



**DIOCESE OF SACRAMENTO  
ADMINISTRATIVE POLICIES AND PROCEDURES  
REGARDING SEXUAL MISCONDUCT**

The Diocese of Sacramento has revised its policies and procedures for addressing the failure of any of its personnel to follow the teachings of the Church, and relevant civil law, with respect to sexual conduct. This written statement describes practices that have been developed and improved over two decades and is a revised version of policies promulgated in 1994, 2002, 2008, and 2017.

The Church calls all to live a life of holiness in conformity with the moral and ethical principles she teaches. Accordingly, and in addition to the mandates that exist under secular civil law, individuals who work for or minister in the Church must strive to live their lives according to the evangelical counsels, as these have been expounded by the tradition of the Church and exemplified in the lives of the saints. This is a minimum expectation for lay people, and the conduct of priests, deacons and religious will be subject to even greater scrutiny under this policy.

Please note that these Policies and Procedures take into account the rights and duties enacted and acknowledged by both civil and canon law. These policies must always be viewed and applied in the light of the Gospel, canon law, and the canonical principle of the well being of the people (*salus animarum suprema lex*).

Now, therefore, I, the undersigned Bishop of the Diocese of Sacramento, do hereby decree that the attached revision of the *Administrative Policies and Procedures Regarding Sexual Misconduct* is particular law of the Diocese of Sacramento, effective upon promulgation.

I further decree that it be promulgated by publication on the diocesan website, and that copies be distributed as noted in Section IX, B & C of this policy, and that notice of its promulgation be made in the *Official* column of the *Catholic Herald*.

Given at the Diocesan Pastoral Center in Sacramento, California on this 15th day of April, in the year of Our Lord, two thousand twenty-five.

**+JAIME SOTO**  
Bishop of Sacramento

Uli Schmitt  
Chancellor

## **ADMINISTRATIVE POLICIES AND PROCEDURES REGARDING SEXUAL MISCONDUCT**

### **I. STATEMENT OF PURPOSE**

It is the policy of the Diocese of Sacramento that all clergy, members of religious institutes, lay employees, and volunteers in the Diocese (“Diocesan Personnel”) must comply with the teachings of the Church with regard to sexual conduct and all applicable federal, state and local laws regarding the detection and reporting of sexual misconduct and abuse of children or young people, as well as misconduct involving adults, and will cooperate fully with federal, state, and local law enforcement agencies regarding any investigation of such allegations.

Sexual conduct contrary to the teachings of the Church is sinful, with minors or adults, is contrary to the human dignity of the participants, and undermines relationships based upon trust and confidence. Such conduct is also harmful to the Catholic community of the Faithful, and, in some cases, may constitute a crime under the laws of the State of California and/or a grave delict under the norms of canon law. Consequently, the Diocese of Sacramento will not tolerate any form of sexual misconduct — most especially any abuse of children or young people — perpetrated by any Diocesan Personnel within any of its institutions.

Therefore, it has been determined that with respect to issues of sexual misconduct, the Diocese has adopted this Policy and shall implement procedures to:

- A. Train all Diocesan Personnel with respect to issues of professional boundaries and sexual misconduct involving minors or adults, and the detection and prevention of child abuse;
- B. Conduct background checks, in a manner observant of state and federal law, for all Diocesan Personnel who work at diocesan schools and have contact with minor pupils, or who work or minister anywhere within the Diocese in a manner that could result in having supervisory or disciplinary power over minors in their care;
- C. Provide a sensitive and effective system for receiving reports concerning allegations of sexual misconduct by Diocesan Personnel;
- D. Respond to reports of sexual misconduct by undertaking objective investigations, relying, as appropriate, upon the assistance and input of professional legal and investigative consultants, placing a priority upon the prevention of future harm to the complainant and other persons potentially at risk;
- E. Take proper administrative action with respect to allegations of sexual misconduct by Diocesan Personnel, including reporting child abuse to appropriate government authorities when required by California’s mandatory reporting laws, and, when appropriate, convening the pertinent diocesan Review Board;

- F. Provide prompt and competent pastoral care to individuals who have been harmed by the sexual misconduct of Diocesan Personnel, based upon individual level of need for such services;
- G. Ensure that when an act of sexual abuse of a child or young person by a priest or deacon is admitted or is established after an appropriate process in accordance with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry and, if the case so warrants, seek dismissal from the clerical state; and
- H. Do all of the following in a manner that will conform with and adapt to the Essential Norms and Charter for the Protection of Children and Young People, approved by the United States Conference of Catholic Bishops on June 14, 2002, as amended in 2005, 2011, and 2018.

## II. DEFINITIONS

For the purpose of these Policies and Procedures the following definitions apply:

- A. **Minor:** Any person under 18 years of age.
- B. **Diocesan Personnel:**
  - (1). As used in this Policy, the term Diocesan Personnel means all clergy (bishops, priests, and deacons), members of religious institutes, lay employees (at all parish, school, social service organization, or other diocesan workplaces), or volunteers of the Diocese of Sacramento.
  - (2). Clergy or members of religious institutes who are present in the diocese but not engaging in any manner of ministry or work for the diocese, a parish, a school, social service organization, or other diocesan activity, are prohibited from engaging in any manner of Sexual Misconduct but will also be subject to the misconduct policies of their home diocese or religious institute. The Diocese will work with the home diocese or religious institute concerning the response to a complaint against any such individual.
- C. **Sexual Misconduct:** Any sexual behavior that is contrary to the moral doctrine of the Church, canon law, or civil law. Sexual Misconduct includes, but is not limited to:
  - (1). Sexual Abuse of Minors: Sexual abuse of minors, for purposes of this Policy, shall include any offense committed by Diocesan Personnel upon a minor, that is against the Sixth Commandment of the Decalogue, as interpreted through the norms of canon law. Such sexually abusive conduct with a minor shall include, but not be limited to, any physical sexual contact, nonphysical sexual interaction, exploitation, or molestation that is engaged in with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of the perpetrator or the minor.
  - (2). Sexual Misconduct Involving Adults: Sexual Misconduct Involving Adults includes any offense against the Sixth Commandment of the Decalogue (as

interpreted through the norms of canon law), that is committed by Diocesan Personnel upon another adult, including, in particular, any individual who habitually lacks the use of reason. Such conduct shall include, but not be limited to, sexual relations (whether or not consensual), the making of unwelcome sexual advances, and in particular the requesting of sexual favors from a person with whom the offender has a ministerial or supervisory relationship or other relationship of trust or confidence.

- (3). The Possession and/or Dissemination of Pornographic Materials: Such conduct shall include, but not be limited to, the possession, use, and/or dissemination of books, photographs, pictures, drawings, videocassettes, video disks, or any other computer or electronic media, that portray degrading and violent sexual behavior, which demeans the human character, debases the individual, and is openly pornographic and morally offensive. The use of the Internet (including but not limited to Internet websites and social media platforms, whether accessed via computer, cell phone, tablet, or any other device, as well as via email or text messaging) by Diocesan Personnel to acquire and/or transmit obscene material, or to engage in telecommunications regarding degrading and violent sexual behavior, shall, in addition to being a violation of diocesan and parish personnel policies, constitute Sexual Misconduct under the terms of this Policy.

- D. **Diocesan Bishop:** “Diocesan Bishop” as used in these Policies and Procedures means the Roman Catholic Bishop of the Diocese of Sacramento or whoever governs the Diocese in accordance with canon law while the See is vacant, or such person as either of these may delegate from time to time to act in the place of the Diocesan Bishop in these matters.
- E. **Diocese:** “Diocese” as used in these Policies and Procedures means the Roman Catholic Diocese of Sacramento and its constituent parishes, schools, ministries, institutions, and other juridic persons. It does not include those autonomous Catholic religious institutions, ministries, and juridic persons owned and operated by religious institutes or other Catholic organizations.
- F. **Pastoral Care Coordinator:** The person who is appointed by the Diocesan Bishop or his delegate and assigned the specific duty of interfacing with any individual who makes a report of Sexual Misconduct, and carrying out the Diocesan Pastoral Care Response, as crafted under this policy.
- G. **Safe Environment Coordinator:** The person appointed by the Diocesan Bishop to oversee and ensure the training of Diocesan Personnel on the prevention, identification, and reporting of child abuse and neglect, in compliance with California and Church law, and to administer and enforce the diocesan policy concerning criminal background checks for any Diocesan Personnel who will interact with minors as part of their work responsibilities.

- H. **Bishop's Delegate:** For purposes of this policy, the Diocesan Bishop will appoint a member of his staff (the Bishop's Delegate) to oversee the response and investigation of allegations of Sexual Misconduct by diocesan personnel.

### III. GENERAL PROVISIONS

- A. The purpose of these Policies and Procedures is, first and foremost, to protect people from all forms of Sexual Misconduct that might be perpetrated by Diocesan Personnel within Diocesan institutions and ministries. The loss of trust that is often the consequence of such abuse becomes even more tragic when it leads to a loss of the faith that the Diocese has a sacred duty to foster.
- B. The damage caused by sexual abuse of minors is particularly devastating and long-lasting and, thus, is a matter of the utmost concern to the Diocese. Consequently, it is the policy of the Diocese of Sacramento to work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest environment possible for minors.
- C. The Diocese is committed to reaching out to those who have been sexually abused as minors or adults by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. To this end, the Diocese shall ensure that pastoral and spiritual care is available to those who have been abused, as well as to their families.
- D. The Diocese shall be as open as possible with the people in parishes and communities about instances of Sexual Misconduct, with respect always for the privacy and the reputation of the individuals involved.
- E. These Policies and Procedures complement, but in no way limit or supersede, the provisions of the policy of the Diocese and individual Parishes against workplace discrimination and harassment (as set forth in the Lay Personnel Handbook), particularly as that policy addresses and prohibits sexual harassment in the workplace. Employees who experience or become aware of workplace sexual harassment should report such circumstances according to the procedures set forth in the Handbook.
- F. These Policies and Procedures are complementary to the universal law of the Church and are to be interpreted in accordance with that law, particularly CIC, canons 1717-1719. Moreover, they have been adopted by the Diocesan Bishop pursuant to Norm 2 of the "Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons," as promulgated in accordance with the practice of the United States Conference of Catholic Bishops on May 5, 2006.

### IV. PROHIBITED ACTIVITIES

- A. Diocesan Personnel are strictly prohibited from engaging in all forms of Sexual Misconduct.

- B. When a single act of sexual abuse of a minor by Diocesan Personnel is admitted or is established after the process described herein, the offending party shall: (1) if a member of the clergy, be removed permanently from ecclesiastical ministry; (2) if a lay employee, be dismissed from employment and permanently barred from future employment with the Diocese or with any parish or school in the Diocese, and from participating in any ecclesiastical ministry of the Diocese in the future; or, (3) in the case of a volunteer, be permanently barred from any future volunteering or employment with the Diocese or with any parish or school in the Diocese, and from participating in any ecclesiastical ministry in the Diocese in the future.

## V. REPORTING

- A. These Policies and Procedures are complementary to the Child Abuse and Neglect Reporting Act, California Penal Code sections 11164 *et seq.* All Diocesan Personnel who are mandated reporters shall fully comply with all applicable provisions of the Act. Any questions regarding the applicability, requirements, provisions, or mandated reporting procedures should be directed immediately to the Bishop's Delegate, who may consult, as necessary, with diocesan legal counsel.
- B. Whether or not an incident is subject to mandatory reporting to a government agency under California law, the Diocese requires all Diocesan Personnel to also internally report any suspected incidents of Sexual Misconduct to the Diocese pursuant to this Policy, so that there may be a prompt response to the report, and so that appropriate internal action can be taken to safeguard against additional incidents.
- (1) Persons Required to Report: All Diocesan Personnel who suspect, witness, or otherwise become aware of any incident of Sexual Misconduct by Diocesan Personnel must immediately report such information to the designated diocesan official, as set forth below in Subparagraph 3, pursuant to this Policy. Failure to report such incidents of Sexual Misconduct shall constitute grounds for discipline under the applicable policies and procedures pertinent to the respective Diocesan Personnel.
  - (2) Reports by Third Parties: Any other person who does not fit the definition of "Diocesan Personnel" may report incidents of Sexual Misconduct to the Diocese as specified in Subparagraph 3 below. Any person who has any information pertaining to, or knowledge of, Sexual Misconduct by Diocesan Personnel is strongly encouraged to report such matters immediately. To this end, the Diocese maintains a toll-free hotline on which anyone (including Diocesan Personnel, witnesses, or victims) may report a complaint of abuse. The Diocese also retains a Pastoral Care Coordinator to receive and promptly respond to any such reports or complaints. The Diocese shall handle all such reports sensitively, confidentially, and compassionately.
  - (3) To Whom Reports Are to be Made: In addition to any report required by law as described in section A, above, a report of Sexual Misconduct may be made as follows:

Alleged or Suspected Incidents of Sexual Misconduct By	Report To
Clergy (i.e., bishops, priests, or deacons)	<ul style="list-style-type: none"> <li>• Vicar for Clergy</li> <li>• Bishop’s Delegate</li> <li>• Safe Environment Coordinator</li> <li>• Pastoral Care Coordinator (directly or via toll-free hotline)</li> </ul>
Lay employees or volunteers for the diocese, parish (other than parish schools), social service, or other diocese-related entity	<ul style="list-style-type: none"> <li>• Human Resources Manager for the diocese</li> <li>• Bishop’s Delegate</li> <li>• Safe Environment Coordinator</li> <li>• Pastoral Care Coordinator (directly or via toll-free hotline)</li> </ul>
Employees or volunteers at any parish or diocesan school	<ul style="list-style-type: none"> <li>• Executive Director of Catholic Schools for the diocese</li> <li>• Human Resources Manager for the diocese</li> <li>• Safe Environment Coordinator</li> <li>• Pastoral Care Coordinator (directly or via toll-free hotline)</li> </ul>
Incidents involving members of religious institutes (i.e., religious order priests, religious brothers, religious sisters)	<ul style="list-style-type: none"> <li>• Vicar for Clergy</li> <li>• Delegate for Religious</li> <li>• Safe Environment Coordinator</li> <li>• Pastoral Care Coordinator (directly or via toll-free hotline)</li> </ul>
Incidents involving diocesan seminarians	<ul style="list-style-type: none"> <li>• Vocations Director</li> <li>• Safe Environment Coordinator</li> <li>• Pastoral Care Coordinator (directly or via toll-free hotline)</li> </ul>

- (4) **Contents of Report:** Reports of Sexual Misconduct may be verbal or written (written reports are preferred) and should include as much information as is available, such as the name, position, and any other information identifying the person or persons concerning whom the complaint is being made; a description of the nature of the misconduct involved; the date, time, and place of the alleged incident(s); the name and means of contacting the person providing the information and the name(s) of any witnesses and the means of contacting those witnesses; and any other information that might serve to corroborate the allegation(s).

## VI. RESPONSE TO REPORTS

- A. The goal of this Policy is that any response to reports of Sexual Misconduct be both pastoral and administrative. In order to fulfill his pastoral responsibilities and begin a process of reconciliation, the Diocesan Bishop has appointed a Pastoral Care Coordinator, to carry out the Diocese's Pastoral Care Response, as set forth below. In order to fulfill his administrative responsibilities, the Diocesan Bishop has also assigned to the Bishop's Delegate the responsibility to coordinate and conduct the diocesan Administrative Response to reports of Sexual Misconduct.
- B. In cases of Sexual Abuse of Minors, the Diocese shall fully comply with the California Child Abuse and Neglect Reporting Act (Penal Code §11164 *et seq.*). Any uncertainties or ambiguities regarding applicability of mandated reporting laws shall be resolved in favor of reporting suspected incidents of child abuse to the appropriate child protective agency. Upon being made aware of an incident of Sexual Misconduct involving a minor, the Bishop's Delegate will ensure that the mandated reporter has complied with making the required phone report, followed with a written report in the legally prescribed manner to the appropriate child protective agency. The Bishop's Delegate shall, with the assistance of diocesan legal counsel, fully cooperate with federal, state, or local law enforcement or prosecutorial agencies, or such other public agencies as may have jurisdiction to act under state or federal law.
- C. *Pastoral Care Response:* The nature and extent of pastoral care that will be extended under this policy shall be supervised by the Bishop's Delegate, in consultation with the Pastoral Care Coordinator and the Vicar General. The Diocesan Bishop shall have sole discretion to determine what Pastoral Care programs will be extended, and to establish eligibility criteria for pastoral care programs and for the duration of such pastoral care services, depending upon the needs of the participants and the availability of financial resources to fund such pastoral care. Pastoral care, as understood in this policy, may include, as appropriate, reasonable psychiatric care, psychological counseling, spiritual direction, pastoral counseling, and such other clinically-sound mental health care as the circumstances reasonably warrant.
- D. *Administrative Response: Employees / Volunteers*
- (1) Upon receipt of a report of Sexual Misconduct by a diocese or parish employee or volunteer that has at least the semblance of truth, the diocesan Lay Personnel Department, in consultation with pertinent supervisory staff at the location where the employee or volunteer works and legal counsel, shall (a) ensure that any report required by law to Child Protective Services or law enforcement is completed, (b) place the accused employee/volunteer on immediate administrative leave pending investigation of the allegations, and (c) provide for pastoral counseling for the reporting victim, in consultation with the Pastoral Care Coordinator, as set forth herein.
  - (2) A prompt investigation into the allegations will be undertaken and overseen by the Lay Personnel Department and legal counsel, in coordination with supervisory staff from the location that employs the accused. Based on the results of the



investigation, the HR Department and supervisory staff will make a determination as to whether the accused may be returned to his or her former status, or whether that individual's employment or volunteer status will be terminated.

E. *Administrative Response: Clergy*

- (1) At the earliest possible opportunity following the receipt of a report of Sexual Misconduct by a member of the clergy, which has at least a semblance of truth, the Diocesan Bishop, in consultation with his staff and legal counsel, shall initiate a Preliminary Investigation. A semblance of truth indicates that, based on the facts initially received, there is a possibility that the alleged act could have occurred as presented and there are no facts or evidence to indicate its impossibility. In the event that the Diocesan Bishop determines that there is no semblance of truth, he will nevertheless present the facts to the appropriate Review Board at its next scheduled meeting, together with the reasons for not pursuing an investigation. Assuming no further action is recommended by the Review Board, the accused and the complainant will then also be notified of this decision.
- (2) If the determination is made that there is a semblance of truth:
  - (a) the accused will be informed of the accusation and, because the safety and protection of the faithful is a primary concern, the accused will be placed on administrative leave and will have any faculties (authorization) to engage in public ministry temporarily withdrawn, pending the outcome of the investigation;
  - (b) compliance with the civil reporting requirements as enumerated in section (B) shall be verified;
  - (c) the accused nevertheless enjoys the presumption of innocence, and will be advised to retain canonical counsel, and where appropriate, civil counsel; and
  - (d) the Preliminary Investigation will be authorized.
- (3) The Preliminary Investigation will be conducted by a licensed or otherwise qualified investigator, in consultation with diocesan legal and canonical counsel, under the auspices of the Episcopal Vicar for Clergy, and in conjunction with the Bishop's Delegate.
- (4) The Bishop's Delegate will, as appropriate, keep the complainant informed regarding the status of the investigation and provide for pastoral counseling in consultation with the Pastoral Care Coordinator, as enumerated in sections (F) and (G) of this section.
- (5) The Vicar for Clergy will keep the accused informed regarding the status of the investigation.
- (6) When the Preliminary Investigation has concluded, the findings will be presented to the Diocesan Bishop and to the appropriate Review Board.

- (7) After reviewing the results of the Preliminary Investigation, the Review Board may accept the findings as presented or they may seek further information. When the Review Board determines that sufficient evidence has been collected to determine the credibility of the accusation, it will attempt to reach a consensus on the question of credibility and the chair will notify the Bishop of the Board's recommendation in writing.
  - (8) If the Review Board has found the accusation to be credible, i.e., more likely than not to have occurred, and the Diocesan Bishop agrees with the determination, he will take steps to initiate the appropriate administrative action in accordance with canon law and the directives of the Holy See. In the case of even a single act of credibly-alleged Sexual Abuse of a Minor or individuals considered equivalent in canon law, the case will be referred to the relevant dicastery (department) of the Roman Curia. When such abuse is admitted or established after the appropriate process in accord with the norms of canon law, an offending priest or deacon will be removed permanently from ecclesiastical ministry, and may face penalties up to and including dismissal from the clerical state.
  - (9) If the Review Board determines that there is insufficient evidence to sustain the credibility of the accusation, they will make such a report in writing to the Diocesan Bishop. The Board may also make recommendations concerning prudent restrictions or restoration to ministry. However, it shall be the prerogative of the Diocesan Bishop to determine what actions should be taken, in accord with the norm of law, and keeping in mind the preservation or restoration of the accused party's good name and reputation.
- F. When determined to be warranted, a designated diocesan representative will provide appropriate notification to the community of faithful served by the accused party. Notification will be prepared and disseminated as determined by the appropriate diocesan officials, with sensitivity to the privacy and other constitutional rights of the victim and victim's family, as well as the rights of the accused party. Any media contact or inquiries will be referred to and addressed only by the diocesan Director of Media and Communications or other designated diocesan spokesperson.
- G. The Bishop's Delegate will ensure that immediate contact is made with the alleged victim and/or family by the Pastoral Care Coordinator or other designated person(s) to ascertain if pastoral counseling is needed and if so, to facilitate the arrangements for the alleged victim to receive such care.
- H. It shall be the responsibility of the Bishop's Delegate to:
- (1) Supervise and oversee a thorough and impartial investigation of the allegations of Sexual Misconduct by Diocesan Personnel and ensure that adequate professional and investigative resources are utilized in a search for the truth as to such allegations;
  - (2) Coordinate with the Diocese's canonical advisors regarding advice for diocesan officials on the relevant provisions of canon law and implementation of these Policies and Procedures;

- (3) Coordinate and consult with diocesan legal counsel regarding the applicability of mandated reporting laws and, where appropriate, the preparation and provision of mandated reports of suspected incidents of child abuse, notification as appropriate of pertinent law enforcement agencies, and such other legal issues as appropriate;
- (4) Supervise the nature and extent of pastoral care that will be extended under this Policy, in consultation with the Pastoral Care Coordinator and the Vicar General;
- (5) Provide assistance necessary to identify potential civil and canonical representation for any person accused; and,
- (6) Supervise and coordinate efforts regarding notification of parishioners and the Catholic faithful regarding incidents of suspected child abuse that may have occurred in the respective parishes and/or institutions of the Diocese of Sacramento where the abuse is alleged to have occurred.

I. It shall be the responsibility of the Pastoral Care Coordinator to:

- (1) Receive communications from individuals (in writing or via telephone) concerning Sexual Misconduct by Diocesan Personnel;
- (2) Provide assistance to complainants in completing a report of Sexual Misconduct to diocesan authorities in accordance with this Policy;
- (3) Prepare, in coordination with the Bishop's Delegate and the Vicar General, an appropriate pastoral care response, as warranted under the circumstances.

## **VII. DISCLOSURE / CONFIDENTIALITY**

A. Information received in connection with allegations of Sexual Misconduct shall be treated as confidential and sensitive, and will not be disclosed except as necessary to pursue the purposes of this Policy, and as follows:

- (1) Once the complainant and key witnesses have been interviewed, the Vicar for Clergy shall provide the accused person with information sufficient to enable the accused person to respond to the allegations of Sexual Misconduct made against him or her.
- (2) The Bishop's Delegate shall, at the conclusion of the investigation and upon request, indicate to the person making the allegation of Sexual Misconduct whether the accused party has admitted or denied the allegation made against him or her. The person making the allegation will also be informed of the outcome, after the accused party responds and the Diocese has made a final determination.
- (3) Diocesan legal counsel shall have access to all such information for purposes of ensuring compliance with mandated reporting laws, making appropriate reports to law enforcement agencies, complying with Diocesan insurance reporting requirements, and advising the Bishop of Sacramento regarding legal concerns associated with the allegations.

## **VIII. THE INDEPENDENT REVIEW BOARD AND THE ADULT MISCONDUCT REVIEW BOARD**

- A. The Diocese shall have two Review Boards, which will function as confidential consultative bodies to the Diocesan Bishop in discharging his responsibilities under this Policy. The two Review Boards shall be the Independent Review Board for review of allegations of Sexual Abuse of Minors, and an Adult Misconduct Review Board, for allegations of Sexual Misconduct Involving Adults.
- (1) The functions of the Independent Review Board include:
    - (a) Advising the Diocesan Bishop in his assessment of allegations of Sexual Abuse of Minors and in his determination of suitability for ministry; and
    - (b) Reviewing Diocesan policies for dealing with Sexual Abuse of Minors;
  - (2) The functions of the Adult Misconduct Review Board include:
    - (a) Advising the Diocesan Bishop in his assessment of allegations of Sexual Misconduct Involving Adults and in his determination of suitability for ministry; and
    - (b) Reviewing Diocesan policies for dealing with Sexual Misconduct Involving Adults;
  - (3) The Diocesan Bishop may request that either Review Board offer advice on other matters or questions that may arise over time, as he deems appropriate. Such matters may include review of facts arising from other categories of alleged clerical Sexual Misconduct, including Possession or Dissemination of Pornographic Materials, as well as questions regarding removal of clergy from ministry.
- B. The Diocesan Bishop may, in his discretion, promulgate and publish policies or guidelines regarding the processes and functions of the Review Boards, which shall govern the constitution, staffing, procedures, and responsibilities of the Review Boards.

## **IX. EDUCATION**

- A. The Diocese will conduct periodic training of Diocesan Personnel who have regular contact with youth in the course of their work with the Church, regarding Sexual Misconduct and child abuse and neglect.
- B. A copy of these Policies and Procedures shall be disseminated on promulgation to all Diocesan entities, including all parishes, schools, social service organizations, and other ministries.
- C. All Diocesan Personnel shall receive a copy of these Policies and Procedures and sign an acknowledgment of receipt that shall be kept in the appropriate personnel file.

## **X. SAFE ENVIRONMENT MEASURES**

- A. The Diocesan Bishop shall take all reasonable and appropriate measures, implement policies and procedures, and periodically review such policies and procedures to ensure that all Diocesan ministries and facilities are safe environments for persons of all ages and that children and young people, in particular, are not placed at risk specifically with regard to physical or sexual abuse.
- B. In conjunction with this Policy, the Diocesan Bishop has also promulgated a Code of Pastoral Conduct containing conduct guidelines for Pastoral Counselors and Spiritual Directors. In addition, the Safe Environment Office has issued Guidelines for Adults Working with Children.
- C. All Diocesan Personnel shall be required to submit to a background check prior to engaging in their ministry, employment, or volunteer work. For Diocesan Personnel who work at diocesan schools and have contact with minor pupils, or who work or minister anywhere within the Diocese in a manner that could result in having supervisory or disciplinary power over minors in their care, the background check shall include a fingerprint background check pursuant to California Penal Code section 11105.3 or Education Code section 44237, and a screening of any resulting criminal history information received from California Department of Justice. The only exception to this policy is where an alternative background check is approved by the Chancellor and Safe Environment Coordinator. Diocesan Personnel shall not engage in any activity involving contact with persons under the age of 18 years until the results of the background check have been received and the person has been cleared for employment or participation as a volunteer.
- D. No person having a prior record of criminal conviction for sexual crimes or crimes of violence shall be employed by, or permitted to participate in the work of, the Diocese or any of its parishes or other ministries. Where a background check reveals an arrest for such crimes, but no conviction, the Chancellor and Safe Environment Coordinator, in their discretion, will make a determination on whether the person is approved for service within the Diocese. It is the policy of the Diocese that maintaining a safe environment in all Diocesan ministries and facilities be given the highest priority. This policy shall be liberally construed when questions regarding suitability for employment and participation in Diocesan ministries arise.

## **XI. CONCLUSION**

This Policy sets forth the Diocese of Sacramento's commitment to ensure that all diocesan programs and facilities are safe and sacred environments for children, young people and families. The Bishop of Sacramento is resolved to respond to all allegations of Sexual Misconduct by Diocesan Personnel, to make an immediate response to such reports, including a thorough investigation and to carry out administrative and pastoral responses in a manner consistent with the Church's commitment to protect those entrusted to its care.