



April 28, 2006

Bishop Paul S. Loverde  
Diocese of Arlington  
200 N. Glebe Road  
Arlington, VA 22203

Dear Bishop Loverde:

This letter is from active lay Catholics in the Arlington Diocese regarding the continuing clergy sexual abuse crisis in our Church. Following your 2006 Annual Report on Child Protection and Victim Outreach in the Diocese of Arlington (published in the Arlington Catholic Herald on March 30, 2006), we submit our assessment of diocesan progress, including areas needing corrective or continuing attention.

#### **CONTEXT FOR FINDINGS ON ARLINGTON DIOCESE**

In March 2006, the United States Conference of Catholic Bishops (USCCB) published its third Annual Report on the Implementation of the *Charter for the Protection of Children and Young People* (Charter). President of the USCCB, Bishop William S. Skylstad, issued an upbeat assessment of progress made since 2002 and particularly in 2005. He went further than the declaration by his predecessor that the abuse crisis was over, and he all but dismissed it as some overblown media frenzy. Some of his comments were disturbing, though quite revealing (underlining supplied):

- “Most of the cases which had brought on the uproar involved priests who were out of ministry, some of whom had served or were serving time in jail or who were about to do.”
- “(i)t was clear that the image being projected was of a Church in which children were even now imminently in danger.”
- “The past years have been a humbling experience: to be cast in the glare of publicity as men who failed in our responsibility.”
- “The commitment of the bishops in Dallas remains strong, as reflected in the audit results”.

When we review the evolution of the crisis over the past year, we see a markedly different picture—one that deeply disturbs rather than comforts those who look from the vantage point of the pews:

- nearly 1000 new survivors of clergy sexual abuse reported their allegations against over 750 priest and deacons (since 1950, total survivor allegations approach 13,000 and credibly accused clergy nearly 6000).
- 114 out of 191 dioceses have one or more credibly accused priests; 66 dioceses have 15 or more accused priests; and 27 credibly abused priests are still in active ministry.

- dioceses paid out nearly a half a billion dollars in payments related to the crisis, including over 40% of it in fees to attorneys (total payments now approach \$1.5 billion dollars).
- nearly 12% of dioceses are still not in full compliance with provisions of the Charter (nearly four years after it was published), including dioceses in Boston and Manchester, NH.
- a recent audit conducted by an independent firm cited the Manchester Diocese for failing to fulfill commitments it made in 2002 to spare its highest leaders of criminal charges over not protecting children from sexual predators.
- a Grand Jury in Philadelphia issued a damning report of decades of clergy abusers and Episcopal enablers within the archdiocese, and the current Cardinal Archbishop of Philadelphia issued a response to the report that simmered with corporate defense rationalizations.
- the Cardinal Archbishop of Chicago (one of the principal architects of the Charter) failed to protect children from additional sexual abuse by two priests when he did not remove them from ministry upon learning of credible allegations against them.
- The current round of “audits” was conducted primarily as self-audits (53%), i.e., each diocese “audited” itself. Only 47% received on-site visits by the auditors hired by the Office of Child and Youth Protection (OCYP). Remarkably, the Archdiocese of Chicago was found to be in full compliance with the Charter. The head of the audit group (William Gavin) referenced this anomaly by noting that, “(a)s in the past, no personnel files were reviewed and the auditors had to rely on the truthfulness and integrity of those furnishing the information to reach conclusions and provide statistical data for the audit”.
- The current head of the National Review Board (Dr. Patricia Ewers) questioned whether the structures and processes established by the Charter are accomplishing what they were intended to achieve, and she indicated that future audits need to review outcomes more than literal compliance.

## **SURVIVOR SUPPORT**

We commend you again this year for continuing a series of masses and prayer services for survivors of clergy sexual abuse and for others wounded by the revelation of abuses. We are especially grateful for the personal commitment to and coordination of these services by Victim Outreach Coordinator, Patricia Mudd, and Child Protection Director, Fr. Terry Specht.

One aspect of these services that causes us concern, however, is the focus on forgiveness. Several survivors have communicated directly to you that calling for them to forgive the ones who abused them or enabled their abuse is often beyond their reach and that it sometimes makes them feel re-victimized. In November 2005, the USCCB published a report on the *Response and Prevention Project* conducted by the OCYP. This report (based on survey feedback from 1400 respondents, including many survivors) strongly recommends against asking victims/survivors to forgive their abusers or to convey any expectation that survivors “get over it” or “move on”. Forgiveness is surely an essential calling of Gospel faithfulness, but we request that you and other clergy will find a way to approach it with sensitivity and compassion for the healing journeys of survivors and

without further harm to them. In addition, we support the strong view of many survivors that forgiveness cannot be expected without justice.

Another aspect of concern is the level of attendance at these services. As we have previously recommended to you, we believe that it is critical to advertise these events beyond the reach of the Arlington Catholic Herald or the bulletin of the parish in which they are scheduled. In general, survivors are not attending church, or reading parish bulletins or the diocesan newspaper. It is important to reach out to them where they are most likely to be found in the community (often 12-step programs or other community social programs.)

We believe that your Evening of Reflection for survivors, their families and friends was an important outreach addition this year. Although the experience fell short of the expectations of many in attendance last December, we commend your follow-up session in April to amend any harm from that evening and to listen openly and candidly to survivors' expectations. We hope that you will continue listening session opportunities and begin to address with survivors the many layers of needs beneath their first level of sharing.

We are disappointed that the two survivor support group sessions that you announced almost a year ago have failed to materialize. As we communicated to you last year, we believe that requirements for a minimum number of participants and a commitment to all 10-sessions are too rigid for a first-time effort. Many survivors have great difficulty trusting the very Church institution that led to their abuse and they need greater flexibility in coming back, even to programs intended to assist them. Gaining some level of participation in first efforts seems to us far more important than participation requirements that likely keep survivors away.

In addition, we once again recommend that you refer those who do not want to participate in your program for whatever reason to consider the monthly survivor support group meeting that we sponsor on the last Wednesday of every month at the Dolley Madison library in McLean (1244 Oak Ridge Rd.) from 7-8:30 p.m. We hold that meeting every month regardless of how many attend. In turn, we always refer survivors to diocesan resources if they ask for additional support.

### **PROTECTION OF CHILDREN**

On April 10, 2006, Governor Kaine signed into law Senate Bill (SB) 253, compromise legislation that in its original form would have added clergy to the current list of 13 professional employees required to report suspected abuse or neglect of children in Virginia. The actual language of the law will states that, starting on January 1, 2007, any person over the age of 18 must report suspected child abuse or neglect, provided that person has received training approved by the Department of Social Services. Agreement to this last provision made the difference between passage and a fourth year of defeat, despite support from every religious denomination in Virginia except the Independent Baptists who scared the legislators off with unfounded Church-State fears.

The good news is that civil law CAN now cover clergy that have been exempt until now. Before that outcome, however, each denomination must actively seek state approval for training it provides to clergy. Given the near unanimous denominational support for the original bill, we urge you to seek approval as soon as possible for the training you have already provided under the Charter and diocesan policy. Although we have confidence in your diocesan commitment to civil reporting of alleged sexual abuse of children by diocesan clergy and other personnel, bishops come and go, administrative policies can easily change, and sadly, as we have learned all too keenly over the past several years, those with responsibility to implement policies don't always do so. There can be no stone unturned in protecting children. Coverage of clergy by the new law will both add a layer of protection for children and also demonstrate a visible public sign of commitment to that end.

Although we were pleased by the public testimony of the Virginia Catholic Conference in support of SB 253, it was very disappointing that the bill was never listed as a legislative objective of the diocese. It was not included on the Conference website, among Catholic Advocacy Day priorities, or covered in the Arlington Catholic Herald. This omission is especially troublesome because some of the strongest opposition came from Catholic legislators who reside in the diocese. Catholic constituents had no way of knowing that their legislators were opposing legislation supported by the diocese.

We appreciate your unqualified statement that the diocesan *Policy on the Protection of Children/Young People and Prevention of Sexual Misconduct and/or Child Abuse* requires, without exception, the reporting of suspected sexual abuse of a minor by diocesan personnel to appropriate civil authorities (included in your 2006 Report noted above and in your remarks to those who attended the listening session on April 10, 2006). At the same time, we again recommend that you remove from the Policy two qualifications that are unnecessary and pose potential loopholes (definitions for an act of abuse found in Sections 1 and 2 which we noted in our letter to you dated October 12, 2005).

We continue to believe that your decision not to publish the names, locations, and periods of ministry for those clergy in the diocese who have been credibly accused of sexual abuse of children poses a serious threat to children and potentially keeps survivors of sexual abuse by these clergy locked in their fear of coming forward. Further, it adds to the perception that the diocese has something to hide or that it places a higher premium on privacy of clergy abusers and diocesan reputation than on innocent children and wounded survivors. We note that USCCB/OCYP report on its *Response and Prevention Project* noted above indicates strong commitment for releasing the names of abusers as a preventive measure against future abuse.

Lest you consider our position a hypothetical issue, please note that the Boston priest who raped Fr. Jim Moran when he was a deacon 35 years ago was arrested on April 25, 2006, in the Boston area on charges of raping a mentally retarded man who lives near him. That priest is 81 years old, retired, living in a residential community, and he is

currently awaiting trial on charges of twice raping an 8-year old boy one week before his first communion several years ago.

During this past year, you had an opportunity to make disclosure of three clergy who served in the Arlington diocese and who have been removed from active ministry based on credible allegations regarding three clergy abusers that we brought to your attention (see letters of March 14 and October 12, 2005). One is Fr. Robert Brooks who was found guilty of purchasing pornography for his computer in the rectory and was sentenced for this crime just weeks after a person came forward to accuse him of sexual abuse in an earlier incident. A second is former priest Ron Voss who worked closely with adult and children volunteers in several diocesan parishes in support of Haitian relief despite the fact that Voss had abused children in another diocese as a priest. The third priest is Fr. Robert Hermley, OSFS, who was reassigned to Our Lady of Good Counsel parish in 1982 shortly after pleading guilty to the indecent assault of two boys (ages 13 and 14) in Pennsylvania.

In each instance, the parents of children who live near any of these priests and any member of the diocese who might have been abused by them remain in the dark. We see no equity, justice, or compassion in this failure to disclose their identities and whereabouts. You could take a decisive and unmistakable sign of commitment to both groups by publishing the information we recommend, and we urge you again to do so.

Despite the reservations about the Charter “audits” noted above, we are pleased that our diocese is among the majority of dioceses found in full compliance with the Charter’s provisions. Still, we request the following specific information (as we requested last year but did not receive):

1. how many priests and deacons (if any) have not completed a background check, including fingerprinting, and what are the reasons for each one?
2. how many parishes have not completed the safe environment training for all of its children?
3. how many parishes are using safe environment programs other than the one selected by the diocese, and what are the reasons by parish for selecting another program?

### **MISCELLANEOUS**

Two prominent sociologists from the Life Cycle Institute of Catholic University (Dr. William D’Antonio and Dr./Fr. Anthony Pogorelc) published the results of an extensive survey of members of Voice of the Faithful (VOTF) in 2005. Their findings confirmed that VOTF members are among the most committed people in their parishes, actively practice the Catholic faith, and have a rich personal history of Catholic education. Dr. Nancy Ammerman, Professor of Sociology of Religion at Boston University summarized the data by stating that “VOTFers are as Catholic as they come”. The study’s authors both concluded that VOTF members are the very products the Bishops would have hoped for when they established a Catholic educational system decades ago.

Despite this profile, VOTF members remain unwelcome in most parishes in the diocese. Attempts to meet or hold activities are met with indications that the Bishop and/or

Chancery would not approve of such events. Whether this response is your explicit or implicit communication matters little; it is pervasive. We believe it is contrary to Gospel expectations and harmful to the faith life of committed Catholics. We recognize that we see things from a different perspective than many in leadership positions, but we also believe that we have faithfully witnessed the Gospel message. We urge you to announce to your pastors that they are welcome to allow VOTF members to meet on the very grounds that the members support with their active faith lives—and their contributions.

We also urge you to find some ways in which the clergy of the diocese can engage survivors and others on mutually shared experiences and likely pain regarding the revelations of clergy sexual abuse of children. We believe that the suggestion made by Fr. James Moran during the April listening session to host screenings of useful documentaries such as *Twist of Faith* is an excellent one. We are willing to purchase copies of that film for such a use within the diocese.

We hope that you will find our assessment beneficial in your leadership of the diocese's continuing response to the clergy sexual abuse crisis and indeed to the larger epidemic of sexual abuse of children in our society. We have summarized our recommendations and requests for information on the attachment.

If you would like to discuss any of our assessment, we will make ourselves readily available. If we can assist you with any of them, please feel free to contact us. We pray for and look forward to the day when Church leaders draw upon the gifts of all members to govern our Church.

Very truly yours,

/s/  
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/s/  
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cc: Fr. Terry Specht, Diocesan Director, Office of Child Protection and Safety  
Ms. Patricia Mudd, Diocesan Coordinator for Victim Assistance

## **VOTF-NoVA 2006 RECOMMENDATIONS FOR ARLINGTON DIOCESE**

### **SURVIVOR SUPPORT**

1. avoid any request of survivors to forgive their abusers during healing masses and prayer services in order to alleviate any potential re-victimization of survivors.
2. reach out to survivors in local community forums to invite them to healing masses and services.
3. continue listening and dialogue sessions for survivors and their families and friends.
4. relax the requirements for survivor support groups in order to attract greater participation.
5. refer survivors to the VOTF-NoVA survivor support group if they are not interested in attending those sponsored by the diocese.

### **PROTECTION OF CHILDREN**

1. seek approval from the Virginia Department of Social Services for the sexual abuse prevention training already provided to clergy and diocesan personnel so that they will be covered by the new reporting requirements when they become effective on January 1, 2007.
2. provide significant coverage through the Virginia Catholic Conference and in the Arlington Catholic Herald for any future bills that address child protection.
3. remove from the diocesan policy the two provisions we noted in our letter dated October 12, 2005, regarding definitions of sexual abuse that have potential loopholes around reporting suspected sexual abuse.
4. publish the names of the Arlington clergy who have been removed from ministry for credible allegations of sexual abuse of children, along with their current residences, and the locations and periods of service as priests in the diocese.

### **MISCELLANEOUS**

1. notify pastors that you have no objection to VOTF meetings or events in parish or other diocesan facilities if they meet the same requirements of other groups.
2. provide forums for clergy and laity dialogues about respective experiences in response to the clergy sexual abuse crisis.
3. urge your fellow bishops to take a more compassionate and Gospel approach to the crisis in lieu of the corporate defense model so many have adopted.

### **VOTF-NoVA REQUESTS FOR INFORMATION**

1. how many priests and deacons (if any) have not completed a background check, including fingerprinting, and what are the reasons for each one?
2. how many parishes have not completed the safe environment training for all of its children?
3. how many parishes are using safe environment programs other than the one selected by the diocese, and what are the reasons by parish for selecting another program?