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RCAO CULTURAL ASSESSMENT REPORT:

THE IMPACT OF THE RAMSEY COUNTY ATTORNEY'S
SETTLEMENT AGREEMENT ON THE ORGANIZATIONAL
CULTURE OF THE ARCHDIOCESE OF
SAINT PAUL & MINNEAPOLIS

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“This historic agreement ensures systemic change and creates a framework of accountability that increases oversight and transparency, and ultimately supports a cultural shift in how the Archdiocese protects children and responds to alleged abuse. It is my expectation that the facts of this case will never be repeated and the protection of children will forever be of paramount importance within this Archdiocese.”

Ramsey County Attorney John J. Choi
December 18, 2015

EXECUTIVE SUMMARY

In June 2015, the Ramsey County Attorney’s Office (RCAO) brought unprecedented criminal charges and a civil child-protection petition against the Archdiocese of Saint Paul & Minneapolis (Archdiocese). Each case alleged the inexcusable institutional failure of the Archdiocese to protect children from clergy sexual abuse.

The Archdiocese and RCAO reached an agreement to settle the civil action in December 2015 (Settlement Agreement). The Settlement Agreement specified an ambitious goal for work the Archdiocese was about to begin: “the Parties agree that the Archdiocese shall seek to create and foster an organizational culture in which everyone becomes and remains vigilant about achieving an overall aspirational goal that no child ever again be the victim of clergy sexual abuse.”¹

Since December 2015, the Archdiocese has implemented a new lay-dominated formal structure for meeting agreed-upon specifications for maintaining safe environments for children, defining criteria for ministry in the Archdiocese, and providing appropriate responses and services for victim/survivors. Civil authorities have monitored the Archdiocese over the past four years through continuing contact and collaboration, ongoing twice-per-year reports to the Ramsey County District Court (the Court), and annual certification from external auditors that the Archdiocese has remained in substantial compliance with the terms of the Settlement Agreement.

By its terms, the Settlement Agreement expires February 1, 2020. As that date approached, the RCAO sought to assess whether an organizational culture shift has occurred to a degree such that the safeguarding of children from sexual abuse is now a highest priority.

The organizational culture is reported to have changed demonstrably for the better. The Archdiocese deserves credit for achieving the progress that is observed. Some aspects of change appear to be embedded within the organization as routine ways the organization now operates.

¹ See *Settlement Agreement*, Recital 1.

Moving forward without continuing oversight provides an opportune time for the Archdiocese to reflect on, review and study its Safe Environment Program. RCAO's findings reveal that while much has been accomplished, at least incremental improvements are possible.

This report provides specific recommendations beginning at page 21.

BACKGROUND

The sexual abuse of children at the hands of clergy has plagued the Catholic Church for centuries.² Beginning around 1947, the Catholic Church in the United States began to send priests who had sexually abused children to dedicated psychiatric hospitals for "evaluation and treatment."³ Used to manage risk, protect the institution and enable the return of abusive priests to ministry (often among unsuspecting laity), this model persisted for over seventy years. The history in this Archdiocese is no different.

Despite being a routine defendant in civil litigation brought by victim/survivors, it was not until October 2013 that the Archdiocese appears to have begun to systematically examine its failures to keep children safe. At around this time, in a series of reports, Minnesota Public Radio exposed widescale archdiocesan conduct aimed primarily at protecting the institution and its own at the expense of child sexual abuse victims and their families. In response to the reports, the Archdiocese established a "Safe Environment and Ministerial Standards Task Force" in October 2013 to study the situation in the Archdiocese and make recommendations. The Task Force issued its report and recommendations on March 31, 2014.⁴

In October 2014, the Archdiocese settled the "Doe 1 litigation," a settlement that permitted victims' attorneys to examine evidence pertaining to all clergy abuse across the Archdiocese rather than be limited to evidence restricted to a particular priest and his victim.⁵ As part of the settlement, the Archdiocese agreed to adopt what were later termed the "Anderson Protocols," seventeen child-protection protocols the Archdiocese was to implement.^{6, 7}

² See Thomas P. Doyle, A.W.R. Sipe, and Patrick J. Wall, *Sex, Priests and Secret Codes* 12–55 (Volt Press 2006).

³ *Id.*

⁴ See Safe Environment and Ministerial Standards Task Force, *Report and Recommendations to Protect Children from Clergy Sexual Abuse*. (March 31, 2014).

⁵ The "Doe 1" litigation is a different case than the civil child-protection petition brought by RCAO in June 2015. See *Doe 1 v. Archdiocese of Saint Paul and Minneapolis, Diocese of Winona, and Thomas Adamson*, Ramsey County District Court File No.: 62-CV-13-4075.

⁶ 'Humiliated' Twin Cities Archdiocese Settles Abuse Lawsuit with Landmark Agreement. St. Paul Pioneer Press, October 13, 2014.

⁷ Some of these protocols were incorporated into the Settlement Agreement.

On June 5, 2015, following a twenty-month long investigation, the RAO served and filed criminal charges and a separate civil child-protection petition against the Archdiocese, each alleging gross, inexcusable institutional failure to protect children. Among other things, the investigation revealed that the Archdiocese ignored red flags of suspected abuse, failed to respond to reports appropriately and routinely put the interests of the institution and cleric ahead of those of the victims and their families. Through these legal actions, the RAO sought to hold the Archdiocese accountable, provide justice for the victims and the community and instill confidence in the public that these crimes would not happen again.

The Archdiocese and RAO settled the civil action on December 17, 2015, subject to approval by the United States Bankruptcy Court.⁸ On July 19, 2016, the Archdiocese and RAO agreed to amend the Settlement Agreement in exchange for dismissal of criminal charges, which thereby enabled the release of case documents to the public.

The Amendment added provisions and language to strengthen the initial agreement. Additionally, the Archdiocese publicly admitted to wrongdoing for failing to adequately respond to and prevent the sexual abuse of the victims, and for failing to keep the safety and welfare of the children ahead of its own interests and the interests of the cleric who abused. This admission permitted Archdiocesan leadership to acknowledge an institutional failure in the case and, with that admission, begin a new way forward toward shifting the culture, repairing the harm and restoring trust.

METHODOLOGY

This report seeks to examine the degree to which the Archdiocese has achieved cultural change supportive of the aspirational goal that no child again become the victim of clergy sexual abuse.

To assess the change, if any, case documents and other background materials were reviewed; and over fifty archdiocesan stakeholders were interviewed individually using a standard-question interview technique, with follow-up questioning within interviews. Those interviewed included: victim/survivors, archdiocesan employees, laity, priests, volunteers, community members and others having some connection to the cases against the Archdiocese.

At the start of each interview, each interviewee was advised a written report would likely be filed with the Court, and thereby become a public document. To encourage free discussion, interviewees were advised aggregated information would be reported without quotes or attribution to individual interviewees. A request was made of each to include their name on a list of persons interviewed.

No one invited to interview declined. Each gave permission to list his or her name. (See Appendix.) The RAO thanks each interviewee for their time, courtesy and thoughtful input.

⁸ *In the Matter of the Welfare of: VICTIM-1, et al.*, Ramsey County District Court File No.: 62-JV-15-1674.

ORGANIZATIONAL INTEGRITY AND CULTURAL VALUES

The Settlement Agreement can be viewed as the parties' jointly-constructed framework for an Archdiocesan Safe Environment Program, the specifications for which the Archdiocese would be held accountable for the length of the agreement. Moreover, it should also be viewed as a potential road map to provide guidance into the future, thereby allowing the change realized to embed into the organizational culture of the Archdiocese.⁹ As discussed below, the broad contours of the framework address:

1. leadership;
2. structure, policies and processes;
3. victim/survivor assistance;
4. role of relevant stakeholders;
5. support for laity, priests and parishes; and
6. means and measures for holding the Archdiocese accountable to its commitments.

Building this framework requires building both compliance-based and values-based tools.¹⁰ In order to promote organizational integrity and cultural values that have developed over the past four years, the Archdiocese will need continued reliance on both tools that have been implemented as a result of the Settlement Agreement. The Archdiocese must continue to assess risk and promote compliance in line with values to achieve a goal of safety for all children within the Archdiocese.

⁹ "The culture of a group can be defined as the accumulated shared learning of that group as it solves its problems of external adaptation and internal integration; which has worked well enough to be considered valid and, therefore, taught to new members as the correct way to perceive, think, feel and behave in relation to problems. This accumulated learning is a pattern or system of beliefs, values, and behavioral norms that come to be taken for granted as basic assumptions." Edgar H. Schein, *Organizational Culture and Leadership* at 6 (John Wiley & Sons, 5th ed., 2017).

¹⁰ Compliance-based tools "focus on control mechanisms that are used to ensure legal compliance through upholding codes of conduct, monitoring employees, reporting procedures and enacting disciplinary measures." Values-based tools "are directed toward ensuring that the organization's core values are reflected in the day-to-day activities of the organization." Anthony D. Molina, *Ten Recommendations for Managing Organizational Integrity Risks* 6. (Kent State University, 2016).

LEADERSHIP

Creating culture involves learning by an organization. Leadership is the prime teacher and mover of culture. Leadership articulates, aligns and teaches core values, assumptions and beliefs into the organization.¹¹

The Settlement Agreement identified three key leadership roles that needed to become knowledgeable about and involved with the issues relating to keeping children safe from clergy sexual abuse. To provide appropriate oversight and accountability, the board of directors, archbishop, and Director of Ministerial Standards and Safe Environment (MSSE) are specifically identified. This report would be remiss, however, not to mention the leadership contributions of the Auxiliary Bishop, Vicar General, department heads, and many informal leaders throughout the Archdiocese who are demonstrably committed to meeting the challenge to keep children safe. Just one example includes an interviewee saying that while he/she could likely have left the Archdiocese's employ, there is an inherent satisfaction "in cleaning up the problem even though we (the current generation of staff) didn't create it."

Board of Directors

Whereas members of the board of directors had previously appeared largely detached and uninformed about safe environment activities (due to not being provided information by the Archdiocese), the criminal and civil actions brought by the RCO were widely reported to have been the catalyst that forced leadership to focus, align and respond. Board members quickly became informed, more active and robust in exercising board influence and authority. One board member is reported to have said in a 2018 interview with external auditors that because of the litigation, "the days are over where the board is going to be left in the dark about clergy sexual abuse."

Archbishop

The kind and extent of leadership provided by an archbishop is especially important because of the extent of authority and power vested in the office under canon law. The Code provides that a bishop, subject to minimal requirements to consult, holds full and exclusive legislative, executive and judicial power within the diocese for which he has been made responsible by the

¹¹ Among the teaching mechanisms available to leadership are: 1) leader reactions to organizational crises; 2) what leadership pays attention to, measures and controls; 3) what leadership deliberately teaches and models; 4) the choices made in the design and structure of the organization; 5) the allocation of resources by the organization; 6) the systems and procedures put into place; and 7) the design and adequacy of physical space. Schein, *supra*, 183-201. Each of these is seen to have been used in this case.

Pope.¹² Thus, an archbishop alone has a real potential to determine the extent of safe environment efforts in his diocese, for better or worse. This Archdiocese appears quite fortunate to have the archbishop that it has.¹³

Archbishop Hebda came into the Archdiocese as its Apostolic Administrator less than two weeks after the RCAO initiated court action, stepping into a diocese that was described as in disarray. Interviewees were nearly unanimous in holding Archbishop Hebda in very high regard. He is described as having engendered high internal confidence that the Archdiocese is now firmly committed to the safety and protection of children.¹⁴

The archbishop's working relationship with Tim O'Malley, the Director of Ministerial Standards and Safe Environment (MSSE), is described as very good with appropriate delegation of authority to Director O'Malley as the lay subject-matter expert. The two are described as having strong mutual respect for one another, each having the confidence to challenge the other and ask the hard questions.

Following a recommendation made to the predecessor archbishop by the Vicar General, Archbishop Hebda appropriately kept the Director of MSSE as a direct report. Among the multiple benefits, having the position a direct report to the archbishop communicated to the organization at-large that business as usual had changed -- safe environments for children and vulnerable adults was now a priority at the highest level of the organization. Additionally, as a direct report, Director O'Malley's efforts would not likely be stymied, nor his views siloed.

Director of Ministerial Standards and Safe Environment

Director O'Malley came to the Archdiocese with impressive credentials and a record of success as a law enforcement professional. He also has practiced law and served as an administrative law judge, particularly helpful perspectives for the position and program he was asked to

¹² 1983 Code, c.29, §§ 1, 2.

¹³ Commenting on whether the cultural change seen to this point has embedded within the Archdiocese, an experienced priest observed, "You won't really know until you're about five years into the tenure of Archbishop Hebda's successor."

¹⁴ A sampling of adjectives and phrases used by interviewees to describe Archbishop Hebda includes: "A 'real' person – smart, big picture in everything, humble, unpretentious, pastoral, kind and honest." "Collaborative while taking ownership of the problem." "He has created comradery among staff." "Consultative, not only approachable but approaches others." "He cares about victim/survivors." "He cares about his priests." "He has admitted the Archdiocese made serious mistakes and has committed to making strides for change." "He seems to know how to keep the peace [in the Archdiocese]."

develop. Director O'Malley has assembled a highly qualified staff, a majority of whom also have impressive law enforcement experience.¹⁵

Some interviewees described early suspicion and mistrust of MSSE. This appears attributable to Director O'Malley and MSSE staff being unknown, as well as a lack of understanding why "former cops" would be brought into the Chancery. Despite this early suspicion, MSSE is reported to have earned widespread trust and confidence, primarily because of the way they have done their jobs.

Most interviewees believe current archdiocesan leadership is committed to the safety and protection of children, and that the commitment will continue after the Settlement Agreement ends. Without exception, interviewees believe children in this Archdiocese are safer today than they were four years ago.

STRUCTURE, POLICY AND PROCESS

Among the first things the Archdiocese needed to do as part of its cultural-change effort was make MSSE an integral, prominent and visible player within the organization. MSSE needed to achieve a profile and role where the office could become and would be viewed as a necessary cog in the machinery of the Archdiocese.

Among Director O'Malley's most impactful changes was a definition of structure and process. These alone brought a much-needed discipline to safe environment efforts. Most interviewees observed the structure has shifted culture positively: expectations are clear, structure guides process, review is consistent with values identified in policy,¹⁶ and policy is fairly applied without excuses or exceptions. As a result, interviewees are more confident not only in the application of process, but equity of disposition.

As a part of this process, archdiocesan policies underwent a disciplined review and were changed as warranted. All policies were then compiled into a standard template, organized by topic, and officially promulgated and published to the website, furthering predictability and cultural transparency. A policy-review mechanism has been created to keep policy current.

¹⁵ A sampling of adjectives/phrases used to describe Director O'Malley: "O'Malley is a person of unquestioned integrity." "He is no-nonsense and built an effective, efficient model of accountability." "Expectations are clear, and O'Malley deserves credit for this. He is fair and consistent." He is "super-professional, smart, builds relationships, and has been effective at all levels of the Archdiocese." "He has reached out to victim/survivors, plaintiffs' counsel, and parishes."

¹⁶ For example, goals and requirements identified in archdiocesan policy include impartiality, thoroughness, fairness, and fact-gathering to ascertain the truth.

Today's reality of structure-policy-process is in sharp contrast to the vagaries of a "safe environment program" before December 2015. As noted in the report of the Ministerial Standards and Safe Environment Task Force, and as multiple interviewees also observed, prior efforts were little more than one cleric overseeing fellow clerics, often on an informal ad hoc basis, exercising too much discretion without adequate supervision,¹⁷ all with little attention or engagement by at least several prior archbishops.

The Archdiocese also restructured or created new work groups to further incorporate MSSE within the organization. The new work groups often have overlapping membership to improve communication and avoid siloing.¹⁸ Today, a question routinely asked among leadership is, "Do we have the right people at the table?"¹⁹ Interviewees indicate MSSE's influence now reaches all levels of the Archdiocese, from the Chancery to the most rural parish.²⁰ Its expertise is acknowledged and sought so Archdiocesan decision-making may be informed by safe-environment considerations.

MINISTERIAL REVIEW BOARD

The Ministerial Review Board (MRB) is the "advisory, consultative body assembled to advise the archbishop and his staff regarding clergy misconduct." Throughout the past four years, the MRB has grown in credibility and influence. In the past, the Archdiocese had two review boards, a "Clergy Review Board," which had jurisdiction over allegations of sexual improprieties and the abuse of children; and a "Ministerial Standards Board," which reviewed all other allegations of priest misconduct. Following a 2014 recommendation of the Safe Environment Task Force, these boards were combined into one board under a new, combined title.²¹

Today, the MRB reviews all cases of misconduct including sexual abuse of a minor, sexual misconduct with adults, other sexual improprieties, lewd behavior, pornography, boundary violations, gambling, drug or alcohol misuse, financial misdeeds, Code of Conduct violations, and allegations of other misconduct.²² The MRB may also review and offer recommendations

¹⁷ See Report of Safe Environment Task Force at 1.

¹⁸ A collateral benefit of the bankruptcy has been the ability to consolidate staff under one roof at what is now known as the Catholic Center. Previously, staff were spread throughout multiple locations. A singular location is reported to have significantly improved staff communication, interaction and morale.

¹⁹ As an example, MSSE is part of the Priest Work Group. Its input is a routine part in decision-making related to priest assignments.

²⁰ As an example, a section on "Ministerial Standards and Safe Environment Requirements" are included in employee handbooks, both diocesan and parish.

²¹ See Report of Safe Environment Task Force at 9.

²² See Ministerial Review Board Policy (2016); available at <https://safe-environment.archspm.org/100-ministerial-standardssafe-environment/103-ministerial-review-board/>

regarding policies and processes relating to misconduct if requested by the director or archbishop.²³ Interviewed members indicated they have reviewed policies and provided recommendations.

Nationwide, review boards have been criticized as a mere rubber stamp of a bishop's wishes and directives. Review boards have also drawn criticism for being comprised of only priests, or a majority of priests, who then re-traumatize victims, and operate in secret.²⁴ Interviewees consider this MRB to be different -- by all accounts, the MRB is a strong independent review board dedicated to the protection of children by thorough case review and provision of thoughtful, fully-considered recommendations. The board is comprised of eleven members with diverse backgrounds, educations and experiences across a range of professions. The MRB is currently composed of medical professionals, mental health professionals, victim/survivors, legal professionals, education professionals, a priest and a deacon. Currently, there are more lay members than clergy and multiple members are not Catholic. Members have experience in the private, public and non-profit sectors. Members have experience with supervision, risk-management, education, public safety, victim advocacy, prevention of sexual abuse, employment law, human relations, management, insurance and religion. Members reported a high level of respect for the expertise and experience that each of the other members brings to the table.

Another strength of the MRB is its independence. As it currently functions, the MRB largely operates independently of archdiocesan leadership. Resulting from a creative suggestion and innovation of a former board chair, the board can call an "executive session" during which all in the meeting room other than MRB members are asked to leave, thereby promoting candid, free exchange of views among board members. Yet, the MRB also confers with MSSE personnel and has access to the archbishop, if necessary. All members reported having access to all the necessary information in order to adequately review cases and reported an ability to get clarifying or additional information upon their request.

Members reported a common understanding of the importance of MRB independence and autonomy. Most expressed they would publicly leave the board if they felt they were not being listened to or were being used to attempt to rubber stamp decisions that had already been made. No interviewee felt the Archdiocese exercised undue influence in an investigation, review or resulting recommendation.

Since the implementation of the Settlement Agreement, all MRB recommendations as related to priests have been followed by the Archbishop. Notably, the Archbishop has sought out MRB

²³ *Id.*

²⁴ See Reese Dunklin, Mitch Weiss, and Matt Sedensky, *AP: Catholic Boards Hailed as Fix for Sex Abuse Often Fail*, Associated Press, November 21, 2019.

input on cases that did not necessarily require review.²⁵ This appears to show confidence in the knowledge, depth and breadth of experience the MRB provides. Today, the board has largely completed review of files of priests with past transgressions. With this task complete, the focus of review has shifted to prevention and discussions about the larger issues surrounding priest sexual abuse.²⁶

The MRB of today is far from the review boards of the past. It is lauded for its experience and expertise. Board members provide scrutiny and lend expertise in all cases reviewed. Unfettered access to archdiocesan staff, including the archbishop, demonstrates an acknowledgement of the importance the board plays not only in the safety of children within the Archdiocese but, secondarily, the welfare of laity and priests.

HEIGHTENING ORGANIZATIONAL AWARENESS OF THE NEED TO CHANGE

The Archdiocese was pushed into confronting the painful reality of the harm caused to victim/survivors, laity, and the community at large by clerical sexual abuse. As part of its change effort, the Archdiocese intentionally sought to raise awareness about the extent and severity of the crisis, furthering transparency and heightening the motivation to change.

Heightening awareness also involved educating everyone who interacts with children about their role in keeping children safe and requiring basic requirements be met before working with children.

DISCLOSURES OF PRIESTS CREDIBLY ACCUSED

Beginning in 2013, MSSE took on and coordinated the task of reviewing all clergy files of those who were credibly accused of the sexual abuse of a minor. Review started with a list of clerics initially identified by the Archdiocese in 2004 as part of its response to the Dallas Charter, continued with assistance from Kinsale Management to review files of clerics in active ministry, and finished with review of clerics no longer in ministry. The number of files reviewed totaled just over 3,300. As review progressed, the identities of priests credibly accused were disclosed to the public (with the permission of the Court, presiding over another case at that time).

Indicating its motivation was to become more victim-centered, the Archdiocese conveyed that the disclosures were made to assist victim/survivors in their healing process, to restore trust among laity, and to affirm those priests who had served, or who were serving honorably in ministry. Beyond these objectives, review was also a prudent exercise for the Archdiocese to

²⁵ Some interviewees indicated that some priests called before the MRB felt like they were being called into a star chamber, which may suggest a need to provide more process-relating information to those appearing in front of the MRB.

²⁶ A suggestion was made that some cases could be made anonymous and used as case studies for training or other wider professional purposes.

undertake not only to assess the extent of the clerical sexual abuse problem, but also the risks associated with it, including legal and financial. Today, review of priests with past transgressions is largely complete, but the Archdiocese continues its commitment to publicly identify priests credibly accused of the sexual abuse of a child or vulnerable adult.

ESSENTIAL 3

The “Essential 3” (E3) requirements are at the heart of the Archdiocese’s Safe Environment Program. Becoming “E3 certified” requires a background check, VIRTUS training and acknowledgement of an applicable Code of Conduct. E3 is required of all clergy, parish, school, diocesan employees, and all volunteers who have regular or unsupervised interaction with minors.²⁷ It is meant to ensure to the degree possible that those who have regular or unsupervised contact with minors are “safe” to do so. This required certification teaches clergy, employees and volunteers to recognize signs of abuse, how to report abuse and requires adherence to a code of conduct.

By and large, interviewees articulated an understanding of the importance of the E3 requirements. Many interviewees commented that because of their E3 training and the relating certification requirements, they would handle allegations of abuse differently now than they would have five years ago.

It was reported, however, that some Safe Environment Coordinators²⁸ and pastors hear discontent among those required to complete E3 requirements. Some participants report they do not understand why they must be E3 certified since they are not perpetrators of abuse. When asked how leaders respond to these critiques, responses were varied, ranging from, “We are all responsible for protecting children”; to “You can be more confident of other adults if they are also certified”; to “It’s just something we have to do.”

Since 2004, over 123,000 people have become E3 certified in this Archdiocese. A “snapshot” as of June 30, 2019, shows 2,828 educators; 6,014 employees; and 17,960 volunteers currently are E3 credentialed within the Archdiocese.²⁹

²⁷ See Ministerial Standards/Safe Environment Policies, <https://safe-environment.archspm.org/100-ministerial-standardssafe-environment/>

²⁸ Safe Environment Coordinators are responsible for implementing Safe Environment requirements at the parish and school level.

²⁹ Some interviewees opined that such a wide foundation of basic knowledge spread across the Archdiocese should, almost in and of itself, minimize the potential for clergy sex abuse to occur again on the rationale that awareness and sensitivity are far higher today than they ever have been. This ignores, however, that in the underlying criminal and civil litigation, laity reported concerns about the priest multiple times, but those concerns were largely ignored or not acted upon at the diocesan leadership level. With the change observed, it would appear quite unlikely that today’s leadership would not respond appropriately.

VIRTUS

As an important part of E3 training to educate about the signs of child abuse, the methods by which offenders commit abuse, and the steps that can be taken to prevent child sexual abuse, the Archdiocese utilizes the “Protecting God’s Children” Training Program created by VIRTUS.³⁰ The initial VIRTUS training session lasts three hours and is led by a trained facilitator. Participants are required to complete recertification training every three years.

When questioned about VIRTUS training, numerous interviewees reported that VIRTUS is outdated and not using current evidence-based practices and information pertaining to sexual violence. Interviewees also commented that victims of priest sexual abuse are not featured in the training, and therefore they felt the trainings lacked a vital perspective that would seem important to the Safe Environment Program of a Catholic institution. Interviewees who had completed initial and then subsequent re-certification trainings expressed that the quality of training was quite dependent on the individual trainer. It was mentioned that some trainers take a “let’s get through this” mentality, while others dig into the subject matter and work to create robust conversation and a more informative training experience. Interviewees also felt that the trainings lacked substance after the initial training. Interviewees felt trainings should include lessons learned from past incidents of abuse, which may then help reduce the likelihood similar incidents would happen again.

There were also many comments relating to improving how trainings are conducted for various stakeholders. One interviewee mentioned wishing that he or she had been trained on these issues as a child. Similarly, interviewees noted priests do not currently complete VIRTUS training with employees or volunteers. Interviewees felt that all who are required to complete VIRTUS do so together, and how nice it would be to train with their priest. Trainings should be completed together to send the message that *everyone* is responsible for the protection of children, no one is set apart and the goal can only be achieved if everyone acts together.

Reports were also notable for the difficulty of reporting information within the VIRTUS system and knowing when additional training becomes necessary. VIRTUS training records do not interface with the MSSE reporting spreadsheets, which are required to be kept by all parishes. This often leads to conflicting data and confusion. It was noted that the MSSE requirements were built piecemeal, which has created different locations where data is stored, the need for multiple passwords and a system that, ultimately, proves to be difficult, cumbersome and not user-friendly.

³⁰ See www.virtusonline.org

VICTIM/SURVIVOR ASSISTANCE, RESTORATIVE JUSTICE AND HEALING

Prior to the Settlement Agreement, victim/survivors reported either difficulty in receiving therapeutic help or not being able to receive help at all. As a part of the agreement, the Archdiocese agreed to provide additional services to victim/survivors, as well as coordinate restorative justice efforts to promote healing for those affected by child sex abuse. Many interviewees responded positively to the Archdiocese's increased efforts to reach and serve victim/survivors; however, some expressed there was too much emphasis on restorative justice efforts. This response indicates the Archdiocese cannot take a "one-size-fits-all" approach to victim services. Additionally, as noted above, the Archdiocese must also act with continued dedication to detect and prevent abuse because new cases involving sexual abuse often re-traumatizes victim/survivors, causing new wounds. The Archdiocese must always strive to serve victim/survivors in adequate and responsive ways.

VICTIM/SURVIVOR ASSISTANCE

Currently, the Archdiocese offers victim services through MSSE. Victim Services are available through the newly created position of Outreach Coordinator for Restorative Justice and Abuse Prevention (Coordinator). This Coordinator is responsible for working with staff to ensure that victim/survivors receive necessary information and direct services. The Coordinator evaluates existing services to ensure the highest quality services are being provided to victim/survivors. The Coordinator is also responsible for developing new resources and programs to support victim/survivors. The Coordinator works with staff to coordinate Restorative Justice initiatives, and healing and outreach groups and activities. On May 23, 2019, the Archdiocese announced the Outreach Coordinator position had been filled by Paula Kaempffer, a victim/survivor, who has over forty years' experience in lay ministry within the Catholic Church.

Victim/survivors can also receive help, support and services from the Ombudsperson for the Archdiocese. Creation of the Ombudsperson position was a requirement of the Settlement Agreement.³¹ The Ombudsperson provides confidential, independent, outside resources for victim/survivors of clerical sexual abuse within the Archdiocese, and the position specifically exists for and because of the needs of victim/survivors who do not trust church personnel. Currently, the Ombudsman is Mr. Tom Johnson, a shareholder at the Law Firm of Gray Plant Moody practicing in the area of internal investigations, regulatory and investigative affairs, and environmental and land use law. Mr. Johnson is a former Hennepin County Attorney who served from 1979 to 1991. As County Attorney, he was known as an advocate for children who suffered abuse, and able prosecutor of those who had sexually abused.

³¹ *Settlement Agreement* § 13.8

The Archdiocese also contracts with Canvas Health to provide resources to victim/survivors. Canvas Health is an independent resource that can receive reports of misconduct and provides resources for professional counseling and care.

Responses to questions about victim/survivor services were widespread. Some interviewees reported there were no additional services that could be offered for victim/survivors. Other victim/survivor interviewees responded that people did not have enough information about the services being offered. Interviewees reported the Archdiocese should have more of a sense of urgency around implementing services for victim/survivors. This sentiment could be related to reports from interviewees that they felt the church expected victim/survivors to approach the church for healing services. Interviewees want the church to make a greater effort to meet victim/survivors where they presently are at.

Concerns were also raised about how priests respond to victim/survivors. While the Archdiocese has made efforts to educate seminarians on appropriate and compassionate responses to victim/survivors, multiple interviewees felt that the Archdiocese was not doing enough to educate priests who have been in ministry for years. To the extent not already provided, priests should receive training on trauma-informed responses to victim/survivors.

Interviewees also commented that priests at different parishes appear to be handling the issue differently. Responses were critical of priests who do not address the issue of child sex abuse at all; and of those that have, some interviewees commented about priests preaching different messages about the issue. While the RCAO is aware MSSE provides training to church personnel when a credible allegation of abuse affects a parish, RCAO is not aware of on-going training that otherwise helps priests discuss the issue.

The range of responses regarding victim/survivor services is concerning because victim/survivor needs should be at the forefront of archdiocesan efforts to promote justice, healing and reconciliation, where reconciliation is possible. Notably, victim/survivor services are extremely hard to find on the archdiocesan website. RCAO was unable to locate a page on the website dedicated, for example, to advertising events for victim/survivors. As written, the “Healing” page on the Safe Environment website only lists how to contact Canvas Health, the Ombudsperson and the Victim Assistance Program. There is no mention of the role of the Coordinator, or of any victim/survivor services events taking place within or outside of the Archdiocese.³² The Archdiocese should make a public commitment to recognizing that there is more that can and will be done to assist victim/survivors.

³² See <https://safe-environment.archspm.org/healing/>

RESTORATIVE JUSTICE AND HEALING

Early on, the RCAO identified restorative justice as a way for the Archdiocese to listen to the voices of those affected by sexual abuse, as well as promote healing for victim/survivors and the wider community. As a general principle, restorative justice is a victim-centered response that provides an avenue for those affected by crime or wrongdoing to discuss the impact of the crime and ways to repair the resulting harm. The technique permits a way to raise the voices of victim/survivors and others while also promoting healing. Restorative justice practices recognize that a prerequisite to healing is accountability.

The Settlement Agreement required the Archdiocese to participate in a Conference for Restorative Justice and Reconciliation, as well as required the archbishop and auxiliary bishop to individually participate in three restorative justice sessions during the term of the Settlement Agreement.³³ The Archdiocese convened the Conference for Restorative Justice and Reconciliation on January 23, 2020. This conference was open to the public and featured updates on the status of Safe Environment, a panel discussion led by victim/survivors and the opportunity to participate in healing circles. Additionally, throughout the term of the agreement, the Archdiocese has convened at least fifteen restorative justice/healing-circle sessions at different locations. The Archdiocese has partnered with leaders in the area and has created a Restorative Justice Liaison position, currently led by Father Dan Griffith.

While many steps have been taken to promote the healing potential of restorative justice, there is still much to be done to educate the public about the importance of the initiatives. Interviewees were split equally in their opinions about restorative justice efforts. Many found the efforts worthwhile and important, while others commented they are only appropriate for those who have been victims of abuse. Not only does this opinion miss the stated goals of restorative justice, it also ignores that parishioners and members of the community are secondary victims in the crisis. The Archdiocese should continue to promote restorative justice initiatives, as well as increase efforts to educate parishioners and the public about why sessions are open to all who wish to attend, and the potential healing effects these may have.

³³ *Settlement Agreement* §§E, F.

CONTINUING SUPPORT FOR LAITY, PRIESTS AND PARISHES – IMPACT AND INFLUENCE ON SPECIFIC STAKEHOLDERS

Although clear in interviews that current leadership is perceived as dedicated to changing the culture around the sexual abuse of minors, embedding cultural change requires that the work continue across the diocese, most particularly at the “front lines” of the parish where laity most directly worship and experience their faith.

LAITY

Laity were surprised, shocked and disgusted by what came to light about the extent of priest sexual abuse of children in the Archdiocese, with the long archdiocesan practice to protect the institution and clergy to the detriment of victims and their families. At this point laity’s patience is long tested, and the Archdiocese (and wider Church) squandered what had been a deep reservoir of trust from which it may otherwise have drawn.

An axiom often heard is that trust is built over a long time but can be lost in an instant. Today, trust remains an issue among laity. Some interviewees believe trust has improved but remains fragile. Others believe significant trust issues remain and, among these, some believe it cannot be earned back. Even if restored, virtually all agree that what happened cannot be forgotten, because to forget is to run the risk again. An interviewee rhetorically asked, “Can this be forgiven? Yes.” “Can it be forgotten? I hope not.”

Interviewees also express fatigue with the issue after the years of seeming unrelenting news coverage, beginning in Boston around 2002. Some reported that while they “want it to be over so we as church can move on,” ongoing bad press (*e.g.*, The Pennsylvania Attorney General Grand Jury Report) re-invigorates disgust and lack of trust. Some indicated the issue is too important locally, and the consequences of failure too severe to flag efforts at this critical point as the Archdiocese goes forward without civil monitoring. Some laity indicated some priests appear content to delegate safe environment work within the parish and expressed that priests should “do more than the minimum.”

Interviewees indicated healing will take time. Some are waiting for the church to increase its credibility. Even with the fatigue, or maybe because of it, interviewees suggested there is a need at this point to identify ways to keep Safe Environment considerations “fresh.”³⁴

There appears to remain some need for reassurance to laity that it is appropriate to call law enforcement if abuse is suspected; that it is not and should not be the exclusive province of MSSE. It is not unusual for many to be unsure about what to do in situations that are not clear

³⁴ Continuing Restorative Justice sessions in the parish settings, as well as the Archdiocesan Synod process may help address this concern in part.

cut and obvious, particularly in a parish setting concerning a topic that for most is uncomfortable.

Efforts to recognize the importance of lay input are evolving, one interviewee aptly noting, “there is a difference between an informed laity and an engaged laity.” As a general, unremarkable principle, the Archdiocese is encouraged to expand meaningful lay involvement where that makes sense. A bias should exist for more lay involvement. An example mentioned by interviewees was implementation of the Archbishop’s Lay Advisory Board as a “short-line” route to two-way communication with the archbishop. The board, an *ad hoc*, diverse and representative group of stakeholders, furthers cultural goals of transparency and communication intended to flow both ways: laity to the archbishop, and the archbishop back to laity via committee members to their respective deaneries and parishes. An interviewee observed, “Archbishop Hebda cut through the bureaucratic” to hear directly from laity.

In about June 2019, Archbishop Hebda announced plans for an Archdiocesan Synod. Currently, the synod process involves listening sessions with the archbishop at various parishes throughout the Archdiocese. These appear to be part of a defined, multi-year process from which a master Archdiocesan Pastoral Plan will ultimately be written. To the extent Safe Environment concerns are raised within the process, these would seem to have the potential to become part of the master plan.

PRIESTS

As Minnesota Public Radio’s series on clergy sex abuse continued for weeks in 2013-14 with new disclosures almost daily, priests’ general reaction is reported to have been, “What is going on?” and “What will be on tomorrow’s front page?” Priest morale “went through the floor.” But priests did their best individually and in support of one another to “hold down” their parishes in an environment becoming rapidly more uncertain. With the criminal and civil charges in June 2015, many asked, “Now what happens? No one has ever been here before.” Interviewees described priests, as a group, humbled, increasingly fatigued by developments and increasingly angry. Priest trust in archdiocesan leadership is said to have plummeted.

But the public scrutiny and litigation is also reported to have caused priests to step back and ask, “How, in fact, should we be doing business here to keep children safe?” Priests readily recognized the importance of the role of Director of MSSE because past events had amply shown the inadequacy of what the Archdiocese had been doing.

Interviewees indicated that priests are “on board” at this point with the Safe Environment Program, even if some may not like it. Priests clearly support the need for removing opportunities for abuse to occur. For themselves, a need to be self-aware when interacting with children seems to permeate the clerical culture. Newer priests are more likely to be cautious around children. Multiple interviewees commented it would be nice to find a new balance, one

where the overriding priority remains keeping children safe, but one which allows “me to feel more comfortable working with kids.” A generalized heightened concern exists that a false accusation can ruin a priest’s career and that, once accused, a professional reputation is nearly impossible to restore.

A lack of trust is reported to exist between priests and archdiocesan leadership but is improving, and people understand it will take time.

In approximately 2016, the Archdiocese initiated an ambitious “Comprehensive Clergy Support Initiative” with the goal of “holy, happy, healthy priests” in ministry. A new full-time position of Episcopal Vicar for Clergy and Parish Services was developed. The vicar is responsible for coordinating a comprehensive program to support all clergy, with support for newer priests upon ordination or first appointment to pastor (including assignment of a mentor priest, typically an experienced pastor of another church). Support is also available to retired priests and international priests. The vicar’s expansive job description includes working and coordinating with the Director of MSSE. Although the support initiative saw some initial reluctance from priests, that reluctance appears to be less of a concern with time.

St. Paul Seminary

A cultural shift is not as obvious at the St. Paul Seminary (SPS). Interviewees believe SPS now has the right mix of people on staff, and suggested it is not unusual that a cultural shift would not be as obvious at the seminary given the function and character of a seminary (living in a community of formation, intentionally set apart in varying degrees by design).

A critical question to be asked of any seminary appears to be: “How do we form a priest who will not abuse or harm people, especially children?” Interviewees recognize the church’s responsibility to form priests who understand how to build healthy relationships and be leaders and stewards of their parish communities. SPS reports screening and entrance policies are being improved. The seminary continues to formalize new procedures, including increased contacts with MSSE. Seminarians are required to become E3 certified at the start of their studies.³⁵ As a part of MSSE’s new role at SPS, the director and assistant director provide presentations to both second-year seminarians, and fourth-year seminarians prior to ordination. Beyond assisting instruction, the two are reported to participate with faculty in the formal annual reviews of seminarians; and beginning next year, will be part of admissions interviews.

³⁵ As well as complete Title IX training through the University of St. Thomas.

An unexpected number of interviewees identified clericalism as an issue that needs attention within the Archdiocese.³⁶ Other comments related to the Archdiocese needing to have conversations around the issue of who is admitted to ministry.³⁷ RCAO admits no competence in the formation or ordination of Catholic priests and provides the information here only because of its apparent importance.

PARISHES AND SCHOOLS

Parishes and schools are the front line of safeguarding children. Pushing safe environment awareness and compliance requirements down to the parish and school level is therefore a prerequisite to and necessity for an effective program. The Safe Environment Program can in some ways be viewed as 187-plus local programs feeding into a master archdiocesan program. Thus, routine, regular attention to parishes and schools would always seem necessary.

An early lesson learned after implementing the Settlement Agreement was that parishes and schools needed assistance to varying degrees in order for the Archdiocese to meet its obligations. A wide diversity of parishes and schools exist in this Archdiocese with respect to relative size and available resources. Communities where English may be considered a second language also present challenges to the extent language is a barrier to meeting Safe Environment requirements.³⁸

³⁶ “‘Clericalism’ is commonly defined as a type of exceptionalism, a form of elitism, and, in the words of Pope Francis, an attitude embraced by priests and bishops in which they see themselves as special or superior to others. Those who believe they are entitled to this elevated status claim certain prerogatives and feel exempted from accountability for their behavior. In parish life it is expressed by priests who ignore, put down, and exclude laypeople, especially those who minister with them. Clerical attitudes often are directed toward women and toward children in the form of sexual abuse.” Katarina Schuth, O.S.F., *Seminary Formation: Addressing Clericalism and Sexuality in Human, Spiritual, Intellectual and Pastoral Areas* at 3, material for use as part of Interdisciplinary Workshop on Clericalism and Sexuality, St. Edmund’s College, University of Cambridge, UK (2019). Sr. Schuth is noted to be Professor Emerita of SPS.

³⁷ Mandatory celibacy and/or the potential for married priests were included concerns, neither of which can be addressed definitively within the Archdiocese.

³⁸ ESL parishes were described as highly motivated to meet the requirements, and justifiably proud when the parish hit the mark. In at least one case, an international priest was described as requesting and then getting his whole congregation to complete E3 training.

Safe Environment Coordinators and OPCY

The key to a quality Safe Environment Program within a parish or school is the designated Safe Environment Coordinator. Among other things, coordinators are responsible for making sure that those required to comply with E3 certification requirements do so. Implementation of the Settlement Agreement required the reporting of accurate compliance data from the parish or school to the Archdiocese, and this process did not generally go smoothly.

The person who takes on the Safe Environment Coordinator role varies across parishes and schools. Often, the coordinators also work as administrators within the parish or school and have other duties, and sometimes the coordinator responsibilities are assigned to volunteers. Early on, it was reported that despite understanding the importance of compliance tracking and reporting, coordinators were often overwhelmed because they lacked the knowledge or experience to accurately report, which was exasperated by a cumbersome, difficult-to-use reporting system. It was reported that the Safe Environment Coordinator position saw a high rate of turnover.

To address this, MSSE reorganized its Office for the Protection of Children and Youth (OPCY). The reorganization occurred with the benefit of stakeholder input, and thorough internal review of past practices, including the ways OPCY had, could and should provide services. Among the most significant changes was the creation of four liaison positions, three of whom work individually with assigned parishes, schools and seminaries on compliance, training and other initiatives.

Coordinators now view the assigned liaison as an important resource and partner in their efforts. But a feeling remains, among at least some coordinators, that they are spread too thin and the reporting mechanism is still difficult, cumbersome and time consuming. Consequently, OPCY liaisons continue to fill a vital role assisting, often working with coordinators one-to-one.

Lay Trustees

Some interviewees indicated parish lay trustees appear well positioned to further facilitate and help ensure safe environments within their parishes. The role appears to be evolving, to the credit of the Archdiocese. An archdiocesan-level orientation for new trustees is held at regular intervals, which includes not only safe environment topics, but general instruction on the legal aspects of trustees as fiduciaries. Currently, in a relatively recent change from past practice, lay trustees are required to become E3 certified if they are not already certified when appointed; and at least one of a parish's two lay trustees is required to sign the parish compliance report to MSSE (along with the pastor and Safe Environment Coordinator.) Additionally, under the Settlement Agreement, trustees are to receive certain notices in certain contingencies; for example, when an employee is not in compliance with E3 requirements.³⁹

³⁹ See, e.g., *Settlement Agreement* at 14.1.b.i.

Trustees have the potential to be another resource at the parish level; a person knowledgeable about safe environment requirements and responsible for seeing that they are met. Trustees (indeed, all laity) also play a key role in respectfully challenging the assigned priest, as that may be necessary, particularly in the area of protecting children from sexual abuse.

CONTINUED ACCOUNTABILITY

The implemented leadership, structural, compliance and values changes are only as good as the checks and balances meant to assure their continuation. At the time of the Settlement Agreement, little internal review occurred, and little to no outside accountability fostered an environment in which the Archdiocese protected itself and its clerics while providing nearly zero accountability to the people it served. Through the terms of the Settlement Agreement, the Archdiocese has been required to be accountable, demonstrating its substantial compliance over the last four years. Moving forward, the Archdiocese should publicly commit to continuing transparency and accountability in the pursuit of a continuously improving, comprehensive Safe Environment Program.

THREATS TO PROGRESS ACHIEVED

When asked about threats that exist to the progress seen under the Settlement Agreement, interviewees identified three broad areas:

1. assuring complacency does not seep into the program;
2. assuring succession planning for critical leadership, to the degree that is possible; and
3. assuring adequate resources to continue MSSE's mission and influence across the Archdiocese.

These topics are included in the Recommendations Section below.

RECOMMENDATIONS

Leadership

1. With expiration of the Settlement Agreement, the Archdiocese is no longer required to maintain the Safe Environment Program as it was constructed by the parties in negotiations that led to the Settlement Agreement. As good as that model may have turned out to be, the Archdiocese should now commit to a comprehensive self-critical analysis to improve its Safe Environment Program. Experience shows at least incremental improvements are likely possible. Ideally, the review will be wide, and involve input across stakeholders down to the parish and school level. Such self-analysis will also help address concerns that the program needs to be kept "fresh."

2. To the extent feasible, the Archdiocese should undertake succession planning for key leadership positions critical to its Safe Environment Program. This would appear realistic for all positions other than archbishop and bishop, who potentially could be appointed elsewhere by the Pope. In this event, Archbishop Hebda and/or Bishop Cozzens would hopefully be able to influence selection of their respective replacement.
3. With expiration of the Settlement Agreement, the Archdiocese should maintain its commitment to providing adequate resources for an effective program. Although MSSE should go through the formal budgeting process just like any other department or office, the Archdiocese should maintain a commitment to provide resources sufficient for the Safe Environment Program to continuously improve.
4. The Archdiocese should expand meaningful lay involvement, particularly increasing the participation of women in positions of leadership and influence. Interviews showed a clear commitment on the part of lay people to protect children and increase meaningful engagement. It also should be recognized the important role women have played in exposing the sex abuse crisis both locally and nationally. The majority of whistleblowers have been women.

Structure, Policy and Process

Ministerial Review Board⁴⁰

5. The Archdiocese should publicly identify current MRB members and their relationship with the church, if any. Nationally, review boards have generally been criticized as operating in secrecy and used by the church to shield the church. Composition of the current MRB in this Archdiocese reflects high quality, integrity and independence; in short, this board does not appear to be one that is going to be led away from truth. Each member said he/she did not object to being publicly identified as a member. Doing so would further enhance the board's credibility and promote transparency.
6. MRB policy should be updated to ensure the continuing diversity and quality of the board. Currently, the Ministerial Review Board Policy states that board membership shall be comprised of an experienced pastor of the Archdiocese and a lay person with professional experience in the treatment or investigation of sexual abuse of minors.⁴¹ The Archdiocese should ensure that at least one member of the MRB has a background in law enforcement, particularly one with experience investigating crimes of sexual

⁴⁰ Some of these recommendations benefited with input from Mr. Tom Johnson, who well serves victim/survivors and others as the volunteer Ombudsperson required by the Settlement Agreement.

⁴¹ See Ministerial Review Board Policy (2016).

violence.⁴² Additionally, policy should include additional parameters for composition of the board, specifying 1) the MRB always be comprised of a majority of lay people; 2) identifying the credentials needed to serve on the Board; and 3) clarifying conflict-of-interest standards used by the Board.

7. The MRB should permit victim/survivors to testify before the Board as a matter of right. This affords victim/survivors an opportunity to be heard, should they desire.
8. The MRB should seek a victim/survivor's "Statement of Desired Outcome," or similarly titled document, as a factor the board is required to consider in making its recommendation whether to return a cleric to ministry.
9. The MRB should provide written notification to victim/survivors when an allegation has been determined credible, and again when the allegation is substantiated. Upon substantiation, the archbishop should meet with the victim/survivor and send an appropriate letter, unless the victim/survivor declines this after being notified.
10. To promote continuing accountability and transparency, in cases involving allegations of sexual abuse of a minor by a cleric where an archbishop does not adopt the MRB's recommendation concerning the cleric's fitness to return to ministry, the fact of the archbishop's non-adoption should be public.

Essential 3

11. MSSE should create messaging for parish and school leaders about why E3 certification is necessary. Everyone who has contact with children is responsible for the safety of children. This includes knowing the signs of abuse, and how to properly report if abuse is suspected. All clergy, employees and volunteers should understand the importance of having every person trained.
12. The Archdiocese should encourage, if not require, priests to complete VIRTUS training with their lay people. Interviewees indicated this would be valuable and send a message that their priest is part of the solution, not above everyone else, and is committed to keeping children safe.

⁴² This recommendation is in line with the recommendation of the Safe Environment Task Force.

13. The Archdiocese should create one database that houses all Safe Environment reporting information. Stakeholders should be able to access trainings, records and reports through this database. One central database will remove cumbersome reporting requirements and provide ease of use, diminishing the likelihood of inaccurate data.

Victim/Survivor Assistance and Restorative Justice

14. The Archdiocese should undertake an analysis of the effectiveness of their victim/survivor assistance programs to gain an understanding of what is working, and where programs could be improved.
15. The Archdiocese should continue its Restorative Justice efforts not only for victim/survivors directly, but also on the well-founded rationale (without diminishing in any way the harm experienced by victim/survivors) that all Catholics are in many ways secondary victims of the abuse and institutional crises.

Specific Stakeholders

Laity

16. The Archdiocese should engage a cross-section of the Archdiocese to explore means, methods and strategies for keeping Safe Environment “fresh” to stakeholders. As potential starting points, interviewees suggested a communications strategy, with regular updates, to acknowledge successes and share good news from the parish level, all of which could support and supplement Safe Environment education.

Priests

17. The Archdiocese should provide continuing education for priests already in ministry about how to address the issue of child sexual abuse, specifically to include trauma-informed training.
18. In each instance of transition of a pastor to a new parish, the Archdiocese should require an on-site review and audit of Safe Environment compliance (and needs), to include a meeting between the two priests involved, the parish Safe Environment Coordinator, lay trustees and the assigned archdiocesan parish liaison, if available.

This would appear to be beneficial to the incoming pastor as it would inform him of the current state of affairs in his new parish. It would also provide MSSE another parish point-of-contact. Reviews should be documented appropriately and provided to MSSE.⁴³

19. To the extent priests receive formal periodic performance reviews, it should include a component relating to Safe Environment Program requirements, both as to related training of the priest, and local status and performance of his parish.
20. The Vicar for Clergy and Parish Services should “plug into” the Saint Paul Seminary at an appropriate point of a seminarian’s education to not only orient seminarians to the comprehensive support program, but potentially expand services in conjunction with any already provided by the seminary to assist the transition from prayer, study and reflection to the many demands made upon a priest in parish ministry.

Parishes

21. The Archdiocese should encourage parishes to include the names and contact information of the safe environment coordinator and two lay trustees in the listings of parish staff typically seen in Sunday bulletins. The same additions should be made to the parish website. Doing this will provide additional resources for parishioners to consult in cases where there is a lack of comfort dealing with the pastor, or where a parishioner has a concern but feels it is not significant enough to call MSSE.⁴⁴
22. More OPCY liaisons should be hired. The importance of the role of the liaison was consistently mentioned by interviewees. Liaisons have helped streamline the time needed for parishes and schools to meet reporting requirements, have provided much needed training and technical support, and have identified deficiencies in individual parishes and schools. Current liaisons reported being tasked with large workloads and feeling overwhelmed.

⁴³ This recommendation is noted to be close to Section 14.5 of the Settlement Agreement, which required that the archbishop request review of Safe Environment and finance compliance each time there was a change of pastor. The firm selected by the Archdiocese to conduct the annual compliance audits required by the agreement determined that while correspondence from the Archbishop requesting the review was addressed to all locations that changed leadership, the reviews may not have occurred at all locations. See Stonebridge Business Partners, *Independent Auditor’s Report on Applying Agreed-Upon Procedures, Compliance with the Settlement Agreement*, for fiscal 2018, 2019.

⁴⁴ RAO randomly sampled twenty percent of parishes in the Archdiocese and reviewed websites and bulletins. Twenty-one percent of the parishes include the Safe Environment Coordinator in the staff listing. Fifty-nine percent of the parishes include lay trustees.

Accountability

23. The Archdiocese should conduct regular internal audits of the Safe Environment Program. To this end, the Safe Environment Program should continue to be adequately staffed to allow for regular audits to identify areas of risk and non-compliance. Audits should consist of a survey of priests, Safe Environment staff, Safe Environment Coordinators, and lay people to gauge areas of strengths and weaknesses, the understanding of current policies and procedures and areas of risk to the organization. Victim/survivors, parish and school employees and staff should be regularly consulted for feedback on areas of improvement to the Safe Environment Program. The goal of the internal audit should be continuous improvement of the Safe Environment Program.
24. The Archdiocese should commit to regular external audits. Outside auditing ensures another level of accountability. The Archdiocese should continue to engage outside auditors experienced in risk management and ethics and compliance audits. Outside auditors should continue their assessment of the Safe Environment Program and provide recommendations for moving forward. Auditors should be granted unrestricted access to Safe Environment information. Like the internal audits, auditors should consult with Safe Environment personnel, priests, employees, victim/survivors, and lay people to determine program compliance and areas of weakness.
25. MSSE should publish an annual report of the safe environment program. Public accountability is vital to the continuing success and improvement of Safe Environment efforts. This annual report should be quite comprehensive, and include any reports of credible allegations and the steps taken by the Archdiocese as a result of the allegations, findings from both the internal and external audits, recommendations from those audits, analysis of the current strengths and weaknesses of the Safe Environment Program, updates to any structural changes affecting Safe Environment, how to contact Safe Environment Staff and OPCY liaisons, the name of the current Ombudsman and contact information, and how to report abuse. The report should indicate updates to policies and procedures in response to areas of needed improvement identified by the external and internal audits.

CONCLUSION

The Settlement Agreement provided a road map for the Archdiocese to forge a new path. The agreement, however, was by no means an exhaustive list of tasks to be completed to ensure safety for children. Over the past four years, the Archdiocese has taken significant steps to ensure that no child ever again becomes the victim of clerical sexual abuse. Civil monitoring and court oversight assisted change, assuring not only steady progress toward the goal, but also accountability to the commitments made.

Through its current leadership, the Archdiocese has demonstrated what appears to be a very sincere institutional commitment to protecting children from sexual abuse by clergy. Safe environment efforts are quite different today than they were four years ago, and the Archdiocese should be recognized for its accomplishments.

Despite all the change, however, there is more that can be done to protect children and provide healing. With oversight ending, it is a good time for the Archdiocese to publicly commit to continued forward movement and public accountability. For in the race to protect children, there is no finish line.

APPENDIX (Below is a list of stakeholder interviewees referenced on page 3.)

Adam, Michelle T.	Hennen, Dale	Mulheron, Susan
Anderson, Jeff	Hoffman, Ben	Oseid, Julie
Anderson, Kristyn	Hoffman, Joy	Padilla, Howie
Boisvert, Jeri	Holub, Richard	Puccio, Sr. Carolyn
Campion, Michael	Huard, Rev. Jeff	Quinan, Daniel
Clinton, Rev. Kevin	Johnson, Tom	Rask, Rev. Phillip
Conneely, Kevin	Kaempffer, Paula	Reid, Charles
Cornwell, Nathan	Kasel, Rev. Randal J.	Richter, Dr. James
Crisp, Julie	Keller, Daniel	Riordan, Dcn. Rip
Damien, Chris	Kronholm, Sara	Ruff, Paul, MA, LP
Erickson, Rev. John Paul	Kueppers, Joseph	Sandholm, Wesley
Finnegan, Michael	Kuss, Rev. Allen	Slattery, Jason
Fitzpatrick, Rev. Robert J.	Lachowitz, Very Rev. Charles V.	Stewart, Dcn. Phil
Flynn, Polly	Mader, Rev. Stan	Tix, Very Rev. Michael
Friis, Clare	Menke, Patrick	Treacy, Rev. Paul
Griffith, Rev. Daniel	Mertens, Tom	Ubel, Rev. John L.
Hartman, Malinda	Meuers, Frank	Walker, Rev. Tom
Haschka, S.J., Rev. David J.	Moon, Sarah	Wetterling, Patty
Haselberger, Jennifer	Moe, Mary Ellen	