

**Assessment of the Diocese of Pittsburgh Child Protection Policies and Practices**  
**Submitted by Shay Bilchik, J.D. April 2019**  
**Executive Summary**

**Introduction, Background and Methodology**

In recent years, the question of how the Catholic Church has worked historically to protect children from sexual abuse perpetrated on them while involved in Church related activities has captured the world's attention. In Pennsylvania, the issues around the failure to adequately protect children from sexual abuse have arisen both from within and outside of the church. This resulted from the discovery of the abuse of young people at Pennsylvania State University by Jerry Sandusky and separately as disclosed by the 2018 Pennsylvania Grand Jury Report focusing on the sexual abuse of children in dioceses across the state. Those revelations led to a process of truth and reconciliation, both at the state level through legislative and policy responses to the abuses discovered at Pennsylvania State University, and at the local level by actions taken by individual dioceses to address this dreadful history. The actions taken by the diocese of Pittsburgh have been led by Bishop David Zubik, who has taken ownership of this history and conducted listening sessions in order to learn the path forward from those directly affected. This has been a painful process for the victims of the sexual abuse, as well as for Bishop Zubik, as he has heard first hand the pain that clergy have inflicted on so many.

As part of this effort, Bishop Zubik has asked that a thorough and independent examination take place that assesses the current policies and practices of the diocese of Pittsburgh to provide for the safety of children involved in diocese related activities. It is this task that I have agreed to undertake. As a former prosecutor involved in child abuse and neglect cases, President and CEO of the Child Welfare League of America, and official at the U.S. Department of Justice, I have spent my career focused on the well-being and safety of our children. It is because of that career-long commitment that I agreed to take on this task. In so doing, I have received the complete cooperation of the leadership of the diocese of Pittsburgh.

My approach to this assessment has involved examining hiring practices, including background checks; training of all "staff" associated with the diocese of Pittsburgh, including clergy and volunteers; education programs offered to children, youth and families; the handling of complaints of abuse involving the diocese; and the role and functioning of the Independent Review Board. Based on that review, I have drawn conclusions about whether the policies and practices of the diocese reflect best practices and developed recommendations to strengthen those policies and practices where appropriate.

My examination has involved twenty-one in person interviews with diocese staff and outside officials, including individuals involved in the civil and criminal handling of cases of child abuse and neglect in Allegheny County. In addition, I have conducted

seven interviews by phone. I have also reviewed written materials related to the above areas of inquiry and the most recent on- and off-site audit findings by StoneBridge, the independent auditor hired by the diocese of Pittsburgh to conduct the review of its child safety policies and practices. I also spoke with a representative of StoneBridge who was involved in the audit of the diocese. In addition, I have conducted two parent focus groups designed to learn directly from families involved in church related activities their perspective on the policies and practices of the diocese designed to ensure the safety of their children, whether involved in the Catholic schools run by the diocese or other church related activities.

My first area of exploration in conducting this review was the examination of whether the child protection policies and practices of the diocese of Pittsburgh conform to the guidance provided by the Church itself – and whether those policies and practices delineated by the Church are sound. Starting in 2002, after the widespread and significant disclosures of the sexual abuse of children by members of the Clergy of the Catholic Church, both a Charter and Norms were developed by the United States Conference of Catholic Bishops (USCCB). This guidance, often referred to as the Dallas Charter (named after where the Conference met) was conveyed in 2002 through the *“Charter for the Protection of Children and Young People”* (Charter) and the *“Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons”* (Norms). The Charter and the Norms have been updated, most recently in June of 2018 at the Plenary Assembly of the Full Body of the USCCB. Implementation of the Charter and Norms began in many dioceses immediately after their initial introduction in 2002, including the diocese of Pittsburgh. It is worthy of note, however, that the diocese of Pittsburgh had already taken steps to ensure the safety of the children in its care, adopting a policy for responding to allegations of clergy sexual abuse in 1986, followed by establishing an Independent Review Board in 1989 and the Office for Victim Assistance in 1993. In addition, while my review has been underway, the diocese of Pittsburgh has already been responsive to one of my preliminary recommendations; that a position be created to consolidate and make more comprehensive and well coordinated the efforts of the diocese to protect the safety of the children in its care. This has been done by the creation of the Secretariat for the Protection of Children, Youth and Vulnerable Adults. This Secretariat is described in more detail in my report.

The Charter provides a variety of approaches to deal with the crisis, including direction for the immediate response to allegations; the establishment of review boards, composed primarily of laypersons, to assess allegations; the creation of programs that ensure a “safe environment” for children; the requirement for background checks for Church personnel working with children; and appropriate screening for candidates for ordination. In addition, the Charter requires the reporting of any allegation of sexual abuse of a person who is a minor to the public authorities and the cooperation with public authorities in the reporting of cases where the person is no longer a minor. The Charter further requires the diocese to cooperate in the civil investigation in accordance with the laws of the local jurisdiction. These provisions are

in line with what is required more broadly within our society for allegations of suspected child abuse or neglect.

On a parallel track, an ecclesiastical procedure is outlined that includes the permanent removal from ministry of priests and deacons for “even a single act of sexual abuse of a minor—past, present, or future.” If the penalty of dismissal from the clerical state is not applied, provision is made for the offender to lead a life of prayer and penance and not to present himself as a priest or deacon. In this situation, the offender would be prevented from having any contact with children.

### **Conclusions and Abbreviated Recommendations**

The road map established by the Charter and Norms, if followed rigorously and through the utilization of best practices, is indeed capable of ensuring the greater safety of the children involved in church related activities. While no set of procedures will be full proof, this type of comprehensive approach will create an unwelcoming environment from which individuals seeking to prey on our children will be more likely to turn away. The report notes that there are, in fact, indicators that reflect that this may have already begun in the diocese of Pittsburgh.

In order to accomplish this, the diocese of Pittsburgh has taken early and aggressive steps to protect the children in its care. In fact, my overall finding related to their current practices is that the diocese of Pittsburgh has worked hard at and succeeded in making the diocese an unwelcoming place for child predators. In four of the most significant areas of my inquiry they have adopted sound policies and well executed them. First, by conducting extensive background checks on all church personnel, including volunteers. Second, by requiring and monitoring training on mandated and permissive reporting of child sexual abuse, as well as training and education designed to create greater awareness of situations that may put children at risk of abuse. Third, by providing school-based education on the prevention of child sexual abuse to children and parents. Fourth, by demonstrating a high level of cooperation with civil authorities related to the reporting and investigating of child sexual abuse. It is my conclusion, therefore, that the child protection policies and practices of the diocese of Pittsburgh are sound and largely implemented with fidelity to the best practice guidance provided by the United States Conference of Catholic Bishops through its Charter and Norms - and what are considered best practices more broadly. The evidence to support this conclusion is also demonstrated by the very few incidents of child sexual abuse alleged to have occurred over the past ten years that were associated with diocese related activities.

In drawing this conclusion, I am not taking the position that the policies and practices of the diocese of Pittsburgh are perfect. There is room for improvement and with that improvement the opportunity to further protect the children involved in diocese related activities. In that regard, it is my hope that the following recommendations will help the diocese of Pittsburgh achieve that outcome. I have no doubt after conducting this review and having had frequent contact with Bishop Zubik and the leaders of the diocese over the past seven months that they are fully committed to that end result.

#### Recommendation #1

I recommended early in this review and reiterate now that a structure should be created to ensure a greater level of coordination between the various safe environment efforts. The diocese's creation of the new Secretariat for the Protection of Children, Youth and Vulnerable Adults fulfills this recommendation, providing for the various functions of the offices under the new Secretariat to be monitored in a more effective manner.

#### Recommendation #2

I recommend that outreach by Bishop Zubik to the Laity continue and be converted into sessions across the diocese during which a variety of issues of mutual concern can be discussed. This type of open dialogue will foster a level of openness and trust that will be beneficial to the diocese as a whole. I also recommend that the Independent Review Board conduct this type of outreach as part of its policy and practice oversight function, hearing directly from the Laity about their concerns and satisfactions.

#### Recommendation #3

I recommend strengthening and better monitoring the delivery of the child and youth safety curriculum and separating it from the Catholic Vision of Love curriculum. I also recommend strengthening and better monitoring the delivery of the curriculum for parents and developing resource materials and information for parents of younger children (preschool and daycare) that will help them better understand how to protect their children from child sexual abuse. I further suggest that the diocese enlist the support of community partners, including the Allegheny County Department of Human Services' Office of Children, Youth and Families and the Child Advocacy Center at the Children's Hospital of Pittsburgh (UPMC), to benefit from their expertise as they seek to update and strengthen their curriculum.

#### Recommendation #4

It is essential that the schools of the diocese, including preschools and daycare/nursery schools, utilize sound school policies and practices related to child safety. While Pennsylvania state authorities register and accredit schools operating under the auspices of the diocese, the diocese also needs to implement monitoring and quality assurance procedures that ensure that the licensing requirements are being satisfied. It is my belief that the monitoring of that compliance should be under the purview of the new Secretariat and audited by StoneBridge. Further, the Independent Review Board as part of its responsibilities should be monitoring the policies and practices of the diocese in this area and whether appropriate oversight is being conducted by the Secretariat.

#### Recommendation #5

The diocese needs to strengthen its oversight of the parishes and schools in the diocese complying with the requirement that no church official or third party vendor is allowed access to children without the required background checks and training, whether it be at the time of hiring or when the five year updates are due. The creation of the new Secretariat has the potential to help in this regard, as does an invigorated Independent Review Board, increasing both capacity and accountability of local parishes and schools.

#### Recommendation #6

If the penalty of dismissal from the clerical state is not applied in a situation in which there has been child sexual abuse, provision is made for the offender to lead a life of prayer and penance, not to present himself as a priest or deacon, and be prevented from having any contact with children. While Bishop Zubik has adopted this provision with fidelity over the period of time of my review, i.e., the last ten years, the diocese through its new Office for Investigations and Monitoring (under the new Secretariat), should assess ways to strengthen the effort being made to prevent these clergy from having any contact with children.

#### Recommendation #7

There should be additional training for Clergy around child sexual abuse. While the diocese requires initial and updated background checks of clergy every five years, it only requires the initial Protecting God's Children training and one additional five year certification. Beyond that the updated training is contingent on a member of the clergy either reading an article on child protection on-line or in the Pittsburgh Catholic and answering a question related to the article. I recommend that the compliance with this requirement be verified and additional training opportunities developed..

#### Recommendation #8

The on-site audit by StoneBridge consists of interviews with the pastor and key staff, a walk-through of the parish/school facilities and a check of the parish/school safe environment database and supporting documents. If a parish/school is found to be out of compliance an additional on-site visit is to be conducted in six months or the following year. In my review, however, I determined that a lack of adequate staff prevents this required follow up, with it instead being conducted by phone. I recommend that the new Secretariat ensure that the current policy is followed through the allocation of additional staff and rigorous enforcement.

#### Recommendation #9

It is the policy of the diocese that members of the Independent Review Board are to be persons "of outstanding integrity and good judgment in full communion with the Church." Because of the nature of their responsibilities when conducting a Special Review of a case, I understand the desire to have members of the Catholic faith participate in these sessions. This is not necessarily as important in Quarterly Review meetings, which are geared for more general oversight and policy and practice review. It is for these sessions in particular that a broader membership would be beneficial. I recommend, therefore, that the diocese over time expand the membership of the board, inviting the most qualified individuals to serve in the roles prioritized for membership on the Independent Review Board, regardless of faith. This will help to build greater confidence and trust in the decision-making and oversight functions of the Independent Review Board and diocese of Pittsburgh more broadly.

It is my belief that building on the sound policies and practices provided by the Charter and Norms and adopted by the diocese of Pittsburgh by incorporating the recommendations of this report will help to further the goal of providing for the safety of

children and youth involved in activities of the diocese of Pittsburgh. There can be no higher priority for a society that truly values its children.