

MOVING FORWARD

Timothy Cardinal Dolan, Archbishop of New York

The following is an excerpt from an address given by Timothy Cardinal Dolan before the Metropolitan Club in New York City on April 8.

You have patiently sat through my past conversations with you as I have spoken of all the good the Catholic Church has done—our schools, charities, services for the homeless and hungry, welcome of refugees, healthcare efforts, our cathedral, advocacy for kids, babies—born and pre-born—the poor, families, our elders.

So, as I've discussed with you before the good we've done, honesty moves me to talk about the bad: the sexual abuse of minors by clergy.

Can I begin with the obvious? I mourn the grave damage that many victims—we count over 300 brave victims who have come forward—and their families have endured.

I repent for the sins and crimes of the priests—almost all of whom are deceased, and those living permanently removed from ministry—who have abused, and for my predecessors in the past who did not always act with the rigor justice requires in removing these perpetrators.

It has brought about not only deep wounds in the survivors and their families, but has seriously hurt our faithful people, and our loyal priests—the towering majority of whom have led virtuous, faithful lives—and has damaged the credibility of the Church in the wider community.

Lent, this season of repentance, provides me a fitting opportunity to renew the contrition we feel. There can be no excuses.

In the past, Church leaders did not always see what was uncomfortable to see, nor listen to voices of victims, parents, brave virtuous priests, sisters, and sensitive lay people that yearned to be heard about dangerous clerics.

In the past, some offending priests were at times transferred to yet another parish, or left in their assignment, only to tragically reoffend.

Back then, law enforcement officials were not always informed of the crime for which an offender should have been arrested.

Back then, there were rarely any background checks or safe environment training.

Back then, I am also afraid to admit, we were not always as open and up front as we should have been with our people.

In the past, the Catholic Church was not the example of the vigilant, professional approach prioritizing the safety of young people at all costs that we should have been.

For me to say this in front of you causes me sorrow and shame, just as it does on occasions when I meet with victims and their families, as I often do.

This expression of shame and sorrow is appropriate as we commence the penance and intense prayer of Holy Week beginning this Sunday, Palm Sunday.

Our elder brothers and sisters in the faith, our Jewish neighbors, will also then observe Passover, and their belief reminds us convincingly that God can indeed rescue us from darkness, sin, and death, as He indeed did save the Hebrews in Egypt. God can guide us to renewal, reform, a new land.

I told you before how things were done *back then*. What about *now*?

Only three instances of substantiated sexual abuse have been

alleged to have occurred in the archdiocese since 2002. John Jay College of Criminal Justice, at the request of the bishops, conducted a comprehensive independent study of clergy abuse in the United States, and found that the annual number of incidents of sexual abuse by priests peaked in the late 1970s and early 1980s, and then declined sharply after 1985.

One incident is way too many, but the sharp drop in the past three decades reflects changes in attitudes and policies that were terribly slow to come, but are now firmly in place.

In June 2002, the *United States Conference of Catholic Bishops* adopted the *Charter for the Protection of Children and Young People*, usually called ***The Dallas Charter***, which affirms the Church's commitment to sustain and strengthen a safe environment for children and youth.

Under Cardinal John O'Connor and Cardinal Edward Egan, my predecessors, our diocese had already enacted a number of protective measures. The Charter was the starting point for all that followed. It set out a series of practical and pastoral steps to which the archdiocese remains deeply committed.

Now, whenever the archdiocese receives an allegation of abuse—and as I have said the vast majority of current complaints relate to conduct that occurred over 30 years ago or more—it is referred automatically to the appropriate District Attorney. We have *memoranda of understanding* in place with the District Attorneys in each of the ten counties in the archdiocese, and they have our commitment to full cooperation.

Now, when we receive an allegation of abuse, the victim is immediately offered counseling by a professional of the victim's choosing. The counseling is at the archdiocese's expense, as it should be, and for as long as the victim feels it is needed.

Now, if a District Attorney's Office determines that the

allegation is credible, but that it cannot bring a criminal charge because the conduct is time barred, which is almost always the case, it turns the matter back to the archdiocese, and we contract an independent investigation from an outside forensic agency made up of mostly former FBI agents. A criminal conviction requires proof beyond a reasonable doubt; protecting children does not. While this independent investigation is going on, the priest steps aside and his parish is notified.

Now, after this independent investigation is concluded, that data is presented to a Review Board to determine if the allegation is more likely than not true. The board is comprised of a majority of lay people—judges, lawyers, a psychologist, parents, teachers—and a priest and a nun.

Now, if the Board determines that the complaint is substantiated as more likely true, I accept their recommendation and remove the priest from active ministry, and his current and former parishes are notified. If the allegation is found not to be substantiated, the priest is returned to ministry.

Let me read you a part of the letter that I send to parishioners when we receive an allegation, regarding their priest, which the DA has deemed credible:

“I write to share some unpleasant news concerning [your priest]. Although you will undoubtedly find this news disturbing, as do I, I know you would prefer to hear it from me directly...[T]he archdiocese was informed that an allegation of sexual abuse of a minor was made against [your priest] and the district attorney has deemed it credible.

“The archdiocese will now follow its policy and protocols which includes having an independent investigation and referral to the Review Board...[Your priest] has denied the allegation, but will step aside while the matter is

investigated. Might I request your prayers for the person who brought this allegation, and for [your priest]. We will keep you posted."

Similar letters then go to members of past parishes where the accused priest has been assigned. We ask other victims to come forward.

Writing such a letter is not easy. Not writing it would be far worse. Permit me one more example of our current practices.

Now, the archdiocese has a Safe Environment Program that requires training for anyone who works with children, including clergy, employees and volunteers. Now, we require background checks that must be renewed every six years.

All of what I have said so far involves our handling of abuse complaints, and reflects our commitment to diligence and honesty. But the Church also has an obligation to make amends to victims of past abuse, and we are committed to doing that as well.

Three years ago, the archdiocese created an *Independent Reconciliation and Compensation Program* (IRCP) to assess claims of past abuse and give compensation to those who were abused. Since then a number of other dioceses have followed our lead and created their own compensation programs.

The IRCP is led by Kenneth Feinberg and Camille Biros, who administered the compensation funds for the victims of September 11, and those of the Boston Marathon bombing, and who are recognized experts in the field.

To date, the IRCP has awarded \$60 million in compensation to 314 victims. That number is heart-breaking, but the fact that there is an effective, autonomous procedure in place to hear complaints and provide some resolution is an important step toward healing, as victims have testified. We continue to invite people to come forward.

You should also know that this past September I asked Barbara Jones, a widely respected former federal judge, to review all of our policies, look into our practices, and make recommendations for their improvement. I want her to let us know whether or not we are indeed keeping the promises we have made. There is always room for improvement.

Before I close today, I want to say a few words about the *Child Victims Act* which the New York Legislature passed and the governor signed into law on February 14, 2019. Most significantly, the act extends the statute of limitations in criminal and civil cases so that victims of child abuse can seek justice.

In his State of the State Address, Governor Cuomo suggested that the “opposition of the Catholic Church” had been an impediment to the law’s passage—that the Church was somehow indifferent to abuse. Maybe it was good theatre, but it was less than accurate, and hardly fair.

To be sure, in the past, the Church had publicly supported robust reform in the laws on the abuse of minors, but had expressed concerns about one part of the act repealing the statute of limitations retroactively, but we were hardly alone in that caution.

Before the Governor spoke, however, we had publicly dropped our opposition. We had asked only that the so-called “public loophole”—a loophole that denied victims abused at public institutions, where abuse is regularly documented, equal access to the courts—be closed.

Sexual abuse is not limited to one institution, and while legislation should include the Church, we should not be singled out. The legislation that was enacted this year covers all organizations, private and public, religious and secular. It therefore had our support.

Jesus taught that the kingdom of God belongs to the children.

For years, the Church was at times sadly less than strict in protecting those young people. No more. Children need safe places to grow, to learn, to play baseball, to thrive, to pray, to prepare for life.

As Dr. Paul McHugh, of Johns Hopkins University, a leading expert in the abuse of the young, has stated "Children are today very safe in the Catholic Church."

A wise historian said that those who forget the past are doomed to repeat it. I will not forget.

I thank you for inviting me to speak today, and very much appreciate your attention to my remarks.

A Blessed Holy Week and Passover!