

Ethics and Integrity Response Procedure

The Diocese of Tyler seeks to respond to all concerns about possible violations of Ethics and Integrity policy. As a result, every report does not necessarily suggest there is a 'victim'. Nor is there always an 'accusation' at times there is only a 'concern'.

General Principles:

- 1) Immediate steps are taken to minimize the opportunity for further harm to be done.
- 2) The Diocese will cooperate with law enforcement agencies. It will refrain from any interference during the investigation and be limited in its public statements.
- 3) Identity of possible victims is protected, in so far as possible, particularly if they are minors.
- 4) The cleric, or other Church personnel, accused is to be helped to preserve their good reputation. Their right to legal and canonical council will be respected. Their statements to the Diocese will be presumed to be truthful.
- 5) Consideration will be given to the needs of the community and the possibility of there being other victims. At the point that it seems likely there is in fact a victim, there will be outreach toward other possible victims.
- 6) Bishop is willing to meet with the victim, their families, or representatives of the community affected by abuse.
- 7) Transparency and accountability require clear and direct communication at the appropriate times. Cooperation will be given to the news media.
 - a. In the initial assessment period, the fact of a concern or allegation having been received is dealt with discretely as long as possible.
 - b. If the matter is publicly known, the Diocese will issue a statement.
 - c. Arrest of an alleged perpetrator is a public act, the Diocese will respond, but generally not seek to publicize the incident.
 - d. Generally formal statements will be issued to:
 - i. Clergy of the Diocese
 - ii. Seminarians
 - iii. Diocesan website and CET
 - iv. Local Media
 - v. Parish Bulletins (of places directly effected)
 - vi. Parish Contact Person (of places directly effected)

Initial intake to the Diocese:

- 1) In its most basic form, who is reporting and what, in fact, is being reported. This is not an investigation, but necessary to reach an understanding. Pastoral concern for the person reporting is always a priority.
- 2) Person reporting maybe a victim, a person acting on behalf of the victim, a Church personnel, or a third party.

- 3) Determination should be made if it is a possible crime, if it is an allegation of abuse, an allegation of inappropriate behavior, or a concern about behavior or a report of a rumor.

Initial actions taken:

- 1) Bishop is notified.
- 2) If a possible crime, decision is made of how to report to civil authorities in a timely manner. Cooperation is to always be offered to law enforcement agencies.
- 3) After the initial assessment, there is a consultation on diocesan response. Typically with Bishop, Communications Director, Promoter of Justice, and at Bishop's direction Vicars and others.
- 4) If applicable, the insurance carrier and diocesan legal counsel are notified.
- 5) Immediate steps are taken to be sure that no further possible harm is done ASAP
- 6) Steps should be taken to prevent further harm to the possible victim or the further entanglement of the alleged perpetrator.
- 7) An accused will generally be placed on administrative leave pending resolution of an investigation. A means shall be identified for providing for appropriate pastoral care.
- 8) It is desirable to offer pastoral care to the possible victim, their family, the community and the accused. Such offer may have to be transmitted thru law enforcement or lawyers depending on circumstances.
- 9) Counseling services are to be offered to possible victims, and as appropriate to their family.
- 10) A plan made for what communications will be needed and when/if a statement should be made by the Diocese and/or the Bishop.
- 11) Decide course for clarification of the situation or further inquiry.
- 12) Decision to made about notifying clergy, parish communities or Parish Contact Persons.
- 13) At the point that it seems likely there is in fact a victim, there will be outreach toward other possible victims.

Ongoing action

- 1) Monitoring the situation. At such point that the matter begins to become public, the Diocese will issue measured statements to first internal, then external groups. The Diocese will attempt to be responsive to media requests.
- 2) It may be necessary to add further restrictions upon the accused while they are on administrative leave.
- 3) When it seems clear civil authorities will not be involved, or have completed their investigation, the Diocese will consider the possible need for an internal investigation.
- 4) Monitoring effectiveness of pastoral care and counseling.
- 5) Consideration of possible professional evaluation of the accused as well as possible counseling.

- 6) At the point that it seems likely there is in fact a victim, there will be outreach toward other possible victims.

Internal Investigations

- 1) Internal investigation will generally only be done after any inquiry/action by civil authorities.
- 2) If there is a possible canonical crime, a Preliminary Investigation will be done canonically.
- 3) If the matter is not headed toward canonical action, an internal investigation will be conducted to determine the facts of the matter and suggest possible administrative response.
- 4) The rights and reputation of the accused will be respected.
- 5) Internal investigations should be done in a timely fashion.
- 6) The accused will generally be asked to cooperate with a formal statement.

Cases involving clerics

- 1) Clergy shall be encouraged to be personally supportive to their brother priest or deacon, but are encouraged to refrain from commenting concerning matters under investigation.
- 2) Clerics of the Diocese of Tyler shall be dealt with in accord with the policies and procedures of the diocese. During investigation their residence and travel may be restricted. If an incardinated cleric is accused outside the diocese, the Diocese of Tyler will cooperate including making the cleric available to participate in any investigation.
- 3) Clerics not incardinated into the Diocese of Tyler will have their proper bishop or religious superior contacted by the Diocese and informed of the matter brought forward and what response is being made. The Diocese will encourage the other diocese or religious community to seek approval before allowing the cleric to leave this jurisdiction.
- 4) The Diocese of Tyler will encourage the cleric and their diocese or religious community to cooperate with local officials in any investigation.
- 5) The Diocese of Tyler will cooperate with Religious communities in any subsequent investigation or actions to be taken.

Cases involving non-clerics

- 1) Rights of non-clerics to both good reputation and legal defense will be respected.
- 2) Resignation of an employee will not stop an investigation.

This procedure approved August 8, 2016.

Most Rev. Joseph E. Strickland
Bishop of Tyler

