

**Franciscan Friars  
Province of St. John the Baptist**



**POLICIES AND PROCEDURES  
REGARDING  
THE PROTECTION OF MINORS**

**July, 2020**

***“The Rule and life of the Friars Minor is to live the Gospel.”***  
St. Francis of Assisi

Abuse of a minor is a direct contradiction of Gospel values. It is criminal behavior and contrary to the laws, tradition and sacred vows of Franciscan life. We Franciscan Friars of St. John the Baptist Province are deeply concerned for those who have experienced sexual abuse, especially as minors, and grieve that some of this abuse was caused by representatives of God and the Church. We know that this causes deep wounds and is a serious breach of trust. As a province, we are committed to meeting the standards for prevention of abuse, for responding to allegations with compassion and determination, and to supervision and restrictions on any friars who have perpetrated such abuse.

**Clarifications**

For the purposes of this policy, a *minor* is defined to be anyone under the age of 18. Also for the purposes of this policy, the term *minors* includes adults who would be considered uniquely vulnerable to abuse because of physical or mental disabilities. Abuse is the subjection of a minor to any sexual or other unlawful activity. This policy governs any sexual conduct or contact, especially behavior that is the basis for civil or criminal liability, as it is defined in the local law in the various civil jurisdictions where we serve.

For the purposes of this policy, when the term *Provincial Minister* is used, one can understand *Provincial Vicar* should the Provincial Minister be absent.

All friars of St. John the Baptist Province, wherever they might be assigned, are expected to know and follow this policy.

Friars who are returning from ministry outside the United States will be educated in these policies and expected to participate in the ongoing educational programs of the province on child protection.

Any visiting religious or clergy, or friars from other provinces, residing in a friary of the province will be required to have the standard documentation of his good standing from his Major Superior or Ordinary. These visitors in the province are required to know, observe and participate in all the educational programs of the province concerning child protection while they live in one of the friaries of St. John the Baptist Province.

One who wishes to report an allegation of abuse by a friar of St. John the Baptist Province should contact the Special Delegate of the Provincial Minister for these matters. All allegations will be taken seriously.

At the current time, the Special Delegate of the Provincial Minister is:

Fr. Michael Chowning, OFM  
Province of St. John the Baptist  
1615 Vine Street  
Cincinnati, OH 45202-6400  
513-721-4700 ext. 3214.

## A. PREVENTION

1. Friars will be educated about the issue of sexual abuse, and all friars are expected to be aware of and abide by these policies and procedures. If any friar has difficulty dealing with issues of sexuality, he should confidently approach his Local Minister or Provincial Minister. Certainly, we should support each other in fraternity, for “to live chastely, we need the support of each other.” (GC 9.3)
2. If a friar is in a position where he has contact with minors, he needs to be vigilant and guard against actual or potential situations which can or appear to inflict any harm on minors. If a friar is in a position where he represents not only the friars but a diocese or other institution, he is expected to be aware of their policies and procedures as well and follow them strictly.
3. While all behavior cannot be legislated, the following behaviors are inappropriate and therefore forbidden:
  - a. Providing alcohol or allowing a minor to consume alcohol or illegal drugs. Using, possessing, or being under the influence of alcohol and/or illegal drugs while supervising minors.
  - b. Using vulgar or obscene language in the presence of a minor. Other inappropriate interactions; such as keeping secrets, complimentary comments that relate to physique or body development.
  - c. Speaking to a minor in a way that is or could be construed by an observer to be harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating.
  - d. Discussing sexual activity with minors unless that is a specific job requirement and the friar is trained to do that.
  - e. Engaging in any sexually oriented conversations with a minor unless that is part of a legitimate lesson for teenagers regarding human sexuality issues.
  - f. Being nude in the presence of a minor.
  - g. Possessing and/or viewing with minors sexually oriented or morally inappropriate materials (e.g., magazines, cards, videos, films, “sex toys” or paraphernalia, clothing, etc.).
  - h. Sleeping in the same room, same bed, sleeping bag or tent with a minor.
  - i. Using physical discipline in any way for behavior management of minors. This prohibition includes spanking, slapping, pinching, hitting or any other physical force used as retaliation or correction for inappropriate behavior by a minor.
  - j. Going alone with a minor to an overnight retreat, camping trip, or summer home. A friar who is with a minor in such a setting should always be accompanied by another

adult explicitly designated as chaperone. A friar should always have a parent's or guardian's permission for activities which involve a minor. Programs that involve minors and friars must always be supervised by at least two adults.

- k. Riding alone in a car with a minor except with consent of a parent or guardian.
- l. Inappropriately touching a minor. [*Inappropriate* touches include but are not limited to lengthy embraces, kissing on the mouth, holding a child more than four years old on the lap, touching buttocks, thighs, chest/breasts or genital area, being affectionate in an isolated place, touching knees or legs, wrestling, tickling, piggy back rides, any type of massage unless professionally licensed and in a therapeutic setting. *Appropriate* touch could be a hug, pat on shoulder or back, touching hands, face, shoulders or arms, an arm around the shoulders or holding the hand of a small child.]
- m. Using electronic communication or social media with a minor.
  - i. Friars should not communicate with minors (other than relatives) using electronic media except as a part of their professional/ministerial responsibilities. This includes email, instant messaging, texting, or social networking sites. If a minor contacts a Friar, a polite response is permitted, but future communications should be stopped.
  - ii. All communications between a Friar and a minor must be transparent. "Transparent" means, for example, that, if communication via social media or electronic communications with a minor happens, someone other than the Friar and the minor should be aware of it. (The Friar could copy a parent, supervisor, local minister, etc., keeping a log of who was notified. If a Friar receives something via this medium from a minor, he should let a parent, supervisor, or local minister know about it.)
  - iii. Friars are not to:
    - Make comments that are, or could be construed by any observer to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating.
    - Engage in sexually oriented conversations or discussions about sexual activities, post sexually oriented or morally inappropriate pictures, photos, or comments.
    - Post photos of minors or details of ministry/program activities involving minors on any electronic media without the explicit, written permission of a parent or legal guardian.
    - Engage in one-on-one video chatting or have one-on-one interaction in a chatroom.
    - Initiate or accept a "friend" request (or similar social media "connection") using a personal account.
- n. Giving gifts or loans to minors, the value or frequency of which could be open to misinterpretation.

- o. Showing affection in isolated areas such as bedrooms, closets, staff-only areas or other private rooms.
4. These policies also apply to abuse or inappropriate conduct with a friar's family members.
5. Repeated boundary violations will be presented to the Review Board.
6. The Province will intervene in situations where there is a real or potential risk of harm to an identifiable minor.
7. Viewing child pornography is considered sexual abuse of a minor and a crime subject to prosecution. Among the friars, because of our vow of poverty and fraternal life, there should be no expectation of total privacy regarding the use of personal computers. Proper authority has the right to investigate inappropriate use of friars' computers. Possession, distribution, downloading and/or intentionally viewing real or virtual child pornography is violation of civil and canonical law. Any member who engages in these behaviors will be compelled to have an individualized Safety Plan.
8. The Province will continue to give special care to screening new candidates in an effort to identify potential problems.
9. Those in initial formation will be assisted in developing a mature, integrated sexuality as a foundation for celibate chastity.
10. Friars are prohibited from having minors (including blood relatives) stay in the friary unless the minor is accompanied at all times by a parent or legal guardian. Request for exceptions should be submitted to and approved by the Provincial Minister.

### **Support for a Friar who Discloses His own Attraction to Minors**

If a friar discloses his own attraction or potential boundary violations toward minors or vulnerable adults, the Minister Provincial will receive this information with understanding and sensitivity and treat the friar with great compassion.

The Province will assist the friar, in such a situation, to obtain the best help possible including counseling and/or treatment where deemed necessary.

The Provincial Minister or his delegate will explore with the friar his present place of residence and his ministry to see whether these circumstances are a contributing factor in facing his present situation. If any change of residence or ministry is seen as beneficial for the friar, every effort will be made to meet the friar's needs in those areas of life and ministry.

The protection of minors, however, will be the chief priority.

## B. RESPONSE TO ALLEGATIONS

For the purposes of this policy, the following definitions will apply:

An allegation with the “**semblance of truth**” is one that is not manifestly false or frivolous; it is theoretically possible, e.g., the friar was in the location at the time indicated in the allegation.

An allegation of abuse is deemed to be **substantiated** if the accused friar has admitted the abuse, there has been an adjudication in a criminal or civil proceeding that the accused friar committed the abuse, or action against the accused friar has been taken as a result of an internal/administrative investigation.

At times it may be impossible to substantiate an allegation, i.e., the accused friar is deceased or even not specifically identified; the person bringing the accusation may have a very vague memory with sparse information; or no witnesses may be available since much time has elapsed. The allegation will still be treated seriously and investigated responsibly.

### Reporting and Communication with the Provincial Minister

1. A friar who has been accused of the sexual abuse of a minor should immediately notify the Provincial Minister. While the Provincial Minister will respect the sensitivity of the matter presented, it is important for the friar to know that in civil law the communication between a friar and his Minister is not protected like the communication between a confessor and penitent or between attorney and client. The accused friar should not discuss any aspect of the allegation, including culpability, with other persons.
2. If an allegation of abuse of a minor by a friar is brought to another friar, he should immediately contact the Provincial Minister. He should not begin his own investigation.
3. A friar who senses that another friar is exhibiting warning signs of unhealthy boundaries or relationships with minors should bring his concerns to the Provincial Minister, who has the primary responsibility to address concerns about friars’ boundaries or relationships with minors.

It is the responsibility of each friar of St. John the Baptist Province who has verifiable knowledge that another friar of the Province has been involved in sexual abuse of a minor to report such information to the Provincial Minister and as detailed below:

When the victim is **currently** a minor:

- Friars must report known or suspected sexual abuse of a victim who is **currently** a minor to the appropriate civil authorities of the state in which the abuse allegedly occurred within 24 hours whether the alleged perpetrator is a friar, former friar, deceased, or not a Franciscan Friar at all. For your State’s requirements, go to: [www.childwelfare.gov/topics/systemwide/laws-policies/state/?CWIGFunctionsaction=statestatutes:main&CWIGFunctionspk=2](http://www.childwelfare.gov/topics/systemwide/laws-policies/state/?CWIGFunctionsaction=statestatutes:main&CWIGFunctionspk=2) and enter the State name for a summary of that State’s reporting requirements.

- Friars must report known or suspected possession, distribution, downloading and/or intentionally viewing real or virtual child pornography to the appropriate civil authorities within the time limits of the State mandatory reporting laws.
- The Friar who has first-hand knowledge of the known or suspected sexual abuse of a minor must be the person to make the initial contact with the appropriate civil authorities. This task cannot be delegated or passed on to others.
- If the alleged victim is a minor at the time the allegation is received, his or her identity must be provided to the civil authorities.

### **What the Provincial Minister or His Delegate Will Do**

1. The Provincial Minister may appoint a Special Delegate to handle matters related to the abuse of minors by friars. The responsibilities of the Delegate may include receiving allegations, arranging for the pastoral care of the one making the allegation, seeing that a preliminary investigation is begun to determine the credibility of the allegation, collecting all data, preparing reports for the Review Board, etc. The Provincial Minister may appoint others to assist in the above.
2. Upon receiving an allegation of sexual abuse of a minor by a friar, the Special Delegate will immediately inform the Provincial Minister.
3. The Special Delegate or Provincial Minister will gather all pertinent information: i.e., the name of the accuser, the age, the address and phone number; the name of the alleged perpetrator, the approximate dates of the alleged abuse, the type and location of the alleged abuse, including specific behavior, and any additional relevant details. The Special Delegate or the Provincial Minister will offer to meet with the accuser if he or she so desires. The Special Delegate or Provincial Minister will also inform the person making the allegation of his or her right to inform civil authorities no matter when the alleged abuse occurred.
4. The Provincial Minister, after consultation with legal counsel, will report any allegation of abuse “with a semblance of truth” to civil authorities in accordance with the civil laws of the state in which the abuse was alleged to have occurred. He will cooperate fully with all public investigating agencies. The anonymity of the accuser will be protected should he or she request it.
5. The Special Delegate of the Provincial Minister will assure that someone is available to aid in the pastoral care of the person alleging the abuse. Counseling may be offered for a limited period of time, given out of care for the person making the allegation, even before the allegation is substantiated. In cases where the allegation is substantiated, justice may require that the province provide further assistance to the victim and his or her family.
6. The Provincial Minister will notify the accused friar of the allegation along with its substantial details. The Provincial Minister will see that the accused friar has the fraternal

support and assistance he needs while the allegation is being investigated. The Provincial Minister will keep the accused friar informed of proceedings as they unfold.

7. The Provincial Minister or a delegate, who may be the Special Delegate, will conduct an initial investigation, which will include checking personnel files and other documentation and interviewing others who may have knowledge about the situation.
8. After preliminary investigation, if the allegation is determined to have a “semblance of truth,” the Provincial Minister may place the friar on administrative leave and suspend any faculties pending the completion of the investigation. The Provincial Minister may also remove the friar from his current residence, especially if the friar resides in the area where the alleged abuse occurred.
9. If the allegation is determined to have a “semblance of truth” the Provincial Minister will offer the accused friar the services of a legal counselor as well as a canon lawyer, if necessary.
10. The Provincial Minister may encourage the friar to undergo a professional psychosexual evaluation.
11. The Provincial Minister will contact appropriate diocesan authorities to communicate the fact of an allegation with a “semblance of truth” and keep them informed of the outcome of an investigation and the procedures followed.
12. The Provincial Minister will notify the employer of the place where the alleged abuse took place, and where the accused friar is currently employed, as appropriate to the circumstances.
13. The Provincial Minister will communicate with the province friar members, the local faith community involved, and the public regarding the alleged abuse as appropriate.
14. As soon as possible after an allegation is determined to have “semblance of truth,” the Provincial Minister will contact the Chairperson of the Review Board. The Provincial Minister may ask the Review Board to help determine the credibility of or appropriate response to an allegation.
15. In order to determine if the allegation is to be considered *substantiated*, further investigation will be done. Someone may be designated or hired to complete the investigation. The investigator(s) will gather all information needed, and may question the parties involved, visit the site of the alleged abuse, and/or talk with persons who have information. Past Provincials, co-workers, or those who lived with the accused friar at the time may be interviewed.
16. The investigator should advise those contacted that their conversations are not privileged communication. The investigator is not the one to provide pastoral care to the victim. The investigator will keep the Provincial Minister informed of the status of the investigation. The investigation will be well documented.

17. When the investigation is completed, the Provincial Minister will present the results to the accused friar for his response.
18. Upon the conclusion of the investigation, the Provincial Minister, after consultation with the Review Board, will review the results of the investigation and exercise his judgment in delivering an appropriate response.
19. If the allegation is *substantiated*, the Provincial Minister or a delegate will investigate to determine whether there may be others who were abused by the friar.
20. A friar with a substantiated allegation of abuse of a minor will be removed from ministry by the Provincial Minister. The U.S. Bishops' *Essential Norms for Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* will also be followed in regard to any further public ministry. The Provincial Minister will forbid the friar to have unsupervised contact with minors and a Safety Plan will be put in place.
21. A friar with a substantiated allegation will be provided pastoral care and needed treatment, as well as fraternal support in the eventuality of any penalties imposed upon him by civil and/or ecclesiastical authorities. A friar who is uncooperative with his Safety Plan in serious ways may be dismissed from the Order following the procedures spelled out in Canon Law.
22. Should an allegation be unsubstantiated, the Provincial Minister will reinstate the accused friar to ministry and work towards the restitution of his good name. The Provincial Minister will communicate to all appropriate parties that the allegation is unsubstantiated so that reconciliation can take place and the friar's reputation be restored.

### **The Review Board**

1. The Provincial Minister and Provincial Council have established a Review Board to assist the Provincial Minister in complying with standards of child protection and in responding appropriately to allegations of abuse of a minor brought against a friar of St. John the Baptist Province. The Review Board is advisory to the Provincial Minister; it is not charged with the responsibility of investigating allegations.
2. The Review Board will consist of five to seven members, of whom at least one is a friar of St. John the Baptist Province, with the majority not being friars. The Review Board would ideally include people with the following backgrounds: Canon Law professionals, social science and mental health professionals, law enforcement and legal professionals, religious women or men, lay persons (preferably parents), and a survivor of childhood sexual abuse. The Province is privileged to have long serving and highly qualified review board members. When useful materials become available, they are shared with the members for their continuing education. At times, board members who have recent, pertinent information from their field of expertise, e.g., judicial decisions, civil law, canon law, or psychological studies, will share that information with the entire board. The board is also made aware of Praesidium materials and workshops of interest should they desire to participate.

3. A member of the Review Board will ordinarily serve for three years or until a successor is appointed. Members may be reappointed. The Provincial Minister and the Council appoint the members and designate the Chairperson. A Member of the Review Board may be removed by the Provincial Minister in consultation with the Chairperson and the Council. This would happen by a letter from the Provincial Minister indicating the reasons for removal. It is preferable that the Review Board have no more than two new members in one year; so terms should be staggered where possible to provide continuity. Vacancies caused by departure of Review Board Members shall be filled by appointment of the Provincial Minister in consultation with the Council. Normally the Chairperson will be the contact for the Provincial Minister.
4. The Chairperson calls meetings of the Review Board and maintains frequent communication with the Provincial Minister. The Review Board may meet with or without the Provincial Minister or his delegate as needed and determined by the Chairperson.
5. The Review Board will meet at least once a year and will usually schedule four meeting dates that are available as may be needed. When a new accusation is received, the Provincial contacts the Chair of the Review Board immediately. Together, they decide whether a meeting of the Review Board should be scheduled as soon as possible or whether the incident does not involve a current situation and can wait for Review Board input at the next scheduled meeting. When called together by the Chairperson, the members of the Review Board will meet as soon as possible and as often as necessary. In an emergency, telephone conferencing may be used.
6. Reports will be given to the Review Board without naming the accuser or the accused friar, unless the names are already public record.
7. The Provincial Minister or his Special Delegate may present information in oral or written format for the consideration of the Review Board after which the Review Board members may ask for clarification or additional information.
8. The Review Board will approve revisions to these policies in consultation with the Provincial Minister. The final decision regarding these policies shall be made by the Provincial Minister and the Provincial Council.
9. The Review Board will have access to legal and canonical counsel for its deliberations if such is specifically requested.
10. The Special Delegate or the Provincial Minister will fully inform members about how an investigation was handled and the reporting that was done. The Provincial Minister or his delegate will also inform the Chairperson about any situations that are likely to receive coverage in the media so that the Review Board members may be informed before that happens even if they do not need to meet to offer advice about the situation.
11. The Review Board may recommend steps to address the needs of the accuser, the accuser's family, the friar who has been accused, the Province and the community of

friars. The Review Board may advise the Provincial Minister on steps to be followed when it is determined that an allegation does not have the “semblance of truth” or is not substantiated.

12. The Review Board shall maintain complete confidentiality in all matters which are covered by these policies.
13. Information may be shared only with the Provincial Minister or his appointed delegate(s) and disclosed only at the discretion of the Provincial Minister. Individual opinions of any Review Board members shall not be disclosed nor recorded. The Review Board shall firmly protect the confidentiality of any information shared with the members. If there is a need to share confidential psychological or medical records, the Provincial Minister must obtain a properly signed release from the person whose record it is beforehand.
14. A written report of advice may be given to the Provincial Minister from the Chairperson expressing the majority opinion of the Review Board when a situation demanding such a report arises and if the Provincial Minister requests it. The Chairperson may also choose to detail minority opinions as seems appropriate. Such reports will be retained in the files of and at the discretion of the Provincial Minister, not by the designated Chairperson or any member of the Review Board. The Review Board members will keep statements such as this policy for reference, but will not keep any material that may be distributed at a particular meeting about a specific allegation of abuse.
15. Any Review Board member who may be related by blood or marriage or related through employment, financial or business relationships or any kind of professional or spiritual counseling with an accuser or an accused friar shall inform the Chairperson of the Review Board of the conflict and recuse himself or herself from all deliberations concerning that particular situation. A Review Board member who has a conflict of interest with the Province itself or the work of the Review Board, or for any other legitimate reason, should submit his or her resignation to the Provincial Minister.

### **Record Keeping and Communication**

1. Province investigations of allegations of abuse shall be documented and the reports shall be maintained in the Child Protection Office. At the discretion of the Provincial Minister, a summary of a Province investigation or a note referring to where such documentation is filed will be kept in the personnel file of a friar who is the subject of such an investigation. The Provincial Minister will keep all records concerning an allegation of abuse and the subsequent investigation in a confidential manner. Great care will be taken to protect the reputation of the accused friar during the entire process. Access to these files is strictly limited. Documentation of Province investigations is the property of the Province and shall remain in the Child Protection Office following the election of a new Provincial Minister.
2. The Provincial Minister or his delegate will at some time also share appropriate information about allegations and investigations with the Provincial Council.

3. The Provincial Minister or his delegate will serve as the spokesperson for the province.

### **Supervision**

1. A Safety Plan will be developed for each friar about whom a substantiated allegation of sexual abuse has been made.
2. This plan is designed:
  - a. To assure the Church and the public that reasonable measures are being taken to prevent any future abuse of a minor.
  - b. To provide a structure within which the friar may continue his life in the Order.
  - c. To provide for the care of the friar and the opportunity for personal conversion and rehabilitation as may be needed.
  - d. To encourage local communities to welcome and support the friar in his desire to continue his life as a friar.
  - e. To assure all the friars of the Province that there will be proper care and appropriate limits for friars with substantiated allegations.
3. The following elements will be adopted depending on the severity of the abuse, notoriety of the situation, age and health of the friar and recommendations of the Review Board for each friar under supervision.
  - a. Treatment, progress reports:
    - i. A friar may be asked but not required to submit to a professional evaluation of his psychological condition and proclivity to harmful behavior in the future. A friar is free to refuse such evaluation; however, an evaluation may aid in his rehabilitation if the allegation is substantiated.
    - ii. Subsequent to such evaluation, the friar may be asked to participate in treatment recommended by evaluating professionals.
    - iii. The friar may be required to formally report to the Provincial Minister or his delegate describing his progress in terms of work, therapy, spiritual direction, community life and other appropriate issues.
    - iv. Information from evaluation and treatment reports are the property of the evaluating agency and may be released only with permission of the friar, who may be asked to make these available to the Provincial Minister.
    - v. A friar must give permission before the Provincial Minister may share the results of psychological testing with the Review Board.

- vi. Any information about a friar who has undergone evaluation or treatment shall be kept confidential by those receiving it except as required by law to be reported.
- b. Public ministry
    - i. An ordained friar found to have abused a minor or vulnerable person will not be allowed to function publicly or identify himself as a priest or deacon according to the Essential Norms promulgated by the American Bishops which received formal *recognitio* from Rome. This forbids any public celebration of any sacrament as well as using the title “Father” or “Reverend” and wearing clerical attire.
    - ii. A lay friar may not function publicly in ministry associated with the Order such as teaching, coaching, parish staff work or using the title of “Brother.”
    - iii. Our habit is not clerical attire, but it should be worn by a restricted friar **only** in the friary or in friar gatherings.
  - c. Appropriate Work
    - i. If he is able, the friar who has been removed from public ministry should do appropriate work to support the community or in the service of people in need. This might include internal and carefully supervised work in a Province community such as a place of retirement, clerical/administrative work for the Province, service to people in need, etc., as long as there is no possibility of unsupervised contact with minors.
    - ii. Where appropriate, a friar removed from public ministry may need vocational assessment and/or occupational counseling to determine meaningful and useful work. The Provincial Minister should consult with the friar to determine his interests and capacities and to help him take the initiative in developing work opportunities where that is appropriate.
    - iii. In all cases, a ministry of prayer for the Order and the Church and those abused is a valuable contribution.
  - d. Residence

A restricted friar would be allowed to live only in an appropriate supervised place of residence as determined by the Provincial Minister. He would never live alone in a separate apartment or private home.
  - e. Community support and community roles
    - i. A local community should welcome a restricted friar as a brother in community.
    - ii. It will be usual and appropriate for a supervisor to be appointed for the friar who would assist and support him in his efforts to maintain his program of care and treatment and to observe the stipulations of his individual safety plan.

- iii. A restricted friar who is a priest may celebrate Eucharist only within the community with only friars present. He may lead community prayer, and hear the confessions of other friars.
- iv. With the recommendation of the Provincial Minister, the Local Minister shall inform the members of the local community about a particular friar being restricted and the appropriate terms of his Safety Plan so that the community may assist him in achieving its goals.
- v. Communities may need the advice and consultation of appropriate professional persons to assist the community to receive a restricted friar and to provide him necessary care and support.

f. Contact with minors

A friar with a substantiated allegation of abuse of a minor may have no unsupervised contact with minors including, in some cases, with family members. This restriction includes such things as meals in restaurants, going to the movies, riding in automobiles, and private conferences in parish or community offices or community rooms. The friar may never be in solitary places alone with a minor.

g. Travel, vacation, retreat

- i. A restricted friar may not vacation alone or vacation with minors, even supervised. The Provincial Minister may make an exception for supervised vacations with minors who are family members, provided adult family members who are aware of the restrictions on the friar are present. Other arrangements are made with the specific permission of the Provincial Minister.
- ii. Solitary retreats where the restricted friar would be completely alone are not permitted, unless approved by the Provincial Minister. Retreats may be made only in retreat facilities where minors would not be present or in a local community of the Order, or another place approved by the Provincial Minister.
- iii. Travel may need to be restricted to that related to work or family visits. If appropriate, a friar companion may be required for travel and even family visits.
- iv. Additional specific permissions for travel for restricted friars may be required by the Provincial Minister. Doubts about specific travel should be referred to the Provincial Minister by the Local Minister or the friar's supervisor.

h. Driving

In some cases, restrictions may need to be placed on driving alone or having use of a personal vehicle. Some restricted friars may be required to request specific permission for use of a house car from the Local Minister, to keep a driving log or to only drive with other friars in the car.

- i. Publications and publicity
  - i. Restrictions on writing for publications, letters to the editor, Web pages, radio and television appearances may be imposed at the discretion of the Provincial Minister.
  - ii. Sensitivity to victims dictates caution with regard to not displaying photographs of a restricted friar in publications or institutions of the Order, especially those which serve minors.
  - iii. In some cases a friar's use of mail, e-mail, social media, internet and/or telephone may need to be restricted.
- j. Information for friars and others
  - i. The Provincial Minister, in consultation with the Review Board, will determine whether and/or how to inform the members of the Province in general terms about those who are restricted. The Provincial Minister will inform the restricted friar of such notification.
  - ii. The Provincial Minister, in consultation with the Review Board, will determine whether and/or how others who may have a need to know will be informed in general terms that a particular friar is restricted. The Provincial Minister will inform the restricted friar of such notification.

### **Accountability**

The Province of St. John the Baptist has chosen to participate in the accountability and certification procedures offered by Praesidium, Inc., to members of the Conference of Major Superiors of Men (CMSM).

*Revised by the Review Board on June 11, 2005*  
*Approved by the Provincial Council on August 25, 2005*  
*Updated and approved September 10 2009*  
*Updated and approved October 6, 2012*  
*Updated name of current Special Delegate August 30, 2016*  
*Revised by the Review Board on October 29, 2016*  
*Revised by the Provincial Council January 31, 2018.*  
*Approved by the Review Board, March 10, 2018.*  
*Revised by the Provincial Council July 7, 2020.*  
*Approved by the Review Board, July 7, 2020*

