

Address of Dr. Monica Applewhite to the Irish Bishops, March 10, 2009

Thank you for welcoming me to be with you here today. I am deeply appreciative of the opportunity to speak with you. Please allow me to acknowledge from the outset that I have neither the right nor the information to tell you what you should do at this moment with respect to the Irish Church or the priests in this country who have sexually abused minors. My intention this morning is to share with you some of the particulars of our experience in the United States that may not have been reported in the usual avenues of international communication. I intend to be as frank as possible in the hope that by sharing openly with you we may assist you in the asking of questions and the development of your solutions. I recognize that these are painful times filled with unexpected challenges. Thank you for committing your lives to the service of the Church and its people. Thank you for continuing on during these difficult days.

My presentation will be in three parts: First, I will provide a context and history of the events in the US, recognizing that you are certainly familiar with the Catholic Church dimensions of the story. Second, will briefly define the two systems of response that were developed by the United States Conference of Catholic Bishops and the Conference of Major Superiors of Men. Third, given that we have lived within these two systems for 6 years now, I will share with you the aspects of the programs that have proven most successful.

Let's begin with our context in the United States. Our story begins a number of years ago, when reports began to surface within the Boy Scouts of America. Reports that some of the scout leaders were touching scouts inappropriately during outings and overnight trips. The executive leadership sent an internal memo emphasizing the need to more closely screen and monitor leaders. The year? It was 1922.

In the 1930's and 40's, after a series of brutal child murders which were apparently sexually motivated, the criminal justice system in the United States began passing legislation to address "sexual psychopaths." These laws reflected the pervasive thinking of the times: that forcible rape of children was a serious crime. The language used in the laws did not reflect an awareness of incest sexual abuse or the more subtle forms of abuse that involve relationship development as a form of coercion. One prominent writer said, "Practically all sex crimes are committed by degenerates, sex fiends, sexual psychopaths and sex-killers" leaving us with little doubt that a gainfully employed, non-criminal type was unlikely to be viewed as a potential sex offender.

What may be interesting to some of us here is that part of the "sexual psychopath" movement was to establish treatment-based sentencing for sexual offenders. That is, to sentence sexual offenders to treatment instead of prison in order to address the underlying causes of the offense, until which time the sexual offender was "cured." And how, you may ask, did these programs determine that the patient was cured? When he showed remorse, took responsibility for the offense and agreed not to do it again. From the 1950's to the 1980's, these treatment-based

interventions for sexual criminals were not only enormously prevalent in the United States, but surveys of ordinary citizens showed that they were enormously popular.

Throughout the 1960's and 1970's the community of adults who were sexually attracted to children could find child prostitutes in virtually every city in the US. Adult men who were attracted to boys were called "chicken hawks" and there were newsletters where they advertised for "family nudity" or "nudity and boyish freedom." Child pornography was also common – a subset of pornographic videos from the 1970's was called the "lollypop collection."

In the 1970's, sexual abuse was viewed with a cavalier attitude. Little was known about the effects of sexual abuse, victims were frequently thought to have "colluded" with offenders and the prevalence of childhood sexual was thought to be very rare, "one in a million." It was not until studies and popular media in the 1980's began to address sexual abuse of girls that the effects of early sexual contact began to be revealed. Mental illness, addiction, suicide, teen-runaways, depression, phobias and anxiety disorders began to be linked to childhood sexual abuse. Discovery of the harm of sexual abuse began to influence our perspectives on prevention. It would still be years before the effects of sexual abuse on boys would begin to be studied or understood.

In the mid 1980's, youth serving organizations began to be sued in civil proceedings for failure to prevent and respond properly to allegations of sexual abuse. The most common theories of liability were negligent screening, negligent training, negligent monitoring and negligent retention (keeping someone longer than you should have).

At that time, the average settlement for a case of molestation in a child-serving organization more than doubled the average settlement for a drowning. In response to the volume and intensity of claims, youth camps, YMCA's and Boys and Girls Clubs began implementing "abuse prevention programs" which typically consisted of requiring staff to sign agreements to report abuse and complete training in the profile of a child molester and the indicators of abuse in children.

In October of 1984, Gilbert Gauthé was arrested in LaFayette, Louisiana. He pled guilty to abusing children in every parish where he had served since 1971. Sexual abuse in the Catholic Church was suddenly on the radar screen in a big way. Many dioceses around the country began to develop policies for responding to abuse. Responding, not preventing necessarily, but responding properly when abuse allegations were brought forward. These policies were ultimately formalized in June of 1992, in a document issued by the National Conference of Catholic Bishops called the "Five Principles" document.

The 1992 Five Principles were intended to guide leaders within the church with respect to allegations of sexual abuse. And all the dioceses were expected to follow them. The Five Principles were:

- 1) respond promptly to all allegations of abuse;
- 2) relieve the alleged offender promptly of his ministerial duties and refer him for appropriate medical evaluation and intervention;
- 3) comply with the obligations of civil law as regards reporting of the incident;
- 4) reach out to the victims and their families;
- 5) deal as openly as possible with the members of the community.

In 1994, a seven year old girl named Megan Kanka was raped and murdered by a twice-convicted sexual offender who had moved down the street from her family. Lawmakers in the state of New Jersey honored her memory by naming the state's Community Notification statute, "Megan's Law." This law was the first to permit the criminal justice system to disclose the criminal records of released sexual offenders to members of a community in which the individual intended to reside. Previously, this action was not permitted because of the "need to protect" the sexual offender's privacy.

In March of the year 2000, a small independent school district in Texas was struggling with "a situation." A male school teacher was caught with his hands inside the pants of a nine year old student, a little boy. The school district's response? They transferred him to a school filled with minority students whose parents did not speak English. There, he was caught again. The school district's response this time? They sent him to a school for children with mental retardation. When he was caught the final time, the superintendent told him that if he would just go away quietly and leave the area, no further action would be taken against him. He was never arrested.

That same year, the year 2000, newspapers around the country reported 244 cases of child sexual abuse in our nations' schools in a six month period. We have since learned that approximately 10% of American public school children have at least one experience of sexual abuse in school by the time they are 18 years old and that approximately 40% of sexual abuse that occurs in schools is perpetrated by female school teachers.

It was in the late fall and early winter of 2001, the rumors began circulating around the Northeastern United States. Rumors about a particularly notorious priest offender who had viciously abused many children during the 80's and was permitted to continue in ministry even into the 90's. It was not the first time we'd heard such a story, but the distinction was that in this case, the ultimate target of concern was not the abusive priest, but the leader who had made decisions about his appropriateness to continue in service as a priest. Rumor had it that there was a possibility that the Cardinal of Boston could be held liable or even criminally responsible for his actions with respect to this man Geoghan.

By February of 2002, the courtroom drama of the Geoghan case had begun to unfold. Each day for the next several months, newspapers around the country brought out the details of the handling of Geoghan, his treatments, his assignments, the correspondence with him and about

him. In the early days, many of the decisions that were made seemed almost reasonable, placing a man back in ministry after treatment, encouraging a man to start anew in a new environment...other leaders could look at those decisions and consider whether they could have made the same or similar choices during that period of time. But as the pieces of the puzzle in Boston were put into place, another picture emerged...it seemed that not just Geoghan, but other offenders who were multiple offenders, high risk to offend again were put back into ministry despite the treatment providers' cautions about the individuals' risk and recommendations that they not be placed back into ministry. Leaders throughout the church began to realize that the system that had been in place in Boston simply did not follow the protocols that had been recommended by the conference of bishops back in 1985 and reaffirmed in 1992.

The greatest shock to the bishops may have been when they realized that Paul Shanley was transferred to Los Angeles without any disclosure about his very rich history of sexual abuse and inappropriateness for ministry in the Archdiocese of Boston.

And the stories continued...fury at the handling of cases in Boston built throughout the Northeast and spread far and wide in the United States. Catholic lay people, priests, and religious, learning of the conscientious efforts to cover-up problems and dismiss the outcries of victims, felt betrayed and disillusioned by the depth of error and the multitude of missed opportunities to just do the right thing and protect the vulnerable.

Questions began to be asked throughout the country...is this the way all bishops handle these situations? How do we have confidence that this is not the way abuse is being handled today. Questions, questions at the local level.

Assurances were given that times had changed, lessons had been learned. The situation in Boston was devastating, but isolated. Assurances that fell on deaf ears as victims of abuse throughout the country continued to come forward and share stories of approaching dioceses with disclosures of abuse only to be turned away by attorneys and ignored by leaders.

Within the conference of bishops, an ad hoc committee on sexual abuse was formed to provide a cohesive response to what had become known as the "Sexual Abuse Crisis" within the Catholic Church. The cases were not recent cases, many of them were not newly reported cases either, what was new was the public outcry for Episcopal accountability.

Why? Why after a media frenzy in 1985 and a similar situation in 1994 would suddenly the public ask for large scale accountability for a group of leaders that had previously been considered beyond reproach? I believe the answers lay, not just within the Church crisis, but within a societal shift that was occurring and continues to emerge: we have found ourselves in a new era of accountability and transparency in all facets of leadership in the US and throughout the world.

You see, while the US Catholic Bishops faced intense scrutiny in the wake of one enormously public failing of integrity and leadership, corporate America was suddenly facing large-scale questioning of its leadership, honesty and abuses of power in the wake of disclosures about the misleading accounting practices and outright deceit of one of the most credible publicly held corporations in the history of the United States: Enron.

Gone are the days when organizations are held accountable for the mistakes of their leaders and enter the days when leaders are held accountable for the mistakes that are made on their watch - that they knew or should have known. An era in which anything short of absolute transparency may be considered a cover for blatant abuses, in political leadership, in corporate leadership and... in religious leadership.

You see, we made good plans in 1992, but something was missing. That something was accountability. You see, the primary difference between the program of 1992 and the expectations of 2002 was that in 2002, the public no longer accepted promises or assurances that the “right thing” would be done. In 2002, the public demanded a component of accountability for all leaders, including our own.

And so, in late 2002, our Church emerged and began to move forward. Battered? True. Bewildered? Absolutely. But living. Living every day in the lives of ordinary people who continued look to the Church for comfort and for guidance. How did we emerge? How did we move forward after enduring so much criticism, after being judged so harshly? How did we transition from crisis to continuing our work? Well, let me begin by saying it was not because we suddenly began getting positive or even balanced reports in the news media. We didn't and we still don't. Our ability to move forward was also not based on a sudden awareness by the public about this history I have shared with you, or the prevalence of sexual abuse in all types of child-serving organizations. There has never been a public acknowledgement that the Catholic Church is not unique in its struggle with sexual offenders. No, none of these things were within our power to change.

We emerged from our crisis and began to move forward because of a decision that was made by our Catholic Leaders. A decision to clarify the fundamental priority in matters of sexual abuse - from a focus on the life and value of the individual priest to a focus on the wellness of the Church as a Whole and the children of our Church as the primary representatives of this community.

I do understand that to the rest of the world, this clarification might seem easy and may seem obvious. But the rest of the world has never known the challenges our leaders face and the basic premise that if you care for your priests and religious, the rest of the Church will be cared for through them. But in 2002, when so many new stories emerged and we began to see what our men did with their second chances, under the cover of our forgiveness, while enjoying the

comfort of our trust. The failings of a sexual offender are much like the weaknesses of an addict or an alcoholic. And in 2002 our leaders took steps with the recognition that the loyalty to the Church and its people that is assumed to be present in all members of the priesthood, did not exist in many of these men.

Despite their apparent remorse, despite their assurances, many of these men were simply not capable of going forward to sin no more.

With their new understanding and the demands of the public, American Catholic Leaders took two paths: the USCCB developed the Charter for the Protection of Children and Young People and the Conference of Major Superiors of Men developed the “Instruments of Hope and Healing.”

Both of these programs have certain components in common and some that are different. Both have been successful in the sense that the normal functioning of our Church has returned to “normal.” We are no longer in crisis and our leaders are no longer spending the majority of their days coping with the effects of sexual abuse.

In our next section I would like to share with you the distinctions of the two methodologies, giving emphasis to the aspects of each program that have been most successful.

First, both programs developed strategies for addressing three primary components:

1. Prevention of future incidents of abuse,
2. Response to victims and allegations of abuse,
3. Handling of priests and religious who have offended in the past.

In terms of prevention, our bishops made a decision to address sexual abuse in society as a whole, as well as the sexual abuse that is perpetrated by Catholic priests. At first, some said that they were just trying to distract from the “real issue” but as the educational programs began to be implemented and people became genuinely more educated, this service to the people has been acknowledged. So rather than “protection from priests” the efforts are now focused on “protection of children” in all aspects of their lives. Looking back, it would have been easy to miss this opportunity, but it has now allowed us to provide sexual abuse prevention training to millions of adults and children within the Church and has been, by all accounts, tremendously successful.

At the same time, the Charter required that all dioceses were to develop, “Codes of Conduct” for all people in ministry with children. When you have codes of conduct it is much easier to prevent abuse, because you are able to interrupt during the “grooming” phase rather than waiting until damage has already been done. We have seen many situations stopped before they went

too far and we have numerous examples of adults who have chosen not to work or volunteer within the Church once they found out that certain high-risk behavior would not be permitted.

With respect to response to victims. In this area, I would like to share with you the work of the major superiors. In 2003, when the major superiors began their work on Instruments of Hope and Healing, they began with a prayer service with victims of clergy sexual abuse. It was a moving and transformative experience for many victims and many religious as well. This also allowed the major superiors to form an alliance with victims of abuse who had a genuine interest in working with the Church to reform the procedures for handling allegations and to develop processes to support the healing of victims.

Please know that I understand that not all victims of abuse have an interest in restoration of the Church. I've sat with victims and asked the question, what can the Church do to support your healing? I have heard the answer, "It can burn to the ground." But there are others who do care deeply for the Church and among the first steps taken by the Major Superiors was to interview four of these people and ask those questions, "What do you truly want?" "What should we have in place?" "How can we help you heal?" Part of our shock was to learn how deeply Catholic and close to the Church some of these people were, and how much they needed to hear that they were still wanted by the Church and how they needed to hear from Church Leaders that even though they ultimately "told the secret" that a priest had hurt them, that they were not wrong to come forward, and that God still loves them. Others, who were no longer Catholic, had an interest in seeing good come from the sharing of their experiences. They were generous with their time and provided clarity to the programs for responding to victims of sexual abuse.

The prayer service and the video-tapes we created allowed the major superiors and thousands of religious men to hear the words directly from victims. Through this effort, both victims of abuse and religious leaders came to know and understand one another directly - without interference from intermediaries who had no interest in the coming together of the Church with those who have been harmed.

The forging of an alliance between the major superiors and these people who had been harmed, but still held a love for the Church and a desire to see the Church right itself, was for me, among our finest achievements.

Lastly, we should talk about the component of how we address the priests and religious who have sexually offended.

I will share with you that I have met and worked with approximately 300 priests and religious who have been accused, whether proven or unproven, of sexually abusing minors. I want to emphasize that with every new individual I meet I am further reminded and reinforced regarding the enormously complex set of phenomena with which we are dealing. In many of these cases, you have a man who is so gifted, so talented, so able to bring people in, draw people closer to the

Church, they are loyal to him, and they will believe in him no matter what the evidence is to the contrary.

And yet despite his talents and opportunities for success, this is a man who makes decisions that leave the rest of us shaking our heads in disbelief – how, how could he be so incredibly blind, to wind up right back where he was before? This question of what we do with these men and how these men are supported and held accountable is what I consider to be, in a sense, my special cause.

I will begin by stating that while I have seen in the past 15 years some examples of appropriate “supervised ministry,” I now believe that for those who have sexually offended, there is no such thing as a “safe assignment” that does not require ongoing supervision. Left to rely on their internal mechanisms of control, sexual offenders who wish to abuse again are capable of modifying virtually any assignment in order to have access to their target population.

To that, I would add that the science of human sexuality and sexual offending is extraordinarily young. Virtually all of the information we utilize today regarding the treatment and supervision of sexual offenders has been discovered since 1985. That is an approximately 20 year body of knowledge. Compare this to math, or physics or theology. We have learned a great deal in just the past 5 years alone, in fact are still learning every day. Just one example is in the area of risk assessment. The best currently utilized risk assessment is dated – 2007. Why? Because it is better than the one from 1999 or 2003 or even 2005. Every day we learn bit more. For us, with our current challenges, this means it is essential to consider the emerging information with respect to the priests and religious who have sexually abused in the past and that we are prepared to incorporate new information into our strategies of prevention and response.

Key to our work at hand is to understand that molesting of children is not a sexual offense that necessarily diminishes with age. Yes, many of the men are over 60 years old, but unlike other sexual offenders, such as rapists, child molesters often continue at a similar rate well beyond 65 or 75 years old. In a study of aging and sexuality, researchers found that among sexual offenders who were over the age of 55, 95% of them were child molesters. Over 65, 100% of them were child molesters. One simply does not “age out” of this problem. We have found that left to their own devices, a priest who has been removed from ministry may still be accepted by families who do not believe the charges against him, who believe he has “recovered” and may not consistently supervise their children when they are in the presence of this individual. Removal from ministry is not, in itself, management of risk.

Taken as a whole, I would humbly offer the following recommendations, based on what we have experienced in the United States.

1. Provide sexual abuse prevention education that includes, but is not limited to prevention of sexual abuse by clergy.

2. Establish an advisory council of persons who have been harmed by clergy sexual abuse that includes victims and the families of victims who care for supporting the future of the Church. Video-tape interviews with them for leaders within the Church to understand their perspectives and hear their voices.
3. Host and participate in a National Day of Prayer for the healing of all victims of sexual abuse.
4. Speak publically and robustly about your efforts, your commitments, and your beliefs. The faithful are waiting to hear from you.
5. Develop guidelines for which all dioceses and religious institutes will be held accountable.
6. Assist dioceses and religious institutes in the implementation of the strategies.
7. Implement a system of accountability – either audits on an annual basis or accreditation as dioceses and religious institutes become ready.

This is a daunting but achievable list of recommendations. I have seen our dioceses and religious communities overcome the fear and pain of our past to a new day in the life of the Church. I listened last week to Bishop Cupich as he explained why so much time, so much energy and so many resources had been invested in developing systems for the prevention and response to child sexual abuse.

He explained that in order to understand the dedication and actions of the United States Bishops, one must first understand what is at stake. What is at stake, he explained, is this, “If we do not keep our promise to protect and our pledge to heal we cannot be credible on any other issue.” The moral credibility of the Church can either be compromised or re-affirmed, based on our ability to answer this call.

I pray you will be blessed in your work on behalf of the children and on behalf of the Church in Ireland.