) has a relationship with another based upon trust. No matter who initiates an action or how willing the vulnerable person says he/she is, the friar always has the responsibility to set appropriate boundaries regardless of the situation or circumstances.

2. Sexual harassment in the workplace is unwelcome sexual advances, requests for sexual favors, or other inappropriate visual, verbal, and/or physical conduct of a sexual nature, whether explicit or implicit, which adversely affects employment

-2-

[Permanent Board Protocol]  
[Board of Inquiry Suggested Revision of 9/30/93]

Appendix

FRAF 00123

decisions, interferes with an individual's professional performance, or creates an intimidating, hostile or offensive employment environment.

#### INDEPENDENT RESPONSE TEAM

The Provincial Definitorium will establish a Independent Response Team ["Team"] to consider all allegations of sexual misconduct brought against any friar. The Team is not a Franciscan entity. It is an independent consultative body.

The main purpose of the Team is to respond to reports of sexual abuse or harassment by a friar, and to make professional recommendations to the Provincial concerning the following matters:

1. The validity and weight of the report;
2. Whether further investigatory or fact-finding measures are necessary or appropriate;
3. Appropriate evaluation or assessment procedures;
4. Appropriate and effective implementation of evaluators' recommendations; and,
5. Any required or advisable changes in Provincial policies or procedures.

If the abuse involves a minor, the friars will cooperate with all civil and criminal authorities and will follow the civil and criminal law in each locale. Additionally, Team members who are mandated reporters under applicable reporting laws (child abuse, elder abuse or dependent adult abuse) will make all reports required as a result of information received.

The Team will offer a safe, secure, and neutral arena wherein victims and their families, as well as alleged offenders, will believe that they will be heard and that allegations will be thoroughly and fairly considered. Although the Team's function is consultative, in light of its specialized knowledge and experience, any recommendations it presents to the Provincial will be taken with the utmost seriousness and given substantial weight.

A. MEMBERSHIP: The Team will consist of 5 people. It is recommended that the following qualifications and characteristics be considered when making appointments:

1. A female religious;
2. A psychotherapist with specific training and experience in the treatment of sex offenders;
3. A psychotherapist with specific training and experience in the treatment of victims of sexual abuse;
4. A child welfare professional, such as a social worker or probation officer, with specific

-3-

[Permanent Board Protocol]  
[Board of Inquiry Suggested Revision of 9/30/93]

Appendix

FRAF 00124

training and experience in the area of sexual abuse;

5. A legal professional with specific training and experience in the area of sexual abuse; and,
  6. A lay person whose life has been significantly impacted by sexual abuse.
  7. A Franciscan Friar from outside the Province.
- B. **TERM:** Members of the Team will serve staggered terms of three years. A term may be extended for three more years. The Provincial Minister and the Council will appoint the members of the Team, which shall designate its own Chairperson, who shall not be the cleric or female religious. For the initial appointments, the Board of Inquiry Regarding St. Anthony's Seminary will be consulted.
- C. **QUALIFICATIONS:** The Team will be composed of members who are trustworthy and pastorally sensitive and who know about the dynamics of sexual abuse in order to properly assess whether sexual abuse or sexual harassment has taken place.
- D. **MEETINGS:** The Review Board will meet as often as necessary, and no less than once every calendar quarter. In keeping with the intent that the Team be visible and accessible, the quarterly meetings shall be held at different locales throughout the Province. Once an allegation of sexual abuse or harassment by a friar has been brought to the attention of the Team, it will meet as soon as practicable, and no later than three (3) weeks from the receipt of the report.
- E. **RULES OF PROCEDURE:** In consultation with the Provincial Minister, and mindful of both its advisory and independent status, the Team will adopt its own rules of procedure, including the process to be followed when reports of abuse surface.

#### DUTIES OF THE INDEPENDENT RESPONSE TEAM

The Independent Response Team shall:

1. See that all allegations presented to it, either directly by the reporting party or through the Team ombudsperson, are put in writing and signed.
2. Upon receipt of such written allegations, commence its investigation within seven (7) days, and conclude its processing of the case as expeditiously as possible under the circumstances.

-4-

[Permanent Board Protocol]  
[Board of Inquiry Suggested Revision of 9/30/93]

Appendix

FRAF 00125

3. Direct the Team ombudsperson/liason to maintain contact, explain the process and timing clearly, and offer ongoing support to the reporting party, so that he/she will, as much as possible, be supported throughout the process and kept apprised of the progress of the case.
4. Because it appears that victims would often be embarrassed or threatened by an appearance before the entire Team, it will depute one member as contact person to relay necessary information back to the Team, including information about the victim's willingness to appear before it, and any necessity therefor.
5. Assist the Provincial Minister in providing professional care for the victim and their families who have been injured by the misconduct of the friar.
6. Assist the Provincial Minister in establishing an educational and pastoral outreach program in the locale where the abuse took place.
7. Advise the Provincial Minister in obtaining appropriate evaluations of alleged offenders.
8. Advise the Provincial Minister in establishing a treatment, placement and aftercare plan for the friar established to be a sexual offender.
9. Maintain the confidentiality of all matters communicated in confidence to the Team, any of its members or ombudspersons. Such information shall only be shared with the Provincial Minister or his appointed delegate.
10. Have no contact or communication with the press or other media. [It will be the responsibility of the Provincial Minister or his delegate to release appropriate information to the media, keeping in mind the rights of the victims and the offenders].
11. Keep accurate records of all meeting agendas, actions, findings and recommendations.
12. Establish a referral list of qualified therapists with specific experience in treating victims and family members, and of qualified therapists with specific experience and competence in treating sex offenders. No Team member shall provide direct services to any victim, family member or alleged or established offender, whose case has been considered by the Team.
13. Provide assistance to the Provincial Minister in establishing policies and other programs to educate the

-5-

[Permanent Board Protocol]  
[Board of Inquiry Suggested Revision of 9/30/93]

Appendix

FRAF 00126

Appendix

FRAF 00127

public and the Franciscan community about issues of sexual abuse and harrassment, including reporting requirements and procedures, offender-victim dynamics, effects of abuse on victims and their families, and considerations regarding treatment and aftercare of offenders.

14. Where appropriate and there is reasonable cause, make an effort to locate all victims.

15. The Team will also:

- a. Advise with respect to requirements for admission to the Province.
- b. Recommend to the Province education in the areas of sexuality and boundaries for all friars and lay personnel.
- c. As requested, consult with the Provincial Minister and Definitorium on issues of sexually inappropriate conduct, raised in the context of periodic personnel reviews.

This protocol shall be considered a working document, and will be periodically reviewed by the Independent Response Team and the Definitorium.