

# **Independent Oversight Board for Youth Protection**

**Diocese of Altoona-Johnstown**

**Annual Report 2017-2018**

**James W. Brown, Chair**

**Walter Carlson, Member**

**Eileen Dombo, Member**

**Mary Herwig, Member**

**Jerry Johnson, Member**

# Independent Oversight Board for Youth Protection

## Diocese of Altoona-Johnstown

### Annual Report 2017-2018

#### Executive Summary

The Independent Oversight Board for Youth Protection of the Diocese of Altoona-Johnstown hereby issues its first Annual Report. The Independent Oversight Board was formed in 2017, pursuant to a Memorandum of Understanding between the Office of the United States Attorney for the Western District of Pennsylvania and the Diocese. The involvement of the United States Attorney's Office had its origins in a series of scandals involving sexual abuse of minors by members of the clergy and subsequent coverups by two previous Diocesan bishops. These matters were documented in a 2016 report by a Pennsylvania Grand Jury. Under the Memorandum of Understanding, the role of the Independent Oversight Board is *solely prospective*, i.e., it oversees the development and implementation of policies and procedures for child protection, but it does not handle specific allegations of abuse, past or present. That responsibility is the obligation of the Diocesan Allegation Review Board, the Diocesan Bishop and law enforcement agencies.

The Memorandum of Understanding mandates a number of substantive reforms to the policies and practices of the Diocese regarding the protection of children and youth who come into contact with its clergy, teachers, lay ministers and volunteers. The following Report of the Independent Oversight Board reviews the progress of the Diocese in instituting child protection policies, as required by the Memorandum of Understanding or, as recommended by experts retained by the Diocese. These experts include its independent auditor and its youth protection consultant. The Report also evaluates the implementation of those policies.

It is the opinion of the Independent Oversight Board that the Diocese has made significant headway in developing and putting in place policies and procedures necessary for the protection of its children. Also, as is indicated in the 2016 Grand Jury Report, current Diocesan Bishop Mark L. Bartchak has dealt properly and severely with priests guilty of abusing children. However, the new policies and procedures are of limited value unless they are implemented and honored within a Diocesan culture that places the highest value on protecting and nurturing its children. That part of the Diocese's obligations under the Memorandum of Understanding reflects improvement, but remains a work in progress. In summary, in the period following the signing of the Memorandum of Understanding, much has been done, but much is left to do.

## Background

The Roman Catholic Diocese of Altoona (later Altoona-Johnstown) was officially established in 1901. However, the history of the Catholic Church in the region dates back to the founding of Fort Duquesne in 1754, the first settlement started in Johnstown in 1794, and the early days of the community of Loretto in 1799.

From these beginnings, the Catholic Church did what it has done historically throughout America. It established parishes, built churches and started schools, seminaries, colleges and hospitals. It brought in orders of nuns and priests to teach and serve. Generations of Catholics, from the first pioneers, to the waves of Irish, eastern and southern European immigrants, looked to their Church and found faith, education, healing and community. Their relationship with the Church was characterized by belief in and adherence to its teachings, coupled with respect and acceptance of its authority. This is the Catholic story, repeated all over our country and throughout our history.

But, as the 2016 Report of a Pennsylvania Grand Jury revealed, the story also has a sinister side of wrongdoing and betrayal, one that continued for decades and reached to the highest levels of the Diocese of Altoona-Johnstown. The spotlight was ultimately turned on this dark side by a series of allegations, culminating in the 2016 Grand Jury Report. That report documented hundreds of cases of abuse and further alleged that two previous Diocesan Bishops “took actions that further endangered children as they placed their desire to avoid public scandal over the well-being of innocent children....” The full 2016 Grand Jury Report can be accessed through the website of the Pennsylvania Attorney General at <https://www.documentcloud.org/documents/2779770-GJ-Diocese-Report.html>.

The Grand Jury and Pennsylvania Attorney General did not bring criminal charges against the identified perpetrators because the statutes of limitations on almost all of the cases had expired. However, David Hickton, then United States Attorney for the Western District of Pennsylvania, threatened a “civil RICO” action against the Diocese. The new Bishop, Mark L. Bartchak, worked with the U.S. Attorney’s Office and agreed upon a Memorandum of Understanding that set forth a series of reforms. During the discussions leading to the Memorandum of Understanding, the U.S. Attorney’s Office was advised by Dr. Elizabeth J. Letourneau, a nationally recognized expert in the prevention of child sexual abuse. The status of these reforms, beginning with the Memorandum of Understanding itself, is discussed in detail in this Annual Report.

It is the opinion of the Independent Oversight Board that the Diocese of Altoona-Johnstown has achieved significant success in putting the structures for these reforms in place; substantial progress has also been made in implementing and enforcing them, but much work remains to be done.

## Reforms

**Memorandum of Understanding between the Diocese of Altoona-Johnstown (the “Diocese”) and the Office of the United States Attorney for the Western District of Pennsylvania (the “U.S. Attorney’s Office”).** Following extensive consultation, the Memorandum of Understanding (“MOU”) was signed by both the Diocese and the U.S. Attorney’s Office on March 6, 2017. The MOU required, among other remedies, the appointment of an Independent Oversight Board for Youth Protection for the Diocese (the “Independent Oversight Board” or the “Board”). The Board’s responsibilities include “implementation and ongoing review of new policies, procedures and practices” for the Diocese; “review [of] periodic audits of the Diocese’ compliance performed pursuant to the Charter for the Protection of Children and Young People”; and issuing reports on the Diocese’ “implementation of and compliance with” such “new policies, procedures and practices....” Under the MOU, the Board’s duties are *solely prospective*; charges of abuse, both current and past, are handled by the reformed Allegation Review Board of the Diocese, the Diocesan Bishop and law enforcement authorities, including district attorneys of counties within the Diocese. A copy of the MOU is attached as **Exhibit A**.

**Appointment of Independent Oversight Board Members.** After consultation between the Diocese and the U.S. Attorney’s Office, the initial five members of the Board were appointed on July 2, 2017. They are:

James W. Brown is a former Chief of Staff to both U.S. Senator Robert P. Casey, Jr. and Pennsylvania Governor Robert P. Casey. Mr. Brown is also a former founding partner of a family of venture capital funds and a former partner of a major law firm. He has extensive experience with issues involving children and education, including service on the boards of three schools that educate underprivileged children. Mr. Brown serves as Chair of the Board.

Walter “Pete” Carlson is a former criminal investigator for the Pennsylvania State Police. During his service with the State Police, Mr. Carlson investigated and helped prosecute child abuse cases for over 15 years. He also served as Chief of Detectives for the District Attorney’s Office of Lackawanna County, Pennsylvania. He has taught classes and lectured extensively on the subject of child abuse protection.

Eileen Dombo, PhD is an Associate Professor and Assistant Dean of the National Catholic School of Social Service at The Catholic University of America. Dr. Dombo is also a practicing psychotherapist and has written and lectured extensively on trauma, child sexual abuse and mental health treatment. Dr. Dombo is currently the Chair of the Child Protection Advisory Board of the Archdiocese of Washington, D.C.

Mary Herwig is an expert in the field of Formative Spirituality and provides spiritual formation counseling, having studied under Adrian van Kaam C.S.Sp., PhD and Susan Muto, PhD. Ms. Herwig is an advocate for child protection in all its forms, including for those who have suffered child abuse. She experienced abuse herself as a young child. At present, Ms. Herwig promotes the Catholic Church's call for a "New Evangelization", nurturing others on the importance of ongoing spiritual formation. She is a longtime resident of Somerset, Pennsylvania.

Jerry Johnson, Esq. served as the United States Attorney for the Western District of Pennsylvania for eight years. In that role, he led the prosecution of thousands of criminal cases, including numerous matters involving child abuse. Mr. Johnson is a practicing attorney in Pittsburgh.

The Board holds scheduled quarterly meetings and participates in regular conference calls or meetings with individuals who have important responsibilities under the MOU.

**Appointment of Consultant.** As required by the MOU, the Diocese has engaged the services of R. Leslie Nichols, CPP, an expert with broad experience in child protection within organizations. Before starting his consulting practice in 2016, Mr. Nichols spent more than 20 years as the Vice President for Child Protection for the national headquarters of Boys & Girls Clubs of America. Since its formation, members of the Board have had extensive discussions and meetings with Mr. Nichols. Mr. Nichols' resumé is attached as **Exhibit B**.

**Appointment of Director of Youth Protection for the Diocese.** Pursuant to the MOU, the Diocese created a new Office of Children and Youth Protection, and, in accordance with recommendations made by an independent audit of the Diocese's youth protection programs, centralized most child protection duties under this Office. After a formal search, it appointed Cynthia O'Connor as Executive Director of the Office in January 2018. Ms. O'Connor has management experience with nonprofit organizations, youth development and school districts, both public and private. She holds a degree in organizational leadership and management from St. Francis University in Loretto, Pennsylvania. The Board receives reports from Ms. O'Connor at its quarterly board meetings and regularly reviews her progress in implementing the requirements of the MOU and other reforms. Ms. O'Connor's resumé is attached as **Exhibit C**.

**Reform of the Allegation Review Board/Reporting Protocol.** The Charter for the Protection of Children and Young People promulgated by the U. S. Conference of Catholic Bishops requires that each diocese have an Allegation Review Board. Under the Charter, this entity is charged with investigating and responding to allegations of abuse of minors by clergy affiliated with the Diocese. According to the Diocese, these protocols also apply to others affiliated with the Diocese, both lay

employees and volunteers who work with minors. The 2016 Grand Jury Report was highly critical of the role of the Allegation Review Board of the Diocese during the years leading up to its report. The Grand Jury Report alleged that under two previous bishops, the Allegation Review Board, which reported directly to the Bishop, was complicit in allowing the cover-up of evidence of abuse of children by priests and others affiliated with the Diocese.

In accordance with the MOU, Bishop Bartchak took steps to ensure the independence of the Allegation Review Board. He appointed all new members, several of whom are not Roman Catholics. They include a retired licensed clinical social worker with experience as a clinical supervisor and therapist for children, an attorney, a retired state police criminal investigator, a licensed psychotherapist and counseling service supervisor who screens applicants for Protestant seminaries, a high school teacher with experience in special programs for at-risk students assigned by the courts, a Diocesan priest and a priest from the Orthodox Church. In addition, Bishop Bartchak directed that reporting requirements be clarified to ensure that allegations are reported immediately to appropriate authorities, including law enforcement agencies. The form of the referral letter (CY47) used by the Diocese and a sample letter are attached as **Exhibit D**. The Diocese' document, Policies for the Protection of Youth and Vulnerable Persons, which is discussed elsewhere in this Report, describes in detail the Diocesan requirements and procedures for reporting suspected child abuse. Among other things, this document emphasizes that the Diocese must comply with "the requirements of the Pennsylvania Child Protection Services Law." A summary of Diocesan allegation reporting procedures is attached as **Exhibit E**. Although the Independent Oversight Board is not charged with reviewing specific allegations, it does conduct oversight to ensure that the Allegation Review Board is actively pursuing its mandate.

Among the reforms mandated by the MOU, the Diocese is required to "develop new policies, procedures and practices that will comprehensively address issues pertaining to child sexual abuse." The following were created/revised to comply with this provision:

**Diocesan Code of Conduct.** In September 2018, the Diocese promulgated a new Code of Conduct, which applies to all Diocesan employees and volunteers, both clergy (including the bishop) and lay people. The Independent Oversight Board believes that for a Code of Conduct to be effective, it must be clear, simple and explicit about how Diocesan clergy, employees and volunteers must act when dealing with children. It also must leave no questions about the reporting of improper conduct, i.e., who must report, when, and to what authorities. The Independent Oversight Board believes that the Code of Conduct, as revised, achieves those requirements. However, the Code of Conduct is only as good as its implementation, a matter that

the Board will continue to oversee. The revised Code of Conduct is attached as **Exhibit F**.

**Training Program.** Experts in the field of child abuse prevention are unanimous in recommending an effective program which both educates children on how to recognize and avoid predators, and trains adults in the best practices for preventing abuse. The MOU requires that the Diocese “revise and/or implement...[a] training program which provides mandatory, live and in-person training for Clergy and Diocesan personnel, as well as community-focused trainings for individuals and families...” Although it has, for a number of years, employed an outside contractor to provide training, the Diocese decided, in 2017, to select a new company. After a formal request for proposals (“RFP”) process, the Diocese retained VirtusOnline. Virtus is an affiliate of the National Catholic Risk Retention Group, Inc., a shareholder-owned insurance program that currently covers 56 arch/dioceses. At present, Virtus provides two training programs for the Diocese:

*Protecting God’s Children for Adults* is a training program conducted by certified facilitators on the prevention of child sexual abuse. According to Virtus, the training makes participants aware of the signs of child sexual abuse, the methods and means by which offenders commit abuse, and five steps that can be used to prevent such abuse. The company provides its training both in-person through its facilitators and online. It uses two videos as the centerpiece of this educational program.

*Protecting God’s Children, Touching Safety Program for Children* is a school-based curriculum through which parents, teachers, catechists and youth ministers give children and young people the tools they need to protect themselves from those who might harm them. According to Virtus, each child receives a full range of information in a series of small learning modules over three-year periods. As children advance to higher age groups, they receive new, age-appropriate lessons that explore major topics in increasingly greater detail. This program uses a booklet guide for adults, lesson leaders and parents for teaching children how to protect themselves.

Completion of the training program is required before any adult assumes his/her duties for the Diocese. In addition, current clergy, employees and volunteers must complete periodic renewal training. The Virtus website can be accessed at <https://www.VirtusOnline.org>. A summary of the current status of the training/education programs, for both children and adults, has been provided by the Diocese and is attached as **Exhibit G**.

**Audit Review.** The MOU mandates that the Board “review periodic audits of the Diocese’ compliance performed pursuant to the Charter for the Protection of Children and Young People and enforcement efforts....” This Charter is promulgated by the U.S. Conference of Catholic Bishops. The Diocese has retained Stonebridge Business Partners to perform annual audits with respect to this requirement. Typically, Stonebridge conducts an on-site audit every third year and, in off years, performs a “desk audit” that assesses Diocesan compliance with data collection requirements on matters such as reporting allegations, child protection training and background checks. Stonebridge performed on-site audits for the years 2015/2016 and 2016/2017. The 2017/2018 audit was a desk audit.

The Board has reviewed the audit covering 2016/2017 and Stonebridge’s compliance letter to Diocesan Bishop Mark L. Bartchak. That letter states that “the Diocese was found in full compliance with the Charter for the Protection of Children and Young People” and provides an additional letter indicating “2016/2017 compliance.” The compliance letter makes several recommendations: centralizing child protection duties under the Youth Protection Director; revamping training requirements to ensure an effective background verification process; widely distributing victim assistance information and codes of conduct; and establishing a written communications and social media policy. These issues are addressed elsewhere in the Board’s Annual Report. Stonebridge has informed the Independent Oversight Board that in light of the Diocese’s compliance with the 2016/2017 audit recommendations, further follow-up was not required.

The Diocese has received a letter from Stonebridge indicating that its audit for 2017/2018 has been completed. The Stonebridge letter states that “the Diocese of Altoona-Johnstown is in compliance with the data collection requirements for the 2017/2018 Charter audit.” The Independent Oversight Board has reviewed the audit results with Stonebridge. Copies of the Stonebridge 2016/2017 and 2017/2018 compliance letter are attached as **Exhibit H**.

**Policy Concerning Supervision of Clergy.** The MOU mandates that the Diocese revise and/or implement a “policy concerning supervision of Clergy to include both those serving Diocese and non-Diocesan clergy operating within the Diocese.” The Diocese has informed the Independent Oversight Board that members of religious orders are now subject to the same clearance and training requirements as those required of Diocesan clergy and religious orders. All non-Diocesan priests and permanent deacons seeking incardination, as well as priests or religious seeking ministry or residency in the Diocese must provide evidence of their fitness to work with youth and vulnerable persons. The Diocese requires a written statement from each applicant’s Superior of Religious Congregation verifying that there is nothing in the applicant’s history or behavior that would make him or her unsuitable to

work with youth or vulnerable persons. The Diocese is required to maintain permanent records of all such verifications.

**Public Disclosure of Information.** The MOU requires “the publication of names, photos and assignment histories of all priests who are the subject of credible accusations of sexual abuse of minors, the current status of each priest within the Diocese, as well as the names of all priests who have been placed on leave from public ministry as a result of allegations of sexual abuse of a minor.” The Diocese has responded to this requirement by providing the information described above on the Diocesan website. It can be accessed at <https://www.dioceseaj.org>.

**Victim Counseling and Financial Assistance.** The MOU requires that the Diocese “make available counseling and support services for victims by qualified and independent mental health professionals chosen by the victims” and “establish appropriate funding for all unreimbursed expenses for the services.” The Youth Protection Director has informed the Independent Oversight Board that victims of abuse receive private counseling and other services as necessary. The Diocese covers insurance co-pays and deductibles and pays for costs in excess of insurance coverage. Based on this information, the Independent Oversight Board believes that the Diocese is acting in accordance with this requirement of the MOU.

**Victim Advocate.** The MOU requires that the Diocese “continue to employ a Victim Advocate as required by the... Charter for the Protection of Children and Young People.” The Diocese has employed Jean Johnstone as Victim Advocate since March 2016. Prior to serving as Executive Director of Catholic Charities for the Diocese of Altoona-Johnstown, Ms. Johnstone’s professional experience involved working with at-risk children in California and various leadership positions with Easter Seals of South-Central Pennsylvania, Blair County Human Services and Bon Secours/Holy Family Hospital. Since 2016, Ms. Johnstone has handled 32 complaints as Victim Advocate.

**Child Sexual Abuse Hotline.** The MOU requires that “the Diocese retain Nulton Diagnostic & Treatment Center to provide a hotline service to receive complaints of child sexual abuse.” The hotline must be available on a 24-hour basis, employ qualified specialists, accept calls from victims and other persons reporting allegations of abuse, complete intake assessment forms, report allegations to appropriate law enforcement officials, report allegations to relevant Diocesan personnel, and provide information to victims concerning available assistance. The Independent Oversight Board has reviewed these requirements with the Youth Protection Director. The Diocese has retained Nulton and does maintain the hotline as mandated by the MOU. The Nulton Child Sex Abuse Hotline of the Diocese can be reached by calling 833-685-8861.

**Policy for Youth Protection.** As required by the MOU, in September 2018, the Diocese promulgated a new Policy for Youth Protection. It is intended to be a broad statement of policies and procedures regarding children and youth who come into contact with any arm of the Diocese. The Policy for Youth Protection applies to clergy, employees and volunteers from the Bishop on down. The Independent Oversight Board has worked with the Diocese to ensure that the new Policy for Youth Protection is comprehensive and reflects current thinking on best practices for protecting and nurturing the children of the Diocese. Key elements of the new policy include: screening/background checks; training and education; supervision of youth; appropriate boundaries and interactions; use of technology, electronic communication, texting, social media, video, gaming, etc.; pastoral ministry; confidentiality; seal of confession; reporting suspected child abuse; investigating allegations of child abuse and related complaints; response to victims/survivors, faith communities, those accused of abuse and families; responding to the accused; the Allegation Review Board; reassignment of personnel accused of sexual misconduct or sexual abuse; unsubstantial accusations; allegations against members of the laity; public communications; conflicts of interest; safe and secure facilities and other topics. A copy of the new Policy for Youth Protection is attached as **Exhibit I**.

**Background Checks.** An essential element of any youth protection program is a system of effective background checks to ensure that anyone connected with the Diocese who comes into contact with children has no previous history of criminal or other inappropriate conduct. Such a program must match the level of scrutiny of the background check with the level of risk to children from an adult in a particular position. Typically, institutions consider criteria including autonomy, direct contact and repetitive contact with children, to determine the depth of inquiry into the prior history of individuals. Diocesan personnel can be considered in five different groups for this purpose: clergy, deacons, lay ministers, lay employees and volunteers. Different levels of scrutiny are applied to these different groups. New or transferring members of the clergy are screened by officials of the Diocese. A member of the clergy transferring into the Diocese must produce a Letter of Good Standing from his/her prior diocese. The screening of new members of the clergy includes psychological/personality testing to identify possible issues. Prospective lay employees are reviewed by the Diocesan HR Department. The Independent Oversight Board will continue to review the adequacy of these processes. The Diocese has three additional mechanisms that examine backgrounds. They are: checks required by Pennsylvania law, checks done by an outside contractor recently retained by the Diocese, and information supplied on youth protection application

forms required to be filled out and signed by prospective members of any of the above groups.

The Commonwealth of Pennsylvania requires, by statute, three different background checks: the Pennsylvania Child Abuse History Clearance (Act 33); the Pennsylvania State Police Request for Criminal Records Check (Act 34); and the FBI Criminal Background Check (Act 73). In July 2018, after a formal RFP process, the Diocese retained an outside contractor, Selection.com, to perform additional, more extensive background checks for some groups. A description of the Selection.com procedures can be found on the company's website at <https://www.Selection.com>. Members of the clergy, deacons, lay ministers and lay employees are subject to the two Pennsylvania checks, the FBI check and the Selection.com review. Volunteers are subject to the two Pennsylvania checks, the Selection.com check, and, if they have resided in Pennsylvania for less than 10 years, the FBI review. All individuals in the above groups are required to fill out the Diocese's youth protection application form, a copy of which is attached as **Exhibit J**. Material misstatements or omissions on this form can result in termination of employment. The background checks described above are required before new individuals begin their duties and current clergy, employees, volunteers, etc. are subject to regular re-screenings. A summary of the types of reports available through Selection.com is attached as **Exhibit K**. More extensive discussion of the screening/background check process can be found in the Diocesan Policy for Youth Protection, described above.

**Youth Protection Communications Program.** In its 2016-2017 audit report, Stonebridge, the independent auditor retained by the Diocese, recommended that the Diocese have a robust youth protection communications program. In response, the Youth Protection Director of the Diocese, Cynthia O'Connor, employs a number of communications tools. She conducts in-person meetings with parish groups and other interested parties, both at parishes and at the Diocesan offices. She has developed a youth protection page in the biweekly Diocesan newspaper, The Catholic Register, which includes articles on prevention and reporting of suspected child abuse. The Youth Protection Director also provides information for church bulletins and communicates through the Diocesan website. She is in the process of developing a separate Office of Youth Protection website. The Independent Oversight Board emphasizes that improved transparency and effective communication will always be essential to the protection of the children of the Diocese.

## Recommendations

As the 2018 Annual Report of the Independent Oversight Board indicates, much progress has been made since the signing of the MOU in March 2017 and the appointment of the members of the Independent Oversight Board in July 2017. The Board believes that the policies and procedures adopted by the Diocese reflect the current wisdom on best practices to protect children who come into contact with the Catholic Church. The Board does have several recommendations which it believes will further address the goal of protecting and nurturing the children of the Diocese.

**Parish Level Leadership Teams/Safety Committees.** The Diocese of Altoona-Johnstown has over 75,000 Catholics in its 86 parishes. It also supports 13 elementary/middle schools, four high schools and the wide variety of religious and social services typically performed by a Catholic diocese. It has, at last count, only 58 Diocesan priests and 33 permanent deacons.

The members of the Independent Oversight Board believe that the Diocese has put most of the correct structure in place to ensure the protection of children and youth in the future. However, all the policies in the world won't work if they are not implemented and enforced. The Board *strongly* recommends that the laypeople in each parish take a more active and formal role in making sure that the reforms described in this Annual Report are carried out and monitored for effectiveness. Given the overwhelming burden of obligations, both spiritual and managerial, faced by priests, the laypeople of the Diocese need to be more engaged in these crucial issues. We recommend that each parish have a parish-level Leadership Team/Safety Committee with real authority for ensuring the protection of its own children. The specifics can be worked out, perhaps with the help of the Diocesan consultant, but the need for such a change is clear and convincing.

**Physical Inventory of Diocesan Properties.** Mr. Les Nichols, the consultant retained by the Diocese, in addition to being a youth protection expert, has an extensive background in physical security and the design of safe environments for children. One of the most effective and affordable programs he recommends for creating a safe environment is "Crime Prevention Through Environmental Design" (CPTED). With this easily learned and applied methodology, parish safety teams can assess their buildings to identify entrapment and isolation areas, i.e., rooms, closets, etc. that could be used by would-be abusers. Using a standardized checklist, teams can identify problems such as lack of access control or natural sightlines, inadequate lighting or territorial reinforcement, and address those issues so that they no longer pose a potential space for abuse. The Independent Oversight Board recommends that Mr. Nichols work with the Diocese to identify local parish safety teams and help them to develop regular facility assessments. Through this process, the Diocese can develop an inventory of each parish's findings and areas for improvement. This

program can provide a simple, inexpensive but effective way to reduce the likelihood of wrongful conduct in Diocesan buildings.

**Promotion of the Child Sex Abuse Hotline.** As discussed in this Annual Report, the Diocese maintains a 24-hour child sex abuse hotline. However, the use of this hotline, as measured by the number of calls received, has been minimal. The Independent Oversight Board recommends that information about the hotline be more widely distributed and promoted throughout the Diocese.

**Additional Education and Training Programs.** The Independent Oversight Board is mindful of the expense associated with the reforms described in this Annual Report, as well as the time and resources required to implement them. However, it believes that, in the future, the Diocese should consider additional educational programs offered by its outside contractor, Virtus. These include: a bullying prevention initiative; a technology safety and security program; a compendium of case studies relevant to priests, deacons and lay ministers; and a child protection education program for religious orders that provide services in the Diocese.

**Referrals to Law Enforcement Authorities.** As indicated in this Annual Report, the Diocese now follows a policy of immediately reporting allegations of child sexual abuse to appropriate authorities, including law enforcement agencies. The Board commends the Diocese for instituting and adhering to this policy. The Board recommends that the Diocese have an agreed-upon procedure for follow-up on referrals to law enforcement authorities, especially those made to the district attorneys in the counties within the Diocese. Ideally, this would involve formal and informal communications between the Youth Protection Director or other officials of the Diocese and designated assistant district attorneys in the relevant offices.

**A Culture of Child Protection.** The Independent Oversight Board believes that the Diocese must continue to move toward a culture of child protection, one which is embraced by all stakeholders, including clergy, lay ministers, teachers, employees and parishioners. As discussed above, the Diocese has adopted a variety of new policies and procedures which must be fully implemented and enforced. That is a job for everyone. There must be a general consensus that protecting children is of the highest priority. Organizational experts say that culture almost always trumps policy. The Diocese has put the policy in place; it must continue to work on the culture.

## Conclusion

The members of the Independent Oversight Board for Youth Protection believe that the Diocese of Altoona-Johnstown has made significant and measurable progress towards developing a comprehensive program for preventing the abuse of its children. The crucial issues going forward involve, for the most part, the full implementation and enforcement of the policies and procedures developed by the Diocese and discussed in this 2018 Annual Report. A spreadsheet summary of what has been accomplished and what remains to be done is attached as **Exhibit L**.

The members of the Independent Oversight Board would like to close this Report with two messages. To the good and faithful priests, nuns, deacons, employees, volunteers and parishioners of the Diocese, who truly are the Church: we thank you for what you have done in extraordinarily difficult times, and for what you will do in a brighter future. And, to those who would take advantage of our children: we will do everything in our power to ensure that you and your actions will never again be tolerated, ignored or hidden. Not ever.

**The Independent Oversight Board for Youth Protection of the Diocese of Altoona-Johnstown**

James W. Brown, Chair

Walter Carlson, Member

Eileen Dombo, Member

Mary Herwig, Member

Jerry Johnson, Member

# Exhibits

Exhibit A:	Memorandum of Understanding (MOU) . . . . .	16
Exhibit B:	Nichols' Resumé. . . . .	21
Exhibit C:	O'Connor's Resumé. . . . .	39
Exhibit D:	Allegations Referral Letter . . . . .	43
Exhibit E:	Diocesan Reporting Procedures. . . . .	47
Exhibit F:	Code of Conduct. . . . .	52
Exhibit G:	Chart for Training/Education Programs. . . . .	55
Exhibit H:	Stonebridge's Compliance Letters . . . . .	57
Exhibit I:	Policy for Youth Protection. . . . .	61
Exhibit J:	Diocese's Youth Protection Application Form. . . . .	92
Exhibit K:	Types of Checks. . . . .	96
Exhibit L:	Spreadsheet Summary. . . . .	99

# EXHIBIT

## A

**MEMORANDUM OF UNDERSTANDING**  
between  
**THE DIOCESE OF ALTOONA-JOHNSTOWN**  
and  
**THE UNITED STATES ATTORNEY FOR THE**  
**WESTERN DISTRICT OF PENNSYLVANIA**

**REGARDING THE PROTECTION OF CHILDREN**

**A. PURPOSE**

This Memorandum of Understanding (“MOU”) memorializes the actions that the Diocese of Altoona-Johnstown (“the Diocese”) is committed to take to protect children and reduce the risk of sexual abuse by diocesan personnel. The MOU is the product of extensive collaboration between the Diocese and the United States Attorney for the Western District of Pennsylvania.

**B. BACKGROUND**

The Diocese encompasses eight counties in central Pennsylvania (Bedford, Blair, Cambria, Centre, Clinton, Fulton, Huntingdon and Somerset). In March 2016, Bishop Bartchak announced his intention to review and overhaul the Diocese’s child protection policies and procedures. Since that time, representatives from the Diocese and the United States Attorney’s Office have worked together to develop a framework of fundamental reforms to protect children of the Diocese from sexual abuse, to ensure that all allegations of abuse are promptly reported to law enforcement, and to provide victims and their families with access to counseling and other support services. This MOU outlines the actions that the Diocese voluntarily embraces to accomplish these ends.

**C. FRAMEWORK FOR REFORMS OF THE DIOCESE’S YOUTH PROTECTION PROGRAM**

To provide for the safety of children who come in contact with Diocesan personnel, the Diocese has publicly committed to implementing the following reforms to its Youth Protection Program:

**1. Independent Oversight Board For Youth Protection**

- The Diocese will establish a five-member Independent Oversight Board For Youth Protection, consisting of community leaders from various disciplines, which will supervise the prospective implementation and enforcement of the Diocese’s expanded efforts to prevent child sexual abuse.
- Among other things, the Independent Oversight Board will: (a) oversee the implementation and ongoing review of the new policies, procedures, and practices described below; (b) review periodic audits of the Diocese’s compliance performed pursuant to the Charter for the Protection of Children and Young People and enforcement efforts; and (c) issue reports on at least an annual basis concerning the Diocese’s implementation of and compliance with the new policies, procedures and practices, and recommend any changes.

- If a vacancy occurs on the board, the Oversight Board will select a suitable replacement after consultation with the Bishop. Replacement members must receive the affirmative support of no less than 66% of the members of the Oversight Board.
- The board will be in place for a term of ten years. If, however, at least 66% of the Oversight Board members conclude after June 30, 2022 that the board's mission has been fulfilled, the Oversight Board may be terminated.
- The Diocese will budget for and provide liability insurance coverage and other resources necessary to support the mission of the Oversight Board.
- The Oversight Board shall annually identify the resources it believes are necessary to support its mission and report annually on the adequacy of the resources provided.
- Persons currently committed to serve on the board include a 30-plus-year public servant who has agreed to serve as chairman, a licensed social worker with a Ph.D., a retired law enforcement officer, a former United States Attorney and a survivor of sexual abuse.

## 2. Expert Consultant

- The Diocese has retained R.L. Nichols & Associates to develop a new comprehensive child sexual abuse prevention program. The Diocese will continue to retain Dr. Nichols as a consultant for the duration of the term of the Oversight Board. Dr. Nichols will, among other things, prepare revised policies and procedures addressing the following subjects, among other things: recognizing and preventing child sexual abuse; regulating and supervising interactions with minors; mandatory reporting of child sexual abuse allegations; and appropriate use of computers and the internet. Dr. Nichols will also design and assist in implementing comprehensive training and monitoring programs for Diocesan personnel.

## 3. Executive Director

- The Diocese will employ an Executive Director for Youth Protection whose primary employment responsibility with the Diocese will be to implement, manage, monitor and supervise the Youth Protection Program. The Executive Director will have direct access to and communication with the Oversight Board.

## 4. Reform of Diocese's Review Board

- The Diocese is obligated by church law to have a Review Board that functions as a confidential body to the Bishop and advises the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. *See Charter for the Protection of Children and Young People, Article 2; see also Essential Norms for Diocesan/Eparchial Policies Dealing With Allegations of Sexual Abuse of Minors by Priests or Deacons, Norms 4 and 5.* The scope of the Review Board's responsibility extends to all issues in any way related to the potential for child sexual abuse, including but not limited to issues associated with child pornography, potential grooming of victims, and any alleged violations of the Diocese's Code of Conduct.
- Bishop Bartchak has identified new members to serve on the Review Board. The new members include a retired licensed clinical social worker with experience as clinical supervisor and therapist for children, an attorney, a retired state police criminal investigator, a licensed psychotherapist and counseling service supervisor who screens applicants for Protestant seminaries, a high school teacher with experience in a special program for at risk students assigned by the courts, a diocesan priest and a priest from an Orthodox church.

- If a vacancy occurs on the board, the Bishop will select a suitable replacement after consultation with the Oversight Board.
- The Review Board will have the opportunity to confer and deliberate without the Bishop in attendance. The Bishop will not attend sessions of the Review Board at which a victim is present unless the victim specifically requests the Bishop's presence.
- The Diocese will maintain a complete record of the proceedings and recommendations of the Review Board, including all documents considered by the Review Board. A Notary shall certify the completeness of the record.

#### 5. Revised Policies, Procedures & Practices

- The Diocese's expert consultant will collaborate with the expert retained by the U.S. Attorney's Office to develop new policies, procedures and practices that will comprehensively address issues pertaining to child sexual abuse.
- The Diocese will revise and/or implement the following policies:
  - **Code of Conduct** that governs Clergy and Diocesan personnel interactions with minors, and is designed to eliminate opportunities for child sexual abuse to occur;
  - **Reporting Protocol** that governs how, when, and to whom Diocesan personnel must report allegations or good faith suspicion of child sexual abuse or code of conduct violations related to the prevention of child sexual abuse, including reporting allegations of child sexual abuse to law enforcement within 12 hours; taking immediate steps to prevent any contact with minors by the suspected persons; and placing clergy or personnel on administrative leave within 24 hours of notice of a credible allegation of child sexual abuse;
  - **Training program concerning the prevention of child sexual abuse**, which will provide mandatory, live and in-person training for Clergy and Diocesan personnel, as well as community-focused trainings for individuals and families that reside with the Diocese;
  - **Compliance and auditing program**, which will include periodic reviews of computer and internet usage by Diocesan personnel;
  - **Policy concerning the supervision of Clergy** to include both those serving the Diocese and non-Diocesan clergy operating within the Diocese.
  - **Public Disclosure of Information** to include all reports generated by the Oversight Board and the publication of names, photos, and assignment histories of all priests who are the subject of credible accusations of sexual abuse of minors, the current status of each such priest within the Diocese, as well as the names of all priests who have been placed on leave from public ministry as a result of allegations of sexual abuse of a minor.

#### 6. Independent Victim Assistance Services

- Subject to review by the Oversight Board, the Diocese will continue to partner with the Pennsylvania Coalition Against Rape ("PCAR") and several local sexual assault crisis centers accredited by PCAR to present educational programs and otherwise work together to bring attention to the services available to victims of sexual abuse.
- Among other things, personnel for such agencies will consult with victims; facilitate communications between victims and law enforcement personnel; inform victims

concerning available services, including counseling services; and, as necessary and appropriate, represent victims' interests before the Diocesan Review Board.

- The Diocese will make available counseling and support services for victims by qualified and independent mental health professionals chosen by the victims. In consultation with the Review and Oversight Boards, the Bishop will establish appropriate funding for all unreimbursed expenses for these services.
- The Diocese will continue to employ a Victim Advocate as required by the Charter. *See Charter for the Protection of Children and Young People, Article 2.* The Victim Advocate will work closely with the various agencies to coordinate assistance for victims of abuse by church personnel. The Victim Advocate will not serve on the Diocesan Review Board. The Victim Advocate will have direct access to and communication with the Oversight Board.

7. **Child Sexual Abuse Hotline**

- The Diocese will retain Nulton Diagnostic & Treatment Center to provide a hotline service to receive complaints of child sexual abuse.
- The hotline will be staffed on a 24-hour basis by qualified intake specialists who will: accept calls from victims and other persons reporting allegations of abuse; complete intake assessment forms; report allegations to appropriate law enforcement officials; report allegations to relevant Diocesan personnel; and provide information to victims concerning available assistance.

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This Memorandum reflects the joint understanding of the Diocese and the United States Attorney as to the steps necessary to provide for the protection of children in the Diocese of Altoona-Johnstown. It does not create legal rights or obligations.



Mark L. Bartchak  
Bishop of Diocese of Altoona-Johnstown



Soo C. Song  
Acting United States Attorney  
Western District of Pennsylvania

Date: March 6, 2017

Date: March 6, 2017

# EXHIBIT B

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

*Child and Youth Protection within Organizations*

**R. L. Nichols & Associates, LLC**

137B Commerce Avenue/Ste 336, LaGrange, GA 30241  
404 247-0797| [LNichols@LesNichols.com](mailto:LNichols@LesNichols.com)



Mr. Nichols specializes in developing child and youth protection programs for youth serving organizations. For 22 years, he served as the lead youth safety and facility expert for Boys & Girls Clubs of America, which provides out-of-school time programs and activities for approximately 4,000,000 youth at over 4,000 sites including domestic and overseas military bases, college campuses, tribal lands, camps, housing projects, parks, recreation and community centers, churches and schools. He has consulted with organizations in the U.S., Puerto Rico, Canada, Mexico, Germany, Italy, England, Spain, Guam, Philippines, and Japan and written and lectured on effective organizational strategies to prevent sexual abuse, bullying,

violence, abduction and physical injuries through background checks and screening, training and supervising staff and volunteers, policies and procedures, governance and reporting, facility design and maintenance and emergency response planning.

Mr. Nichols is a board-certified protection professional (CPP) through the American Society for Industrial Security (ASIS International), and a licensed architect. He has a Master of Science in Security Administration, holds certificates in Enterprise Risk Management and Emergency Response Planning and has been educated in terrorism and homeland security issues at the graduate level. He is experienced in The Situational Prevention Approach, Crime Prevention through Environmental Design (CPTED), Threat-Vulnerability Analysis to help develop effective and sustainable organizational child and youth protection strategies.

Consulting & Forensic Work

Experienced and available for consulting, speaking and expert witness assignments in areas of safety, security and risk reduction in the care of school-aged children and youth.

Employment

- 2016-pres. *President*  
R.L. Nichols & Associates, LLC  
LaGrange, GA
  
- 1994-2016 *National Vice President Child & Club Safety (also, VP Safety & Risk Management, VP Safety & Design, VP Building Services)*  
Boys & Girls Clubs of America, National Headquarters  
Atlanta, GA
  
- 1992-1993 *Principal*  
Cumberland, America  
Marietta, GA

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

- 1991-1994 *Principal*  
Church Building Associates, Inc.  
Tupelo, MS/Marietta, GA
- 1985-1990 *Principal*  
Staub, Robison, Williams & Nichols, PC  
Tupelo, MS
- 1981-1985 *Architect*  
Sasaki Associates, Inc.  
Watertown, MA
- 1980-1981 *Intern Architect*  
Philip Minervino Associates, PC  
Cambridge, MA
- 1979-1980 *Intern Architect*  
HOK International, Inc.  
Dallas, TX
- 1978-1979 *Intern Architect*  
The Vincent Association, Inc.  
Dallas, TX

Education

Master of Science in Security Administration, (2015), Professional Studies Program,  
Southwestern College, Kansas

Bachelor of Architecture, (1977), School of Architecture, University of Texas at Austin

Licenses and Certifications

Certified Protection Professional (CPP), ASIS International (active)

Licensed Architect, State of Georgia (active)

Certified Instructor, *Nonviolent Crisis Intervention*®, Crisis Prevention Institute, (2016)

Graduate Certificate, Emergency Response Planning, Southwestern College, KS, (2015)

Graduate Certificate, Enterprise Risk Management, Southwestern College, KS, (2015)

Youth Protection Projects

Expanding the Use of Criminal Background Checks, (2003-2016)

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Project manager and subject matter expert for a 13-year initiative expanding the use of background checks across the BGCA enterprise. Efforts included work with major commercial background check providers, industry experts, government agencies, industry advocacy coalitions and nonprofit coalitions.

Expanding Membership Requirements, (2005-2016)

Subject matter expert for an 11-year initiative improving safety-related requirements across the BGCA enterprise. The project addressed general standard of care, regulatory compliance, critical incident reporting, background check standards, hiring and exclusion policies and insurance requirements.

Promoting Board-Led Safety Committees, (2013-2016)

Project manager and subject matter expert for a four-year initiative to encourage local BGC organizations to form board-led safety committees to strengthen board oversight, the application of metrics and tracking. The project included guidelines, reports, strategic meetings and trainings.

The Situational Prevention Approach, (2011-2015)

Liaison for a four-year pilot between BGCA and Portland State University (OR). The project—funded by the Pennsylvania Coalition Against Rape—applied “The Situational Prevention Approach” (a form of situational crime prevention) trained local staff at 16 local BGC sites in four states to identify and mitigate risks.

The Automated Critical Incident Reporting System, (2014)

Co-developer of BGCA’s Critical Incident Management System (CIMS), an online, proprietary system for local organizations to report specific categories of critical incidents. The system provides instant notification of appropriate BGCA staff, timed notification rollover, internal monitoring and categorical analysis of trends.

The Automated Online Safety Assessment, (2013)

Co-developer of BGCA’s Online Safety Assessment, proprietary system for organizations to identify 90 child safety vulnerabilities across 10 categories of risk. The system generates a risk spreadsheet that integrates responses from the organization’s CEO and each individual Site Director for overall scoring and generates a customized safety improvement plan.

The Child Safety Hotline, (2012)

Co-developer of BGCA’s telephone reporting system in partnership with Praesidium, Inc. The service, promoted at the local level through publicly displayed posters, permits any caller to remain anonymous and assists local staff to comply with mandated reporter laws.

Advocacy in Response to “Ban-the-Box” Legislation, (2012-2013)

Advisor to the National Association of Professional Background Screeners (NAPBS) and Consumer Data Industry Association (CDIA) for efforts to counteract emerging federal, state and local laws affecting an employer’s ability to use criminal background check findings in hiring decisions. Actions included a public presentation via panel discussion titled “The Dangers of Not Using Background Checks,” at the Due Diligence, Background Checks and Employment Conference, U.S. Chamber of Commerce, Washington, D.C.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

The BGCA National Insurance Program, (2011-2013)

Advisor to Frank Crystal & Company and Markel Insurance for promoting the expansion of the limits of insurance coverage for BGC organizations with a focus on sexual molestation, employment practices liability and directors & officer's insurance.

The BGCA Public Trust Forum, (2009-2012)

Moderator for a cross-departmental, quarterly risk management forum identifying enterprise-wide risks and aligning actions between various BGCA departments.

The Diana Screen Pilot Study, (2008-2011)

Advisor to Abel Screening, Inc. for developing a web-based adaption of The Diana Screen™ tool, which identifies applicants who may pose a risk of sexual abuse to youth. Actions included enlisting local BGC organizations to participate in an 18-month test of the system's efficacy for youth serving organizations. Findings supported research in Abel, G. G., et al. (2012). Development and validation of classification models to identify hidden child molesters applying to child service organizations. *Children and Youth Services Review, 34(7), 1378-1389.*

The Safe on All Sides Risk Management Program, (2004-2012)

Co-developer and project manager of a CD-ROM educational resource for promoting a comprehensive approach to risk identification and control practices across BGCA enterprise.

The Sex Abuse Prevention Study, (2010-2011)

Project manager for a BGCA project in partnership with Praesidium, Inc. and funded by the New York Life Foundation. The project compared and evaluated online vs. on-site child sex abuse prevention training methods for youth serving staff and volunteers across five states. The project also included the development of a prototype sex abuse gap analysis, training and educational materials.

The Five-Prong Bullying Prevention Program, (2010)

Co-creator of a research-based, bullying-prevention program for local organizations. The project included policy development, position description for a "bullying specialist," training tools for front-line staff, age-specific bullying surveys and tie-ins to existing BGCA leadership programs.

Crime Prevention through Environmental Design (CPTED), (1995—2008)

Lead subject matter expert and trainer for BGCA promoting the use of CPTED across the BGCA enterprise. Included training, webinars, CD-ROM interactive assessment tools, publications and on-site assessments.

CDC Standards for Preventing Child Sexual Abuse, (2006-2007)

Served as one of 17 subject matter experts assisting the Centers for Disease Control and Prevention to develop a common framework for the prevention of child sexual abuse within youth serving organizations. Contributions are noted in *Preventing Child Sex Abuse within Youth Serving Organizations: Getting Started with Policies and Procedures.* (2006), Centers for Disease Control and Prevention/National Center for Injury Prevention and Control.

U.S. PROTECT Act of 2003 Background Check Pilot Study, (2003-2007)

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Project manager for BGCA's participation in the U.S. PROTECT Act (Public Law 108-21, subpar. 1a) in which three youth-serving organizations (BGCA, The National Council for Youth Sports (NCYS) and MENTOR) partnered with the Federal Bureau of Investigation (FBI) and the National Center for Missing & Exploited Children (NCMEC) to study the efficacy of the FBI's Integrated Automated Fingerprint Identification System (IAFIS) for screening volunteers in youth-serving and sports organizations. Findings contributed to *The Attorney General's Report on Criminal History Background Checks*. (2006), U.S. Department of Justice, Office of the Attorney General.

The Environment and Social Behavior Study, (2002-2004)

Project manager for a three-year partnership between BGCA and Cornell University's Special Projects Studio (DEA 3301: The Environment and Social Behavior). Project involved interior design and psychology students applying research methodology to develop environmental design criteria for prototype Boys & Girls Club facilities.

The Teen Supreme™ Teen Center Project, (1995-1999)

Subject matter expert in partnership with BGCA Program Services to develop prototype designs and facility standards for local BGC Teen Centers. Project involved translating the programmatic and psychological needs of teens into specifications for three-dimensional space, furnishings, equipment and décor. Over a five-year period, the project led to the creation of more than 400 Teen Centers.

Print Publications and Digital Media, Youth Protection

Forward in Dorn, M. (2014), *Staying Alive: How to Act Fast and Survive Deadly Encounters*, Hauppauge, NY: Barron's.

Forward in Anderson, K & Daly, D. (2013), *What You Need to Know About Background Screening*, Community Oriented Policing Services, Community Oriented Policing Services and The National Center for Missing & Exploited Children, Washington, D.C.: U.S. Department of Justice.

Kaufman, K., Nichols, L., Ciarlante, M. (2012), "Bringing Sustainable Prevention to Community-Based Organizations," *The Resource: The National Sexual Violence Resource Center's Newsletter*, spring-summer, pp. 20-21 & 34.

Kaufman, K., Nichols, L., Ciarlante, M. (2012), "Bringing Sustainable Prevention to Community-Based Organizations," *ATSA Forum*, Volume XXIV, No. 1, Association for the Treatment of Sexual Abusers, Beaverton, OR.

Nichols, R. L. (2011), "Emergency Management from a Child's Perspective," *GEMA Newsletter*, Atlanta, GA: Georgia Emergency Management Agency.

Subject Matter Advisor in Saul, J. & Audage, N. (2007), *Preventing Child Sex Abuse within Youth Serving Organizations: Getting Started with Policies and Procedures*, (Nichols, R. L., contributor), Atlanta (GA): Centers for Disease Control and Prevention/National Center for Injury Prevention and Control, Atlanta, GA.

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R. Leslie Nichols, MSSA, CPP

Subject Matter Advisor in Department of Defense (2006), *UFC 4-740-06: Unified Facilities Criteria: Youth Centers*, Washington, D.C.: U.S. Department of Defense.

Nichols, R. L. (2006). "CPTED Basics," *Campus Safety Journal*.

Subject Matter Advisor in Patterson, J. (2004), *Staff Screening Toolkit 3<sup>rd</sup> Edition*, Washington, D.C.: Nonprofit Risk Management Center.

Subject Matter Advisor and Contributor in Oliver, B. (2004), *Managing Facility Risks: 10 Steps to Safety*, Washington, D.C.: Nonprofit Risk Management Center.

Nichols, R. L. (2001), "Fun Place, Safe Place, *School Planning & Management*," pp.28-29, 32-33.

Produced for Boys & Girls Clubs of America:

- Nichols, R. L. (2015), "From a United Movement to a Collaborative Network." *Child & Club Safety Newsletter*, Issue 10.
- Nichols, R. L. (2015), "Planning for Safety, *Child & Club Safety Newsletter*," Issue 9.
- Nichols, R. L. (2014), "Business Continuity Planning for Safety," *Child & Club Safety Newsletter*, Issue 8.
- Nichols, R. L. (2014), "Stand Up Against Bullying," *Child & Club Safety Newsletter*, Issue 7.
- Nichols, R. L. (2014), "Smart Steps to Security: Part 2," *Child & Club Safety Newsletter*, Issue 6.
- Nichols, R. L. (2014), "Smart Steps to Security: Part 1," *Child & Club Safety Newsletter*, Issue 5.
- Nichols, R. L. (2014), "Summer Safety: Part 2," *Child & Club Safety Newsletter*, Issue 4.
- Nichols, R. L. (2014), "Summer Safety: Part 1," *Child & Club Safety Newsletter*, Issue 3.
- Nichols, R. L. (2014), "What is Safety Leadership?" *Child & Club Safety Newsletter*, Issue 2.
- Nichols, R. L. (2014), Keeping Kids Safe Starts at the Top, *Connections*, Winter, pp. 20-21.
- Nichols, R. L. (2014), "Taking a Business Approach to Child Safety," *Child & Club Safety Newsletter*, Issue 1.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

- Nichols, R. L. (2013), *Recommendations for Preventing Gun Violence in Out-of-School Settings, Boys & Girls Clubs of America*. Note: Submitted by request of Office of the Vice President of the United States to the Task Force on Gun Violence.
- Nichols R. L. (2013), *Comments on EEOC Enforcement Guideline 915.002, Boys & Girls Clubs of America*. Note: Submitted by request of the United States Equal Employment and Opportunity Commission to the Attorney Advisor to the Office of the Staff Director, Public Affairs Unit, U.S. Commission on Civil Rights.
- Nichols, R. L. (2013), "Making Safe Places Safer," *Connections*, Spring, pp. 20-21.
- Nichols, R. L. (2013), "Staying Alert to Near Misses," *Connections*, Summer, pp. 16-17.
- Boys & Girls Clubs of America (2012), *Standards for Organizational Effectiveness for Boys & Girls Club Organizations* (Nichols, R. L., contributor).
- Hodges, P. & Nichols, R. L. (2011), *Protecting Our Kids: Onboarding Training for Staff & Volunteers*, BGCA-Spillett Leadership University.
- Nichols, R. L. (2011), "Managing Risk: The Cost of Blurred Boundaries," *Connections*, Winter, pp. 26-27.
- Nichols, R. L. (2011), "Managing Risk: Is Bullying Happening Right Under Your Nose?" *Connections*, Summer 2011, pp. 26-27
- Cooper, P., Dolbee, D. & Nichols, R. L. (2010), *Ensuring Public Trust: Training for Board & Leadership*, BGCA-Spillett Leadership University.
- Nichols, R. L. (2010), "Managing Risk: A Social Networking Program Proves Precarious," *Connections*, Summer, pp. 28-29.
- Nichols, R. L. (2010), *Keep Safe: The Child Safety Desk Reference*.
- Nichols, R. L. & Reid, D. (2010), *Kids in Control: Safety Awareness Activities*.
- Nichols, R. L. (2009), Managing Risk: An Abduction Averted, *Connections*, Winter, pp. 28-29.
- Contributor in Moss, W. (ed.), (2009), *Sports Smart: A Coaching Guide*.
- Nichols, R. L. (2008), "A Deadly Chain of Events," *Managing Risk* (series)
- Nichols, R. L. (2008), "Reducing Risk from Outside Contractors," *Reducing Risk* (series).
- Nichols, R. L. (2007), "Seven New Developments in Child Safety," *Connections*, Winter, pp. 20-21.

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R. Leslie Nichols, MSSA, CPP

- Nichols, R. L. (2007), "Second Chances," *Managing Risk* (series).
- Nichols, R. L. (2007), *Standard Practices for Child Safety: The Boys & Girls Club Way*.
- Nichols, R. L. (2006), "Beyond Background Checks: A Screening Process That Works," *Connections*, spring, pp. 22-23.
- Nichols, R. L. (2006), "A Welcoming Front Door: Front Desk Basics," *Connections*, Summer, pp. 22-23.
- Fielden, N. & Nichols, R. L. (2006). *Standard Practices for Hiring Staff and Selecting Volunteers of High Character: The Boys & Girls Club Way*.
- Carter, S., Fueredi, S., Nichols, R.L., Plaster-Carter, S. & The Media Kitchen. (2005). *Safe Spaces: Crime Prevention through Environmental Design* (CD-ROM).
- Nichols, R. L. & Somellian, R. (2004). "Vehicular Safety: Staying Ahead of the Curve," *Connections*, Fall, pp. 16-17.
- Cox, J., Evans, W., Nichols, R. L., Sanchez, F. & The Media Kitchen. (2003). *Safe on All Sides: A 360 Approach to Risk Management* (CD-ROM).
- Nichols, R. L. (2002), "The Culture of Safety: How to Secure Your Club without Creating an Unfriendly Fortress," *Connections*, Summer, pp. 20-21.
- Nichols, R. L. & Sanchez, F. (1997), "Staying in Charge of Your Turf: Having the Last Word on Graffiti," *Connections*, Summer, pp. 20-23.
- Nichols, R. L. (1997), "Climbing the Walls," *Connections*, Fall, pp. 24-25.
- Nichols, R. L. (1996), Gone with and Back from the Wind, *Connections*, Fall, pp. 22-23.
- Nichols, R. L., Cox, J & Sanchez, F. (1995), "Making Clubs Safer," *Connections*, Fall, pp. 2-5.

Print Publications and Digital Media, Other

Contributor (Chapter 31) in Berkley, J. (Ed.) (2008), *Leadership Handbook of Management and Administration*, Ada, MI: Baker Books.

Contributor (Chapter 6) in Shelley, M. & Ten Elshof, P. (Eds.) (1998), *The Complete Church Guide to Saving Money and Buying Smart*, Nashville, TN: Broadman & Holman.

Produced for Boys & Girls Clubs of America:

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

- Fueredi, S., Ford, A., Nichols, R. L. & The Media Kitchen. (2007), *MyLearningCenter.com* (training website).
- Anderson, E, Fueredi, S., Nichols, R. L. & The Media Kitchen. (2004). *Kid Spaces: Creating Exciting, Inviting Environments for Youth* (CD-ROM).
- Anderson, E., Fueredi, S., Nichols, R. L., The Media Kitchen. (2004), *KidBuilding.org* (training website).
- Nichols, R. L. (2001), "Finding Your Brick and Mortar Money: Understanding Your Audience Is Key to Successful Solicitation," *Connections*, Spring, pp. 22-23.
- Fueredi, S. & Nichols, R. L. (2001), "Good Design Boosts Brain Power," *Connections*, Summer, pp. 22-23.
- Ivey, W., Fueredi, S., Nichols, R. L. & The Media Kitchen. (2000), *Building Up: A Facilities Guide for Boys & Girls Clubs of America* (CD-ROM).
- Fueredi, S. & Nichols, R. L. (2000), "Mergers & Acquisitions," *Connections*, Summer, pp. 20-21.
- Nichols, R. L. (2000), "When You Need Professional Help: The Nine Steps to Hiring Any Building Professional," *Connections*, Fall, pp. 20-21.
- Fueredi, S. & Nichols, R. L. (2000), "Site Unseen: Asking the Right Questions," *Connections*, Spring, pp. 22-23.
- Fueredi, S. & Nichols, R. L. (1999), "Lab Notes," *Connections*, Spring, pp. 22-23.
- Fueredi, S. & Nichols, R. L. (1997), "Primary and Secondary Colors," *Connections*, Winter, pp 20-21.
- Nichols, R. L. (1997), "Building the Future," *Connections*, Summer, pp. 20-23.
- Nichols, R. L. (1995), "In Search of the Perfect Gym Floor," *Connections*, Winter, 22-23.
- Nichols, R. L. (1995), "Eight Building Blocks to a Successful Project," *Connections*, spring, pp. 22-23.

### Presentations, Panels and Advisory Roles

Co-presenter with Erooga, M. (2017), "A Practical View of the Role That Youth Serving Organizations Can Play in Preventing Child Sexual Abuse," California Coalition Against Sexual Abuse (Webinar).

Presider (2016), Annual Meeting, The National Coalition to Prevent Child Sexual Abuse and Exploitation.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Advisor (2016), Professional Studies Advisory Council Program Review, Southwestern College (KS).

Presenter (2016), "Protecting Youth in Out-of-School Time Settings," PSY 410: Preventing Sexual Violence, Portland State University.

Presenter (2016), "Protecting Youth in Out-of-School Time Settings," Youth Protection in Higher Education Network, Washington, D.C.

Advisor (2005-2015), Annual Advisory Board Meeting, First Advantage Screening Solutions, Inc [previously Lexis Nexis and Choicepoint], Atlanta, GA, Orlando, FL and San Diego, CA.

Presenter (2014), "Preventing Sexual Abuse in Youth Serving Organizations," PSY 410: Preventing Sexual Violence, Portland State University. (Presenter via Skype)

Panelist (2014), "Engaging Community Leadership and Humanitarian Organizations on Resilience," Resilient America Roundtable, National Academies of Science, Engineering & Medicine, Washington, D.C.

Co-Presenter with Kaufman, K. (2014), "Creating Sustainable Tailored Prevention Strategies for Youth Serving Organizations," National Child Advocacy Centers National Conference, Huntsville, AL.

Panelist (2013), Cadet Protection Program Review, Civil Air Patrol Advisory Board, Atlanta, GA.

Presenter (2013), "Preventing Sexual Abuse in Youth-Serving Organizations," PSY 410: Preventing Sexual Violence, Portland State University.

Presenter (1998-2012), 25-30 presentations at U.S. Department of Defense conferences in Germany, Italy, England and the U.S. Topics and themes include: "Child Safety," "Risk Management," "Planning Safe Facilities for Youth," and "Bullying Prevention," at U.S. Department of Defense European Youth Development Conferences (2000-20. Training venues include: Edelweiss Lodge and Resort, Ramstein Air Force Base, Sauerland-Stern Conference Center, Stuttgart International Conference Center; RAF Mildenhall, RAF Lakenheath, Aviano Air Base and Naples Naval Support Activity. (Presenter)

Presenter (2012), The BGCA Child Protection Program, Protect the Children Conference, University of North Florida.

Panelist and Presenter (2012), The Dangers of Not Using Background Checks, Due Diligence, Background Checks and Employment Conference, U.S. Chamber of Commerce, Washington, D.C.

Focus Group Participant (2012), Situation Abuse in Youth-Serving Organizations, John Jay College of Criminal Justice, New York, NY.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Presenter (2012), Creating Safe Spaces for Children, World Day of Prevention of Child Abuse, The Children's Advocacy Center of Georgia, Kennesaw State University.

Co-Presenter with Classen, N., Jones, L. & Turnstall N. (2012), Preventing Child Sex Abuse within Child Serving Organizations, Missing and Exploited Children Program, Office of Juvenile Justice Delinquency Programs, U.S. Department of Justice (webinar).

Panelist (2011), Youth Respond to Bullying at School, Alabama Statewide Anti-Bullying Summit, Auburn University College of Education, Mobile, AL.

Panelist (2011), Protecting Children from Digital Threats, Ms. Foundation for Women Annual Conference, Atlanta, GA.

Co-Presenter with Metzger, K. (2010), Top 10 Volunteer Risk Management Challenges, Risk Management and Finance Summit, Nonprofit Risk Management Center, Philadelphia, PA.

Co-Presenter with Abel, G., Filley, R., Rider, D. & Wiegel, M. (2008), Preventing Child Sexual Abusers from Entering Institutions Working with Children, 27<sup>th</sup> Annual Conference of the American Society for the Treatment of Sexual Abusers, Atlanta, GA.

Presenter (2008), Making Places Safer, 12<sup>th</sup> Annual Youth Gang Symposium, Office of Juvenile Justice Delinquency Programs, Atlanta, GA.

Presenter (2005), "Safe on All Sides: A 360 Degree Approach to Risk Management, Boys & Girls Clubs of Canada National Conference, Halifax, Nova Scotia.

Panelist (2005), Using Criminal Background Screening for Volunteers, Nonprofit Risk Management Center National Conference, Washington, D.C.

Co-Presenter with Furedi, S. (2002-2004), Designing Youth-Friendly Environments, Special Projects Studio, DEA 3301: The Environment and Social Behavior, Cornell, University.

Presenter (2004), Safe on All Sides: A 360 Degree Approach to Risk Management, Boys & Girls Clubs of Canada National Conference, Montreal, Quebec.

Advisor (2004), Organizational Prevention of Child Sexual Abuse Expert Meeting, Centers for Disease Control and Prevention, Atlanta, GA.

Presenter (1998), "The Latest in Security Mechanisms," 4<sup>th</sup> Annual Youth Gang Symposium, The Office of Juvenile Justice Delinquency Programs, St. Paul, MN.

Presenter (1996), "CPTED: Crime Prevention through Environmental Design," 2<sup>nd</sup> Annual Youth Gang Symposium, Office of Juvenile Justice Delinquency Programs, Atlanta, GA.

For Boys & Girls Clubs of America:

## Curriculum Vitae R. Leslie Nichols, MSSA, CPP

- Presenter, Co-Presenter and Panelist (1994—2016), 250—300 Boys & Girls Club of America conferences across the U.S., the District of Columbia and Puerto Rico, topics included:
  - Child Safety and Security
  - Risk Management
  - Staff and Volunteer Screening
  - Child Sexual Abuse Prevention
  - Bullying Prevention
  - Crime Prevention through Environmental Design (CPTED)
  - Active Shooter Response
  - Crisis Communications Planning
  - Emergency Response Planning
  - Developing Effective Policies and Procedures
  - Facility Management
  - Facility Planning and Design
  - Enterprise Risk Management
  
- Presider (2014), Strategic Safety Roundtable for Major Metro Organizations, Boys & Girls Clubs of America, Atlanta, GA.
  
- Presider (2014), Strategic Safety Roundtable for Los Angeles County Boys & Girls Clubs, Boys & Girls Clubs of America, Santa Monica, CA.
  
- Facilitator in partnership with Robert Franklin, Sexual & Domestic Violence Community Outreach Coordinator, Virginia Department of Health (2012), "Preventing Statutory Sexual Incidents," Virginia-Area Boys & Girls Clubs, Richmond, VA.
  
- Presider in partnership with ADT-Tyco Security (2011), Boys & Girls Club South Texas-Border Area Security Roundtable, McAllen, TX.

### Consultations

#### For Boys & Girls Clubs of America and Affiliate Organizations (1994 - 2016)

Conducted thousands of safety and facility consultations over a 22-year period with local Boys & Girls Club organizations in all 50 states, the District of Columbia and Puerto Rico. Sites included traditional sites (i.e. stand-alone youth service facilities), as well as shared facilities located in churches, schools, parks and recreation centers, community centers, tribal centers, shopping centers, libraries

#### For Other Youth Serving Organizations (2009-present)

Assisted other youth serving organizations in developing youth protection programs or assessing facility safety.

- Boys & Girls Clubs of Canada (Niagara, Ontario and Quebec affiliates)
- Club de Ninos y Ninas de Mexico (Tijuana, Baja and Mexico, F.D. affiliates)
- Boys & Girls Clubs of South Africa, Pimville and Protea Glen sites
- City of Johannesburg, Community Development: Sport & Recreation Department, Johannesburg, South Africa

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

- The Professional Golfers Association of America, Palm Beach Gardens, FL
- The Nature Conservancy, Great Barrington, MA
- The Sisters of Mercy, New York, NY
- The Civil Air Patrol, Huntsville, AL
- Bolton Lads & Girls Club, Bolton, England
- Big Brothers Big Sisters of Greater Miami, FL
- The Catholic Diocese of Altoona-Johnstown, Hollidaysburg, PA
- The St. James Sports and Wellness Center, Springfield, VA

U.S. Department of Defense Youth Centers (1998 - 2012)

Conducted numerous on-site safety and facility consultations at U.S. Army, Air Force and Navy Youth facilities located on U.S. domestic and overseas military bases, including:

- Ft. Mead, MD
- West Point, NY
- Offutt AFB, NE
- Warner-Robins AFB, GA
- Bad Kreutznach Army Base, Germany
- Baden-Wurttemberg Garrison, Heidelberg, Germany
- Bamberg Army Base, Germany
- Darmstadt Army Base, Germany
- Edelweiss Armed Forces Recreation Center, Garmish, Germany
- Garmisch Elementary & Middle School, Germany
- Giessen Army Base, Germany
- Argonner Kasern (Hannau), Germany
- Kaiserslautern Military Community, Germany
- Katterbach Kaserne, Ansbach, Germany
- Panzer Kaserne, Stuttgart, Germany
- Patch Barracks, Stuttgart, Germany
- Sembach Army Base, Kaiserslautern, Germany
- Shades of Green Armed Forces Recreation Center, Orlando, FL
- Wiesbaden Army Base, Germany
- Wurtzburg Kasern, Germany
- Mildenhall RAF Base, Mildenhall, England
- Lakenheath RAF Base, Lakenheath, England
- NSA Naples, Italy
- Aviano AFB, Italy

Continuing Education

SEAK, Inc. (2017), "Advanced Testifying Skills for Experts," San Diego, CA.

SEAK, Inc. (2016), How to Start, Build and Run a Successful Expert Witness Consulting Practice, San Diego, CA.

Crisis Prevention Institute (2016), Nonviolent Crisis Intervention Training Program, Atlanta, GA.

Axis Communications AB (2015), Axis Boot Camp: Network Video Design, Atlanta, GA

SEAK, Inc. (2015), How to Excel at Your Expert Witness Deposition. (2015), SEAK Inc., Naples FL.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

ASIS International (2015), Active Shooter Procedures for Schools. (2015), Anaheim, CA.

ASIS International (2015), Critical Thinking for Security Solutions, Anaheim, CA.

ASIS International (2015), Preparing for and Responding to an Active Shooter Threat, Anaheim, CA.

SEAK, Inc. (2015), National Expert Witness Training. (2015), Washington, D.C.

ASIS International (2010), Physical Security: Planning & Design, Boston, MA.

University of Michigan (2009), Leadership Judgment Program, Ross School of Business, Ann Arbor, MI.

U.S. Department of Justice (2006), Project Safe Childhood National Conference, Washington, DC.

Federal Bureau of Investigation, (2004), Scientific Basics of Fingerprint: Classifying, Recording and Comparing, Criminal Justice Information Center, Clarksburg, WV.

The Buckley School of Public Speaking (2001), Executive Seminar. (2001), Camden, SC

Learning Dynamics (1998), Safe and Sound: Workplace Violence Prevention, Wallingford, CT.

Florida Crime Prevention Association (1996), Crime Prevention through Environmental Design, Sarasota, FL.

National Crime Prevention Institute (1995), Crime Prevention through Environmental Design. St. Petersburg Junior College Criminal Justice Institute, St. Petersburg, FL.

### Conferences Attended

International Association of Professional Security Consultants (2017), Annual Conference, Austin, TX.

Boy Scouts of America (2016), National Youth Protection Symposium, Alexandria, VA.

The National Coalition to Prevent Child Sexual Abuse and Exploitation (2016), Annual All Member Meeting, Alexandria, VA.

ASIS International (2015), National Conference and Expo, Anaheim, CA.

The National Coalition to Prevent Child Sexual Abuse and Exploitation (2015) Annual All Member Meeting, Atlanta, GA.

ASIS International (2014), National Conference, Atlanta, GA

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Boys Scouts of America (2013) National Youth Protection Symposium, Irving, TX.

National Child Advocacy Center (2013) National Conference, Huntsville, AL.

Boy Scouts of America (2012) National Child Protection Symposium, Atlanta, GA.

Pennsylvania State University (2012) Penn State Conference on Child Protection, State College, PA.

Nonprofit Risk Management Center (2012), Risk Management & Finance Summit, Philadelphia, PA.

Nonprofit Risk Management Center (2005), National Conference, Washington, D.C.

American Institute of Architects (2002), Building Security through Design: Protective Environments in an Open Society, Albuquerque, NM.

Nonprofit Risk Management Center (2000) National Conference, Georgetown University.

### Media Interviews, Quotes and Citations

Quoted in Bologna, G. & Riley, C. (2017), "Predators Follow Patterns of Exploiting Children, Expert Says," *The Springfield, Missouri News-Leader*.

Cited in Department of Justice (2017), "U.S. Attorney's Office and Diocese of Altoona-Johnstown Announce Reforms to Protect Children from Sexual Abuse, Provide Counseling and Support for Victims," Western District of Pennsylvania.

Cited in Hurst, D. (2017), "Diocese, Federal Prosecutor Announce Reform They Say Will Protect Victims, Prevent Future Abuse," *The Tribune-Democrat*.

Quoted in Beck, E. (2016), "Preventing Child Sexual Abuse Requires Acknowledging the Problem, Advocates Say," *Charleston Gazette-Mail*.

Cited in Dorn, M. (November 2016), "Building Safer Schools: Are You Literate in Crime Prevention Through Environmental Design?," *School Planning & Management*.

Cited in Kaufman, K. (2013), "Identifying & Addressing Risks to Create Safer Youth Sports Organizations" [webinar], United States Olympic Committee.

Cited in Safe Havens International (2013), "The Library: Learning Resources Review Special Edition," *The Safety Net: The Electronic Journal of Safe Havens International*.

Quoted in Erooga, M. (2012), *Creating Safer Organisations: Practical Steps to Prevent the Abuse of Children by Those Working with Them*, Wiley-Blackwell, p. 165.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Broadcast interview in CNN Evening Edition (2012), "What Parents Should Ask about Summer Programs," *Cable News Network*.

Quoted in Slaven, R. (2012), "What the Sandusky Case Has Taught Us: Six Keys to Creating an Effective Child Protection Policy," *Juvenile Justice Information Exchange*, Center for Sustainable Journalism, Kennesaw State University.

Quoted in Reuters (2012), "LexisNexis Nonprofit Audit Delivers Industry Leading Background Screening Insights, Trends and Best Practices," *Reuters.com*.

Quoted in Crary, D. (2012), "Major Youth Groups Make Headway against Sex Abuse," *Associated Press*.

Quoted in Bailey, L. (2012), "Girl Says Boys & Girls Club Hired Molester," *Courthouse News Service*.

Video interview in FADV.com (2012), "Success Stories in the Screening Industry," First Advantage Screening Solutions, Inc.

Cited in Dorn, M. (2010), "Problem 'Seeking' Rather Than Solving," *Campus Safety and College Planning & Management*.

Quoted in Law, J. (2010), "Building for the Future," *Niagara Falls [Canada] Review*, 25 March.

Quoted in Boyle, P. (2010), "Do Youth Groups Need Volunteer Blacklists?" *Youth Today*.

Cited in Dorn, M. (2010), "Through a Different Lens," *School Planning & Management*.

Quoted in Choice Point (2008), *Criminal Background Checks: What Nonprofits Need to Know about Criminal Records*, September, pp. 4-7.

Quoted in Saul, J. (2008), "Research and Action for Bridging Science, Practice and Prevention," *American Journal of Psychology*.

Cited in Dorn, M. (2006), *Let None Learn in Fear: Michael Dorn on School Safety* [e-book], Macon, GA: Safe Havens International.

Quoted in Wallace, N. (2006), "Building with a Mission," *The Chronicle of Philanthropy*.

Quoted in Strawn, S. (2005), "Groups Expanding Background Checks," *The New York Times*.

Quoted in Boyle, P. (2005), "False Charges Haunt Youth Workers," *Youth Today*.

Quoted in Biden, Sen. J. (2005), "Statement on Introduced Bills and Joint Resolutions," [SB 1961], S12401, *The Congressional Record – Senate*.

Cited in Dorn, M. (2004), "Acceptable Losses," *School Planning & Management*.

Curriculum Vitae  
R. Leslie Nichols, MSSA, CPP

Quoted in Shabman, M. (2004), "The Price of Protection," *Aquatics International*.

Quoted in Dorn, M. (2003), *Weakfish: Bullying through the Eyes of a Child*, Dorn, M., Macon, GA: Safe Havens International.

Professional Associations

The National Coalition to Prevent Child Sexual Abuse & Exploitation (2014—present)

- President (2016—2017)
- Executive Committee (2017—2018)

ASIS International (2009—present)

American Institute of Architects (1982—present)

International Association of Professional Security Consultants (2017—present)

# EXHIBIT C

**Cynthia A. O'Connor**

Email: [coconnor@dioceseaj.org](mailto:coconnor@dioceseaj.org)

Office: (814) 695-5579, Ext. 2621

## **PROFESSIONAL SUMMARY**

### ***Management and Organizational Leadership Specialist***

*Analytical and multi-task oriented Professional, degreed in Management and Organizational Leadership. Extremely people-oriented, possesses the ability to work and collaborate with team members, volunteers, business and community leaders and representatives of local, regional and national organizations. Experience working with all levels of Private, Profit, Non-Profit organizations, Early Childhood, Private and Public School Districts and Post-Secondary Education.*

### ***Skills Include***

*Analyzing, researching, coordinating, implementation of programs and overseeing effective production of various reports and outcomes for all levels of Management and Stakeholders. Strong verbal, written and communication skills. Demonstrated professional and community outreach leadership role.*

## **WORK EXPERIENCE**

### **The Roman Catholic Diocese of Altoona-Johnstown**

**October 2017 – Present**

*The Diocese of Altoona was established in 1901 serves eight counties: Bedford, Blair, Cambria, Centre, Clinton, Fulton, Huntingdon and Somerset. The Diocese is divided into eight Deaneries, or geographic administrative units.*

#### **DIRECTOR OF THE OFFICE FOR CHILD and YOUTH PROTECTION**

*The Office for the Protection of Children and Young People is responsible for implementing and overseeing the full diocesan response to the Charter for the Protection of Children and Young People established by the United States Conference of Catholic Bishops (USCCB) and compliance with the law. Offering online and in-person educational training programs, presentations and resource materials to assist church personnel in responding to the mandates and diocesan safe environments policies.*

Director duties include managing the efforts to protect children and young people in the entire Diocese of Altoona-Johnstown. Creating safe environments, reviewing organizational structures for maximum efficiency, increasing and coordinating communication efforts, implementing best practices for record keeping and to ensure all compliance measures are being met. Organizing annual audits required by the Charter, supervise required background screenings and training of church personnel consistent with our diocesan safe environments policy and assists in the internal investigation process relating to child abuse allegations involving church personnel

### **GOODWILL OF THE SOUTHERN ALLEGHENIES**

**November 2009 – October 2017**

*Serves individuals with disabilities and disadvantages, dislocated workers, youth, and other job seekers throughout south central Pennsylvania in Bedford, Blair, Cambria, Huntingdon, Indiana, and Somerset counties by providing education and career services as well as job placement and post-employment opportunities.*

#### **GOODGUIDES® YOUTH MENTORING PROGRAM MANAGER**

Provide direct oversight of a national mentoring program serving under-resourced youth. Volunteer management (recruiting, training and supporting) mentors to empower youth with barriers to success. Worked with community partners and school to support students. Assisted in grant proposals, maintenance and budget review as a sub grantee of federal funds, and supplemental local and private funds for youth services and programming. Supervised program staff, ensured compliance with the policies and procedures of and supplemental grants supporting positive outcomes and best practices for national mentoring programs.

## **Cynthia A. O'Connor**

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### **YOUTH SERVICES COORDINATOR**

Collaborate and implement with internal youth services to increase opportunities for youth by integrating services. Trained, monitored and supported front-line youth staff to create a youth development model for continuum of supportive services for youth.

### **BRIDGES OUT OF POVERTY TRAINER and GETTING AHEAD FACILITATOR**

Prepare and present as a Certified Bridges Out of Poverty Trainer workshops on strategies to help community improve lives and build sustainable success in communities, schools, and higher education. Help internal staff, volunteers, educators, business leaders and the community at large to create an understanding of the dynamics that cause and maintain poverty from the individual to systems level.

### **THE LEARNING LAMP**

**April 2007 – November 2009**

*The Learning Lamp is a nonprofit organization that provides high-quality, affordable tutoring, preschool, childcare and enrichment programs to children in grades Pre-K through 12 in Bedford, Cambria, Somerset, Indiana and Allegheny Counties and surrounding areas of west-central Pennsylvania.*

### **DEVELOPMENT DIRECTOR**

Coordinated all fundraising efforts and annual fund drive. Secured all sponsorships, coordination and participation for all special events. Developed and coordinated board member, staff, and volunteer involvement in all fundraising activities. Served as a member of the staff management team; participated in strategic planning. Created and supported community and school-based outreach initiatives.

### **PENN'S WOODS COUNCIL, BOY SCOUTS OF AMERICA**

**May 2004 – March 2007**

*Local Boy Scout Council serving youth and families in a five county district: Bedford, Blair, Cambria, Indiana, Somerset parts of Westmoreland, Clearfield and Huntington Counties.*

### ***DISTRICT EXECUTIVE –Cambria County and Northern Somerset Counties***

Recruited youth and adult leaders; interviewing prospects for volunteer positions, donations and new units. Worked with all the public school districts and private schools to initiate and conduct character-development programs. Managed all grant writing and major fundraising and developed marketing for various BSA programs. Extensive volunteer management including recruiting, training and supporting BSA adult volunteers.

### **PENNSYLVANIA REAL ESTATE INVESTMENT TRUST**

**November 2003 – January 2004**

*Transitional position: Responsible for completing year-end reporting during and through completion of Crown American REIT MERGER.*

### **CROWN AMERICAN PROPERTIES, L.P.**

**1995 – November 2003**

*Crown American Realty Trust owned, acquired, operated and developed shopping malls in eight eastern states. The portfolio included 27 enclosed regional shopping malls.*

**Positions held: Lease Administrator/Analyst and Credit Assistant**

### **USA WASTE SERVICES, INC.**

**1987-1995**

Responsible for: accounts payable, accounts receivable, billing, payroll, budget assistance, internal and external customer service, and management support.

**Positions held: Office Administrator (Portage, PA) and Office Assistant (Hollsopple, PA)**

## **EDUCATION**

### **SAINT FRANCIS UNIVERSITY**

Bachelor of Science Degrees in Management/ Organizational Leadership  
Associate Degree in Business Administration

Loretto, PA  
Spring 2000  
Spring 1996

## **REFERENCES AVAILABLE UPON REQUEST**

## PROFESSIONAL AFFILIATIONS and LEADERSHIP

<b>Southern Alleghenies Planning and Development Commission (SAP&amp;DC)</b> Workforce Investment Board- WIA/WIOA Youth Council Board Member	Johnstown, PA 2015 - 2017
<b>Honoree for 2015 YWCA of Greater Johnstown-Tribute to Woman</b> Recipient of Non-Profit Category Outstanding Woman	Johnstown, PA May 2015
<b>Johnstown Vision 2025</b> <i>A framework to revitalize through open, collaborative, and community-driven approaches.</i> Youth Engagement Capture Circle Facilitator and Social Issues Co-Facilitator	Johnstown, PA 2015 to 2018
<b>Nominee for 2015 Goodwill International Edgar J. Helms Award</b> Award recognizes a Goodwill employee who has exemplified values of unselfish service to people with disabilities or other barriers	Rockville, Md. December 2014
<b>Mental Health First Aid Awareness Training</b> Attended and received certificate for 8 hour session	Johnstown, PA November 2014
<b>Gang Awareness Workshop</b> Attended and received certificate for 6 hour session	Johnstown, PA October 2014
<b>Collaborative Member of Cambria County Prevention Coalition</b> Communities That Care Group: focusing on youth development	Johnstown, PA 2014 - 2017
<b>Bridges Out of Poverty Lifetime Trainer Certified</b> <b>Trained Getting Ahead Facilitator</b> Attend training hosted by aha! Process, Inc.	Norman, OK April 2013
<b>NAACP-Johnstown Branch</b> Board Member	Johnstown, PA March 2013 to 2018
<b>United Way of Laurel Highlands</b> <i>"Loaned Executive"</i> volunteer for annual campaign	Johnstown, PA 2007 - 2016
<b>Moore Power Sales Training – (Sandler Sales System/Institute Trainer)</b> Attended monthly workshops on various sales training	Altoona, PA June 2005–March 2007
<b>The Center for Professional Development</b> Trained professionally in BSA policies, sales and related education	Portland, PA - 2006 Westlake, TX – 2004
<b>Greater Johnstown/Cambria County Chamber of Commerce</b> Chair of Ambassador Committee <b>ExCEL</b> (E <sup>x</sup> panding C <sup>h</sup> amber E <sup>x</sup> cellence in L <sup>e</sup> adership) Committee Member	Johnstown, PA 2004 - 2017
<b>John B. Gunter Leadership Incentive Program</b> Cambria County Chamber of Commerce Leadership Alumni	Johnstown, PA Oct 2003-May 2004
<b>Greater Johnstown Jaycees</b> Leadership/Community Involvement Attended the Presidential Summit/Training in Tulsa, Oklahoma <i>Positions held: Membership V.P., Management Development V.P., 63rd Chapter President; District Director, State Senator</i>	Johnstown, PA Spring 1999 – 2004 January 2003
<b>Dale Carnegie Training</b> Personal Leadership Development Graduate	Johnstown, PA Spring 1998
<b>Development Dimensions International- DDI</b> Completed Empowered Workforce and Conflict Resolution/TQM	Johnstown, PA Fall 1996

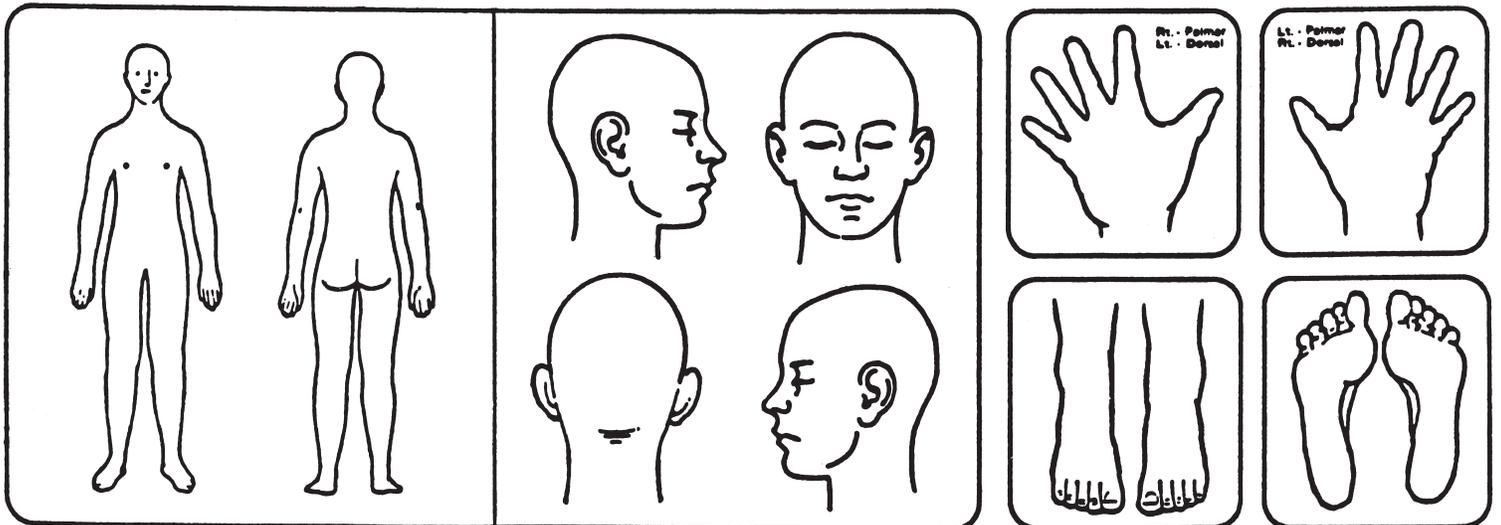
# EXHIBIT D

# REPORT OF SUSPECTED CHILD ABUSE

## (CHILD PROTECTIVE SERVICE LAW - TITLE 23 PA CSA CHAPTER 63)

**PLEASE REFER TO INSTRUCTIONS ON REVERSE SIDE. EXCEPT FOR SIGNATURE, PLEASE PRINT OR TYPE**

1. NAME OF CHILD (Last, First, Initial)		SSN	BIRTHDATE	SEX <input type="checkbox"/> M <input type="checkbox"/> F
ADDRESS (State, City, State & ZIP Code)			COUNTY	
1A. PRESENT LOCATION IF DIFFERENT THAN ABOVE			COUNTY	
2. BIOLOGICAL/ADOPTIVE MOTHER (Last, First, Initial)		SSN	BIRTHDATE	TELEPHONE NO.
ADDRESS (City, State & ZIP Code)			COUNTY	
3. BIOLOGICAL/ADOPTIVE FATHER (Last, First, Initial)		SSN	BIRTHDATE	TELEPHONE NO.
ADDRESS (City, State & ZIP Code)			COUNTY	
4. OTHER PERSON RESPONSIBLE FOR CHILD		SSN	BIRTHDATE	RELATIONSHIP TO CHILD SEX <input type="checkbox"/> M <input type="checkbox"/> F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.
5. ALLEGED PERPETRATOR (Last, First, Initial)		SSN	BIRTHDATE	RELATIONSHIP TO CHILD SEX <input type="checkbox"/> M <input type="checkbox"/> F
ADDRESS (City, State & ZIP Code)			COUNTY	TELEPHONE NO.
NAME OF ALLEGED PERPETRATOR'S EMPLOYER AND EMPLOYER'S ADDRESS				
6. FAMILY HOUSEHOLD COMPOSITION (Excluding Above Names)		RELATIONSHIP TO CHILD	NAME (Last, First, Initial)	RELATIONSHIP TO CHILD
NAME (Last, First, Initial)				
A.			D.	
B.			E.	
C.			F.	
ADDRESS WHERE THE SUSPECTED ABUSE OCCURRED			COUNTY	
DESCRIBE THE NATURE AND EXTENT OF THE SUSPECTED CHILD ABUSE, INCLUDING ANY EVIDENCE OF PRIOR ABUSE TO THE CHILD OR ANY SIBLING OF THE CHILD. ALSO INCLUDE ANY EVIDENCE OF PRIOR ABUSE BY THE ALLEGED PERPETRATOR(S) TO OTHER CHILDREN. PLEASE NOTE EXACT LOCATION OF THE INJURY(S) ON MODEL BELOW.			DATE OF INCIDENT	



<b>7. ACTIONS TAKEN OR ABOUT TO BE TAKEN BY THE PERSON MAKING THE REPORT:</b>			
<input type="checkbox"/> NOTIFICATION OF CORONER OR MEDICAL EXAMINER	<input type="checkbox"/> X-RAYS	<input type="checkbox"/> PHOTOGRAPHS	<input type="checkbox"/> HOSPITALIZATION
<input type="checkbox"/> POLICE NOTIFIED	<input type="checkbox"/> MEDICAL TEST(S)	<input type="checkbox"/> TAKEN INTO PROTECTIVE CUSTODY	<input type="checkbox"/> OTHER (Specify) _____
<b>8. SAFETY CONCERNS AND RISK FACTORS:</b>			
<b>A.</b> DESCRIBE THE CHILD(REN)'S PHYSICAL AND BEHAVIORAL HEALTH, GOOD MOOD AND TEMPERAMENT. DESCRIBE CHILD(REN)'S INTELLECTUAL FUNCTIONING, COMMUNICATION AND SOCIAL SKILLS, SCHOOL PERFORMANCE AND PEER RELATIONS. INCLUDE WHETHER THE CHILD(REN) HAS EXPRESSED ANY SUICIDAL/HOMICIDAL IDEATION OR PLANS.			<input type="checkbox"/> INFORMATION UNKNOWN
<b>B.</b> DESCRIBE HOW THE ADULT CAREGIVERS FUNCTION COGNITIVELY, EMOTIONALLY, BEHAVIORALLY, PHYSICALLY AND SOCIALLY. INCLUDE WHETHER THE ADULTS HAVE ANY MENTAL HEALTH, SUBSTANCE USE ISSUES AND/OR CRIMINAL HISTORY. DOCUMENT ANY PAST OR PRESENT DOMESTIC VIOLENCE. RECORD THE EMPLOYMENT STATUS/SOURCE OF INCOME AND WHETHER THERE ARE ANY FINANCIAL STRESSORS IN THE HOME. INCLUDE ANY SAFETY OR SANITARY CONCERNS REGARDING THE CONDITIONS OF THE HOME AND WHETHER THERE ARE WORKING UTILITIES. WHAT IS THE PRIMARY LANGUAGE OF THE HOUSEHOLD?			<input type="checkbox"/> INFORMATION UNKNOWN
<b>C.</b> DESCRIBE WHETHER THE CAREGIVERS HAVE THE APPROPRIATE KNOWLEDGE, EXPECTATIONS AND SKILLS TO PARENT THE CHILD(REN) ADEQUATELY. DOES THE CAREGIVER ADEQUATELY SUPERVISE THE CHILD(REN)? ARE THEY WILLING AND ABLE TO PROTECT THE CHILD(REN)? DESCRIBE THE ABILITY OF THE CAREGIVER TO EMPATHIZE, NURTURE AND ADVOCATE FOR THE CHILD(REN).			<input type="checkbox"/> INFORMATION UNKNOWN
<b>D.</b> DESCRIBE THE CAREGIVERS' APPROACH/METHODS OF DISCIPLINING THE CHILD(REN). DESCRIBE WHEN DISCIPLINE OCCURS AND WHETHER DISCIPLINARY METHODS ARE AGE-APPROPRIATE? ARE THERE ANY CULTURAL PRACTICES IN THE HOME THAT WOULD INFLUENCE THE DISCIPLINARY METHODS USED?			<input type="checkbox"/> INFORMATION UNKNOWN
<b>E.</b> PLEASE PROVIDE ANY ADDITIONAL INFORMATION RELEVANT TO THE INVESTIGATION PROCESS THAT HAS NOT ALREADY BEEN ENTERED IN THIS REFERRAL. THIS MAY INCLUDE ADDITIONAL ADDRESSES TO LOCATE THE CHILD OR PERPETRATOR, ADDITIONAL RESOURCES FOR THE CHILD, EMAIL ADDRESSES, INFORMATION ABOUT ANY WEAPONS IN THE HOME OR CONCERNS YOU MAY HAVE FOR THE CASEWORKER'S SAFETY.			<input type="checkbox"/> INFORMATION UNKNOWN

**INSTRUCTIONS TO MANDATED PERSONS:**

A mandated reporter making an oral report of suspected child abuse to the department via the Statewide toll-free telephone number (800-932-0313) must also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case by using this form. If needed, attach additional sheet(s) of paper to provide all of the requested information on this form.

**NOTE:**

If the child has been taken into custody, you must immediately contact the county children and youth agency where the abuse occurred.

<b>REPORTING SOURCE:</b>			
PRINTED NAME AND SIGNATURE:			DATE OF REPORT:
ADDRESS:			
TITLE OR RELATIONSHIP TO CHILD:	FACILITY OR ORGANIZATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:

**Sample of Diocese of Altoona-Johnstown letter to county District Attorney, using Cambria County as an example.**

Date

The Honorable Kelly Callihan  
Cambria County Courthouse  
200 South Center Street  
Ebensburg, PA 15930

RE: Report Concerning Possible Abuse of a Minor

Dear Ms. Callihan,

As the Victim Assistance Coordinator for the Diocese of Altoona-Johnstown, a matter has come to our attention which we desire to report to your office. The following report may be indicative of possible abuse of a minor child. The victim is now an adult and not in any physical danger.

On XXXXXX, I spoke with Mr. XXXX XXXXX (DOB: MM/DD/YYYY; (XXX) XXX-XXXX); Street Address, City, St, Zip). Mr. XXXXX alleges he was sexually abused by XXX XXXXX for XX years when he was between the ages of XX and XX years old (Year-Year).

The abuse occurred within the Diocese of Altoona-Johnstown at XXXX and XXXX parishes in Cambria County. Mr. XXXXX alleges: (list violations and assaults as described by victim/survivor). XXXXXXXX is listed as (status of individual) and is to be located at XXXXXXXXXXXX.

We have made the appropriate CY 47 report to Pennsylvania's ChildLine.

We are referring this matter to your office for such investigation as you deem appropriate. If I or the diocese may be of further assistance, or if you have any questions about this allegation, please feel free to contact me at any time at my Altoona Office (814-944-9388.)

Sincerely,

Jean D. Johnstone  
Victim Assistance Coordinator, Diocese of Altoona-Johnstown

cc: Most Rev. Mark L. Bartchak, JCD  
Very Rev. Alan Thomas, VG  
Cindy O'Connor, Director, Youth and Child Protection

# EXHIBIT E

## **DIOCESE OF ALTOONA-JOHNSTOWN CHILD ABUSE REPORTING POLICY**

The Diocese of Altoona-Johnstown believes that all children have the right to be safe and protected from harm in any and all environments – home, school, religious institutions, neighborhoods and communities. The diocese will do all in its power to create a safe environment for children and young people, to prevent their physical abuse, sexual abuse, and neglect.

In keeping with this commitment to youth safety, state law and the United States Conference of Catholic Bishops' "Charter for the Protection of Children and Young People, all clergy, employees and volunteers of the Diocese of Altoona-Johnstown are mandated to comply with the diocesan *Policies for Youth Protection* and the Child Abuse Reporting Policy.

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### **WHO MUST REPORT ABUSE:**

Under Pennsylvania law, any person, paid or unpaid, who works, volunteers and/or comes into direct contact with children in a program, activity or service is a mandated reporter and must immediately report suspicions of child abuse or neglect. The standard for reporting suspected abuse/neglect in Pennsylvania is a "reasonable cause to believe" based on observations or conversations, that a child is the victim of abuse/neglect. First hand observation of abuse is *not* required.

**The Diocese of Altoona-Johnstown requires that ALL persons at entities under its auspices – clergy, staff, and volunteers, *even those not mandated by state law*, must report suspicion, knowledge or belief that a child is, or was the victim of abuse.** These strict reporting requirements help ensure the Church is responsive to the needs of victims, whether the allegation centers on current or past abuse.

- When in doubt, err on the side of making the report and letting trained professionals determine what transpired and whether or not it constitutes abuse.
- Report all suspected abuse, not just abuse perpetrated by Church personnel, *regardless* of 1) whether you learned of the abuse on or off duty, or 2) the location of the suspected abuse.

The sole exception is information subject to the priest-penitent privilege.

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### **HOW TO REPORT ABUSE WHEN THE VICTIM IS A MINOR:**

**If the victim is under the age of 18 and the suspected abuser is a member of the clergy or a church official, employee or volunteer of the Diocese of Altoona-Johnstown, it is diocesan policy to:**

#### **STEP 1: Notify civil authorities**

Immediately report suspicions to the Department of Human Services of the Commonwealth of Pennsylvania's ChildLine 24-hour hotline at 1-800-932-0313 or electronically at the Child Welfare Portal ([www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis)) when the child does not appear to be in immediate danger of abuse or harm. If the child is in immediate danger, call 911 or the local law enforcement authorities.

#### **STEP 2: Follow-up reports made by telephone**

For a report made by telephone to the ChildLine, within 48-hours of the report, file a CY-47 written report with the department or county assigned to the case.

- Download the CY-47 form: <http://keepkidssafe.pa.gov/forms/index.htm>
- Or completed electronically: <https://www.reportsuspectedabuse.com/>
- Mail the completed form to the assigned county Children & Youth Service.  
<http://www.dhs.state.pa.us/findfacilsandlocs/countychildrenandyouthdirectory/index.htm>

### **STEP 3: Notify supervisor/diocese**

Immediately notify your direct supervisor of your report (assuming he/she is not the suspected abuser.) In cases where the suspected abuser is a member of the clergy or is a church official, employee or volunteer, you must also notify the diocesan Bishop (or in his absence, the Vicar General.) In addition, notify the Victim Assistance Coordinator.

## **HOW TO REPORT ABUSE WHEN THE VICTIM IS NOW AN ADULT:**

**If the victim of child abuse is now an adult (age 18 or older) and the suspected abuser is a member of the clergy or a church official, employee or volunteer of the Diocese of Altoona-Johnstown, it is diocesan policy to:**

### **STEP 1: Notify civil authorities**

Notify the District Attorney’s Office in the county where the alleged sexual abuse occurred. (NOTE: The Diocese of Altoona-Johnstown recognizes the adult survivor’s right to determine whether or not he/she wants local law enforcement involved. This does not, however, negate the responsibility to report. It also does not mitigate any canonical or administrative action that the Diocese of Altoona-Johnstown may take.

Bedford County: (814) 623-4855  
 Blair County: (814) 693-3010  
 Cambria County: (814) 472-1680  
 Centre County: (814) 355-6728  
 Clinton County: (570) 893-4141  
 Fulton County: (717) 485-5419  
 Huntingdon County: (814) 643-5371  
 Somerset County: (814) 445-1456

### **STEP 2: Notify the Bishop**

Directly notify the diocesan Bishop at (814) 695-5579. In his absence, notify the Vicar General.

### **STEP 3: Complete a written report**

Complete the “Report of Suspected Child Sexual Abuse” form (attached) and

- Mail the complete report, in an envelop marked “confidential” to  
 Diocese of Altoona-Johnstown  
 Office of the Bishop  
 927 South Logan Blvd.  
 Hollidaysburg, PA 16648

- Fax the report to: (814) 695-8894
  - Email a copy to the Victim Assistance Coordinator (jjohnstone@dioceseaj.org)
- 

### **WHAT SHOULD BE REPORTED:**

The following must be reported to civil authorities:

1. Any suspected *physical abuse, sexual abuse, sexual assault* or *neglect* of a child or young person shall be reported as soon as possible, regardless of where the incident occurred or by whom it was committed.
  2. Past incidents of *sexual abuse* that are alleged to have occurred when a victim was a minor, even if the victim is now an *adult*.
- 

### **PROTECTIONS FOR THOSE MAKING A REPORT:**

Remember, as long as you have acted in good faith, you will be immune from civil and criminal liability.

Mandated Reporters who willfully fail to report child abuse may be subject to the following penalties:

- An offense under this section is a **felony of the third degree** if:
  - The person or official willfully fails to report
  - The child abuse constitutes a felony of the first degree or higher
  - The person or official has direct knowledge of the nature of the abuse and fails to report.

**Diocese of Altoona – Johnstown  
Report of Suspected Child Abuse**

Please print (or type) in **black** ink. Thank you.

REPORT DATE: \_\_\_\_\_

CONTACT INFORMATION: (provide as much information as possible)

**1. Person submitting this report:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Parish/School/Facility Name: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**2. Person(s) suspected of misconduct:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Parish/School/Facility Name: \_\_\_\_\_

Date of Birth (m/d/y): \_\_\_\_\_ Age: \_\_\_\_\_ Sex (circle one): M F Now deceased? (circle one) NO YES

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**3. Suspected victim(s) of misconduct:**

Name: \_\_\_\_\_

Age Now: \_\_\_\_\_ At Time of Incident: \_\_\_\_\_ Sex (circle one): M F

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**4. Report to civil authorities:**

Agency name: \_\_\_\_\_

City/County: \_\_\_\_\_

Phone: \_\_\_\_\_ Date of Report: \_\_\_\_\_

Individual Receiving Report: \_\_\_\_\_

**Incident Information:**

(please provide on a separate sheet of paper, preferably typed)

- Describe the incident of suspected child abuse, including date, time and location.
- Identify eyewitnesses to the incident, including names, addresses and telephone numbers, when available.
- Provide other information that may be helpful to an investigation.

# EXHIBIT F



# Diocese of Altoona-Johnstown

## *Office of Child and Youth Protection*

927 S. Logan Boulevard  
Hollidaysburg, PA 16648-2604

Telephone: (814) 695-5579 ext. 2621

Fax: (814) 695-8894

Website: [www.dioceseaj.org](http://www.dioceseaj.org)

### **Code of Conduct for Diocesan Personnel**

#### *Appropriate Boundaries and Interactions*

*All personnel will follow a code of conduct to guide their interactions with youth and vulnerable persons. For the purposes of this policy, the term “personnel” shall mean clergy and members of religious orders, any diocesan, parish or school employee, volunteer or contractor.*

#### **Key points:**

- Applies to all diocesan personnel
- Addresses ministerial counseling and confession involving youth and vulnerable persons
- Some activities require consent of a parent or guardian
- Consequences for violating these requirements

**General:** All diocesan personnel shall conduct themselves with propriety, morality and ethics in any activity or situation and for as long as they are employed by or in service to the diocese. All personnel shall read and acknowledge these requirements prior to commencing employment or service. The diocese shall maintain a permanent record of all such acknowledgments. For the purposes of this policy, the term “personnel” shall mean all clergy, members of religious orders, diocesan, parish or school employees, volunteers or contractors.

#### **All diocesan personnel shall:**

- a. Conduct any interactions with youth or vulnerable persons, only in approved ways, times and places.
- b. Maintain objectivity in all interactions with youth or vulnerable persons showing no favoritism.
- c. Avoid situations or interactions with youth and vulnerable persons that would cause confusion about the nature of the relationship.
- d. Share any concerns about the behavior of personnel, an adult, youth or vulnerable person with a supervisor.
- e. Hold themselves and others accountable to protect youth and vulnerable persons from harm.

**Consequences for Violating of the Code of Conduct:** All diocesan personnel are required to report any violation of these requirements to their direct supervisor or if the violation involves their direct supervisor, another supervisor. The diocese shall investigate and take disciplinary action against any personnel who are found to have violated these requirements.

#### **Prohibited Forms of Interaction**

*Diocesan personnel are prohibited from:*

- a. Touching youth or vulnerable persons in a sexual or inappropriate way.
- b. Sharing pornography, sexually explicit topics or materials with youth or vulnerable persons.
- c. Providing a youth or vulnerable person with alcohol, drugs or tobacco.
- d. Being alone or secluded with a youth or vulnerable person in a vehicle, an office, classroom, residence, dormitory, restroom, kitchen, storage room or any other closed setting.
- e. Sharing a bedroom with or taking an unsupervised overnight trip with a youth or vulnerable person.
- f. Being under the influence of alcohol or medication when interacting with youth or vulnerable persons
- g. Possessing or using illegal drugs at any time.
- h. Engaging in the physical discipline of youth or vulnerable persons.

- i. Conducting telephone or internet communications with a youth using an unauthorized telephone account, email account or website.
- j. Engaging in after-hours, off-site or isolated meetings without the express permission a diocesan supervisor and the person's legal caregiver.
- k. Comments about a youth's or vulnerable person's physique or body development
- l. Lengthy or romantic embraces.
- m. Kissing.
- n. Touching a youth's or vulnerable person's thighs, buttocks, groin or breasts,
- o. Wrestling, tickling, rough housing or piggyback rides with a youth or vulnerable person
- p. Massaging a youth or vulnerable person
- q. Allowing youth to sit on the lap
- r. Any display of unwanted affection

**Acceptable Forms of Interactions**

*The following are acceptable form of interaction between diocesan personnel and youth or vulnerable persons:*

- a. Interaction is Public, Appropriate and Non-Sexual in nature and Non-Threatening
- b. Verbal praise
- c. Handshakes, high-fives and hand slaps
- d. Pats on the shoulder, back or head
- e. Side hugs and bending down for hugs with small children
- f. Holding hands during prayer, while walking, kneeling or sitting beside a youth or vulnerable person
- g. Respect an individual's preference if they do not want to be touched in an appropriate way

***I in accord with my role as Church personnel, and in witness to the Gospel of Jesus Christ, I will conduct myself with integrity, acting in a manner that is consistent with the discipline and teachings of the Catholic Church.***

***I will guide my behavior by civil and canon law, by the policies of the Diocese of Altoona-Johnstown and by the Code of Conduct by...***

1. Respecting the rights of each person and advancing his or her welfare during the course of counseling, advising or spiritual direction.
2. Holding in the strictest confidence information disclosed during the course of counseling, advising or spiritual direction with respect to Pennsylvania Child Protective Services Law and Mandated Reporting Requirements.
3. Maintaining an open and trustworthy relationship when working with youth, free from inappropriate behavior that would put them at risk.
4. Honoring the trust placed in Church personnel by not exploiting others for sexual gain or intimacy.
5. Providing a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.
6. Maintaining confidentiality in creating, storing, accessing, transferring and disposing of Church records.
7. Avoiding situations that might present a conflict of interest.
8. Reporting to proper authorities my own ethical or professional misconduct and the misconduct of others.
9. Treating Church personnel justly in the day-to-day operations of work and ministry.
10. Being responsible for my own spiritual, physical, mental, and emotional health.

***I HAVE CAREFULLY READ, UNDERSTAND, AND HEREBY COMMIT TO CONDUCTING MYSELF IN ACCORD WITH THE DIOCESE OF ALTOONA-JOHNSTOWN CODE OF CONDUCT.***

\_\_\_\_\_  
(PRINT Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Position)

\_\_\_\_\_  
(Name of Parish/School/Diocesan Office)

Revised: Sept 2018

# EXHIBIT G



# EXHIBIT H

# STONEBRIDGE

## Business Partners

September 27, 2017

Most Reverend Mark L. Bartchak  
Bishop of Altoona-Johnstown  
927 S. Logan Boulevard  
Hollidaysburg, PA 16648

Dear Bishop Bartchak:

In accordance with our recent audit of the Diocese of Altoona-Johnstown, we are pleased to announce that the Diocese was found in full compliance with the *Charter for the Protection of Children and Young People*. Our attached letter serves as your 2016/2017 compliance letter documenting the formal announcement.

### General Comments:

We recognize that the Diocese of Altoona-Johnstown is continuing to restructure its Safe Environment Program and has made progress from our last visit a year ago. As Les Nichols continues to assist with program changes, we suggest that the following components be considered:

- Filling the position of Director of Youth Protection as soon as possible, if not already completed.
- Transitioning duties from other departments to the Director of Youth Protection Position.
- Revamping the safe environment training requirements regarding the program being used, frequency in which it is offered to volunteers and students, streamlining the paperwork process to administer volunteers and require that all pastors certify and submit their volunteer and student rosters annually to the Chancery. Additionally, all parishes should have visibility to the database, with a mechanism to alert them of pending expirations of their employees and volunteers.
- Ensuring that the background verification process meets all expectations of the Diocese and State of Pennsylvania and synchronize with the database being used to track safe environment training.
- Procuring and distributing victim assistance information to the individual parishes and schools in the form of brochures, pamphlets, posters, etc. In addition to the contact number displayed on the website, Jean's email should also be publicized.
- Updating the Diocese's policies and codes of conduct to incorporate the 2011 *Charter* updates involving specific language regarding the acquisition, possession, and distribution of child pornography and allegations involving those who habitually lack the use of reason.
- Establishing a written communication's policy to address policies and procedures regarding communication with the public about sexual abuse of minors by clergy and the use of social media, etc.

During our audit, we observed that a new Diocesan Review Board has been established and meetings have commenced. As new members have been appointed, we recommend that the Diocese consider adopting staggered term limits and a formalized set of bylaws.

The Diocese should also review the current format being used for their suitability letters. We suggest that they adopt a more stringent type of letter, similar to what other neighboring dioceses have implemented.

As soon as practicable, the Diocese should look to reinstate meetings with clergy and ongoing formation activities, which were put on hold in recent years.

By signing below, you attest that you have received and read our suggestions for the 2016/2017 *Charter Audit* process.

---

Most Reverend Mark L. Bartchak  
Bishop of Altoona-Johnstown

Thank you for the efforts that you are taking to protect the children and young people in the Diocese of Altoona-Johnstown. Please return a signed copy via e-mail to [swood@stonebridgebp.com](mailto:swood@stonebridgebp.com) at your earliest convenience.

Sincerely,

*StoneBridge Business Partners*

StoneBridge Business Partners  
Rochester, New York

cc: Secretariat of Child and Youth Protection  
James Brown, Chairperson, Diocesan Oversight Board  
Les Nichols, Independent Consultant



October 29, 2018

Most Reverend Mark L. Bartchak  
Bishop of Altoona-Johnstown  
927 S. Logan Boulevard  
Hollidaysburg, PA 16648

Dear Bishop Bartchak:

We are writing to inform you that the Diocese of Altoona-Johnstown is in compliance with the data collection requirements for the 2017/2018 *Charter* audit period. We have reviewed this information and will be forwarding the documents to the Secretariat of Youth and Child Protection for use in the 2018 Audit Report.

Thank you for your cooperation and for participating in the data collection process.

Sincerely,

*StoneBridge Business Partners*

StoneBridge Business Partners  
Rochester, New York

cc: Secretariat of Child and Youth Protection

# EXHIBIT I



***Policies for the  
Protection of Youth  
and  
Vulnerable Persons***

*(Revised September 2018)*

*Diocese of Altoona-Johnstown  
Office of Child and Youth Protection*

- I. *Introduction*
  - II. *Policies and Procedures for Preventing Sexual Misconduct and Sexual Abuse to Youth and Vulnerable Persons*
  - III. *Code of Conduct*
  - IV. *Use of Technology, Electronic Communication, Texting, Social Media, Video Gaming, etc.*
  - V. *Pastoral Ministry*
  - VI. *Policies and Procedures for Responding to Allegations or Complaints of Sexual Abuse or Sexual Misconduct*
  - VII. *Media*
  - VIII. *Conflict of Interest*
  - IX. *Facilities*
  - X. *Definitions*
- 

*A message from the Director of the Office of Child and Youth Protection:*



*The Diocese of Altoona-Johnstown presents the revised Policies and Procedures for Youth Protection. This supersedes all previous editions.*

*Revisions included considerable consultation from an expert consultant, advisement from the Independent Oversight Board for the Diocese's youth protection efforts, and input from others committed to establishing the highest standards and guidelines to ensure the safest environment for children and youth.*

*Thank you for choosing to be proactive with protecting our youth and vulnerable persons as we carry out our mission of the Diocese of Altoona-Johnstown.*

*Prayerfully,*

*Cindy O'Connor  
Director of Children and Youth Protection  
(814) 695-5579, Extension 2621  
coconnor@dioceseaj.org  
www.dioceseaj.org*

## Introduction

### ***Promise to Protect, Pledge to Heal: Creating and Maintaining Safe Environments for Youth and Vulnerable Persons.***

Recognizing that each individual is created by God, the Diocese of Altoona-Johnstown is committed to the safety and well-being of its children and vulnerable adults by implementing procedures to minimize risk and barriers and to build and foster a culture of safe environment.

The Diocese of Altoona-Johnstown does not tolerate abuse or neglect of anyone. It will comply with all obligations of civil and canon law; it will promote healing where it is needed, provide education, training and guidance and endeavor to prevent any abuse of minors or vulnerable adults with firm justice and mercy towards all.

#### **Child Protective Services Law (CPSL)**

The Pennsylvania Child Protective Services Act was signed into law in 1975. It was enacted to protect children from abuse, allow the opportunity for healthy growth and development and, whenever possible, preserve and stabilize the family.

#### **Child Abuse**

Child abuse, according to the CPSL, includes any recent act or failure to act by a perpetrator which causes non-accidental serious physical injury, or non-accidental serious mental injury to a child under 18 years of age, sexual abuse or sexual exploitation to a child under 18 years of age, and serious neglect. "Recent" is defined as an abusive act within two years from the date a report is made to ChildLine. Sexual abuse, serious mental injury, serious physical neglect and deaths have no time limit. Child abuse also includes any recent act, failure to act, or series of acts or failures to act by a perpetrator that creates a reasonable likelihood of bodily injury, sexual abuse or exploitation of a child under 18 years of age.

Reports of child abuse within the Diocese of Altoona-Johnstown that occurred more than two years prior to reporting will be reported to ChildLine and proper authorities. Victims of abuse within the diocese will be contacted offered counseling and other resources.

#### **Vulnerable Adults**

Persons whose ability to perform the normal activities of daily living or to provide for his/her own protection is impaired due to a mental, emotional, physical or development disability or dysfunction, or brain damage or the infirmities of aging. This includes all residents or patients of a care facility.

- "Abuse of Vulnerable Adults" means unjust or improper use of a vulnerable adult, or that person's resources, for one's own profit or advantage. It includes causing physical or mental injury, and spiritual, sexual or financial abuse or exploitation.
- "Financial Abuse or Exploitation" means the use of undue influence to solicit funds or property of value for personal gain or as contributions to any group or agency, including the Church.
- "Mental injury" means fear or mental distress or causing a person to feel bad for their own thoughts or feelings.
- "Older persons" are those 60 years of age and older.

## **Policies and Procedures for Preventing Sexual Misconduct and Sexual Abuse to Youth and Vulnerable Persons**

### ***Statement of Commitment***

- The diocese has and enforces effective policies to ensure a safe environment.
- Policies ensure compliance with civil and canon laws and cooperation with authorities.
- Policies establish the diocese's Safe Environments Program.
- Policies are reviewed annually and revised, as needed, to remain effective.

### **General**

The Diocese of Altoona-Johnstown is committed to preventing sexual misconduct or sexual abuse by any diocesan personnel and shall establish a Safe Environments Program to ensure the safety of ministry, education, work, worship and fellowship for all persons. For the purposes of this policy, the term "personnel" shall mean clergy and members of religious orders, any diocesan, parish or school employee, volunteer or contractor.

### **Under the Safe Environments Program, the diocese shall:**

- a. Establish and enforce policies and codes of conduct for the protection of youth and vulnerable persons.
- b. Comply with all applicable civil and canon laws and cooperate with civil authorities.
- c. Screen, train and monitor all diocesan personnel who are in contact with youth and vulnerable persons.
- d. Supervise youth and vulnerable persons who participate in diocesan programs and activities.
- e. Manage the use of technology that is under the control of the diocese.
- f. Maintain safe and secure facilities that are under the control of the diocese.
- g. Investigate and resolve concerns, complaints and allegations regarding risks to persons.
- h. Establish leadership, oversight and auditing for the Safe Environments Program.
- i. Review and revise the diocese's policies and Safe Environments program to ensure they remain effective.

### **Personnel Screening**

Diocesan personnel are screened to ensure a Safe Environment.

- Screening and selection complies with applicable laws.
- Position descriptions reinforce each person's responsibility to protect and report.
- Applications provide a detailed personal history of each applicant.
- Prior criminal records must be disclosed, in advance, by the applicant.
- Candidates undergo background checks, reference checks and interviews.
- Defined hiring of employees, contractors and volunteer (nonpaid) exclusions guide the selection process.
- Clergy have additional requirements regarding their suitability to work with youth and vulnerable persons.
- The dioceses shall maintain a permanent record of all screening documents.

### **General**

The Diocese of Altoona-Johnstown shall screen all personnel, as required by civil and canon law and as determined necessary for the protection of youth and vulnerable persons. For the purposes of this policy, the term "personnel" shall mean clergy and members of religious orders, any diocesan, parish or school employee, volunteer or contractor. The diocese shall maintain a permanent record of all screening documents.

### Applications for Prospective Personnel

All prospective personnel shall complete an application. Additional applications may be required for certain positions. All prospective personnel shall attest in writing the accuracy of the information provided.

### Review of Safe Environments Documents by Prospective Personnel

All prospective personnel shall read and sign the following Safe Environments Documents prior to serving in ministry paid or unpaid:

- a. Policies for the Protection of Youth
- b. The Code of Conduct
- c. Use of Technology, Electronic Communication, Texting, Social Media, Video, Gaming, etc.

### Authorizations and Disclosures by Prospective Personnel

All prospective personnel shall review and sign authorizations and disclosures, including:

- a. An authorization for the diocese or other entities to conduct criminal background searches, identity verifications or gather other data about the person
- b. A signed CPSL Volunteer Disclosure of continuous, Pennsylvania residency over the past 10 years (Volunteers Only)
- c. A disclosure of arrest records, conviction records or incomplete dispositions (School Personnel)

### Reference Checks of Prospective Personnel

The diocese shall conduct reference checks of all prospective personnel. Written ministerial references and other forms of endorsement must be signed by the reference or endorser.

### Clearances for Prospective Personnel

All prospective personnel shall undergo and pass certain clearances prior to commencing employment or service with the diocese. For the purposes of this policy, the term “clearances” shall mean national and state (PA) criminal background checks, identity verifications and other searches the diocese determines to be necessary. This requirement shall apply to:

- a. Clergy and members of religious orders
- b. Adult diocesan, parish and school employees, volunteers (nonpaid) and contractors
- c. Minors, 14 years of age or older, applying for or serving in a paid position as an employee responsible for the welfare of a child or having direct contact with youth or vulnerable persons

### Types of Clearances for Prospective and Current Personnel

The diocese shall require the following types of clearances:

- a. For all clergy and members of religious orders, and adult and minor diocesan and parish employees:
  - Federal Bureau of Investigation Fingerprint Clearance, renewed every five (5) years
  - Pennsylvania State Police Criminal Clearance (Act 34), renewed every five (5) years
  - Pennsylvania Child Abuse History Clearance (Act 151), renewed every five (5) years
  - National Criminal History Record Search (name-based)
  - National Sexual Offender registry search (name-based)
  - Social Security Number Verification
- b. For all adult and diocesan school: educators, staff and employees:
  - Federal Bureau of Investigation Fingerprint Clearance, renewed every five (5) years
  - Pennsylvania State Police Criminal Clearance, renewed every five (5) years
  - Pennsylvania Child Abuse History Clearance, renewed every (5) years
  - Arrest/Conviction Report and Certification Form (Act 24), renewed every five (5) years
  - Commonwealth of Pennsylvania Sexual Misconduct/Abuse disclosure Release (under Act 168 of 2014)
  - Sexual Misconduct/Abuse Disclosure (under Act 164 of 2014), renewed every five (5) years
  - National Criminal History Record Search (name-based)
  - National Sex Offender Registry Search (name-based)
  - Social Security Number Verification

- c. For all adult and minor diocesan school, parish and youth activity volunteers (unpaid) *who have continuously lived in Pennsylvania for the past ten (10) years:*
  - Pennsylvania State Police Criminal Clearance, renewed every five (5) years
  - Pennsylvania Child Abuse History Clearance, renewed every five (5) years
  - CPSL Disclosure Statement application for volunteers, renewed every five (5) years
  - Arrest/Conviction Report (under Act 24 of 2011 and Act 82 of 2012)
  - National Criminal History Record Search (name-based)
  - National Sex Offender Registry Search (name-based)
  - Social Security Number Verification
  
- d. For all adult and minor diocesan school, parish and youth activity volunteers (unpaid) *who have not continuously lived in Pennsylvania for the past ten (10) years:*
  - Federal Bureau of Investigation Fingerprint Clearance
  - Pennsylvania State Police Criminal Clearance, renewed every five (5) years
  - Pennsylvania Child Abuse History Clearance, renewed every five (5) years
  - Arrest/Conviction Report (under Act 24 of 2011 and Act 82 of 2012)
  - National Criminal History Record Search (name-based)
  - National Sex Offender Registry Search (name-based)
  - Social Security Number Verification

Responsibility for Screening Service Contractors

Companies providing contract services to the diocese, parishes or schools shall provide a written statement verifying that any of their personnel who are in direct contact with diocesan youth have passed the required clearances, described herein and are persons known to pose no risk of harm to youth or vulnerable persons.

Responsibility for the Cost of Clearances

The cost of clearances shall be paid as follows:

- a. Prospective employees: all fees associated with clearance certification shall be borne by the individual, as an out-of-pocket expense after the employment offer has been accepted.
- b. Current employees: new clearance certification fees shall be borne by employee; renewals (every 5 years) will be the responsibility of the parish, school or diocesan office to which the person reports.
- c. Prospective and current volunteers: costs of initial and renewed clearances will be invoiced to the parish, school or diocesan office to which the person reports, the applicant may or may not be asked to cover fees.
- d. Prospective and current contractors: the cost of initial and renewed clearances shall be borne by the contracting company to which the person reports.

Ineligibilities for Prospective Personnel

The diocese shall consider any prospective personnel ineligible, if the person:

- a. Refuses to consent to the required clearances.
- b. Intentionally falsifies information on an application.
- c. Intentionally falsifies information on a reference check or coerces a person serving as a reference or endorser.
- d. Fails to voluntarily disclose an arrest record, conviction record or incomplete disposition.
- e. Is found to be a registered sexual offender.
- f. Acknowledges having, as an adult, sexual relations with a minor.
- g. Was convicted of a reportable offense enumerated under Act 24 of 2011 and Act 82 of 2012, relating to the Pennsylvania Department of Education **or** was convicted of a reportable offense enumerated under 23 Pa. CS Section 6344.2, relating to volunteers having contact with children.

Other information and findings not listed above may result in ineligibility. For all findings the diocese will take into consideration (a) the nature of the offense or incident, (b) the person's age at the time, (c) the person's explanation of the offense or incident and (d) the person's conduct since the incident.

### Additional Screening Requirements for Clergy

All applicants to the priesthood and/or permanent diaconate shall participate in psychological screening to assess and verify their fitness to work with youth and vulnerable persons. All priests and permanent deacons seeking incardination, priests or religious seeking ministry or residency in the diocese must provide evidence of their fitness to work with youth and vulnerable persons through a written statement from the person's Superior of Religious Congregation verifying there is nothing in the person's history or behavior that would make him or her unsuitable to work with youth or vulnerable persons. The diocese shall maintain permanent records of all such verifications.

## **Personnel Training**

### General

For the purposes of this policy, the term "personnel" shall mean clergy and members of religious orders, any diocesan, parish or school employee, volunteer or contractor. The term "Safe Environments Documents" shall mean the Policies for the Protection of Youth and Vulnerable Persons, and the Code of Conduct. The diocese shall maintain a permanent record of all documents pertaining to personnel training.

### ***All diocesan personnel are trained to recognize and report sexual misconduct and sexual abuse.***

- All personnel complete the diocese's online "Safe Environments Training."
- Mandated reporters complete the state-approved training, "Recognizing and Reporting Child Abuse."
- All personnel read and sign the diocese's Safe Environments Documents.

### Training for Perspective Personnel

All prospective personnel shall complete and pass the Youth Protection Awareness training offered on-line or as a workshop" prior to commencing employment, volunteer or contracted services.

### Training for Mandated Reporters

All mandated reporters of child abuse and neglect, shall complete and pass the training, "Recognizing and Reporting Child Abuse," prior to commencing employment or service, and repeat and pass the training every five (5) years.

### Safe Environment Documents

All prospective personnel shall read and sign the diocese's Safe Environment Documents prior to commencing ministry, employment or volunteer service.

## **Supervision of Youth**

### ***The diocese supervises youth and vulnerable persons who participate in diocesan programs and activities.***

- All youth programs and activities have a defined supervision strategy.
- All personnel who work direct with youth shall be monitored to ensure they follow policies and procedures.
- Extra-curricular activities are approved in advance, in writing, by the diocese, parents and guardians.

### General

The diocese shall establish written strategies for the safe supervision of youth and vulnerable persons who participate diocesan programs and activities. The supervision strategies shall address:

- a. The level of experience and maturity required by the supervisors
- b. Supervision ratios (1:7) for a program or activity
- c. Monitoring the adults and minors who supervise others
- d. Corrective actions for violating diocesan policies, procedures or codes of conduct
- e. Admitting and releasing persons from diocesan programs and activities
- f. Securing program and activity areas
- g. Maintaining privacy and security in restrooms and dressing areas

### Additional Requirements for Extra-curricular activities

Any off-site or overnight program or activity involving youth or vulnerable persons shall be approved, in advance and in writing by a diocesan supervisor and the participant's legal caregiver. All such activities shall require two (2) adult supervisors present, at all times. Under no circumstances will an adult be left alone with a youth or vulnerable person during religious education, events and activities. Pastors, associate pastors, administrators, or directors of Church institutions may not grant permission for full-time, part-time, or regular weekend ministry to an external priest or deacon without prior written approval of the bishop or his designee.

## ***Code of Conduct for Diocesan Personnel***

### **Appropriate Boundaries and Interactions**

***All personnel will follow a code of conduct to guide their interactions with youth and vulnerable persons.***

#### Key points:

- Applies to all diocesan personnel
- Addresses ministerial counseling and confession involving youth and vulnerable persons
- Some activities require consent of a parent or guardian
- Consequences for violating these requirements

#### General

All diocesan personnel shall conduct themselves with propriety, morality and ethics in any activity or situation and for as long as they are employed by or in service to the diocese. All personnel shall read and acknowledge these requirements prior to commencing employment or service. The diocese shall maintain a permanent record of all such acknowledgments. For the purposes of this policy, the term "personnel" shall mean all clergy, members of religious orders, diocesan, parish or school employees, volunteers or contractors.

All diocesan personnel shall:

- a. Conduct any interactions with youth or vulnerable persons, only in approved ways, times and places.
- b. Maintain objectivity in all interactions with youth or vulnerable persons showing no favoritism.
- c. Avoid situations or interactions with youth and vulnerable persons that would cause confusion about the nature of the relationship.
- d. Share any concerns about the behavior of personnel, an adult, youth or vulnerable person with a supervisor.
- e. Hold themselves and others accountable to protect youth and vulnerable persons from harm.

#### Consequences for Violating of the Code of Conduct

All diocesan personnel are required to report any violation of these requirements to their direct supervisor or if the violation involves their direct supervisor, another supervisor. The diocese shall investigate and take disciplinary action against any personnel who are found to have violated these requirements.

#### Prohibited Forms of Interaction

Diocesan personnel are prohibited from:

- a. Touching youth or vulnerable persons in a sexual or inappropriate way.
- b. Sharing pornography, sexually explicit topics or materials with youth or vulnerable persons.
- c. Providing a youth or vulnerable person with alcohol, drugs or tobacco.
- d. Being alone or secluded with a youth or vulnerable person in a vehicle, an office, classroom, residence, dormitory, restroom, kitchen, storage room or any other closed setting.
- e. Sharing a bedroom with or taking an unsupervised overnight trip with a youth or vulnerable person.
- f. Being under the influence of alcohol or medication when interacting with youth or vulnerable persons
- g. Possessing or using illegal drugs at any time.
- h. Engaging in the physical discipline of youth or vulnerable persons.

- i. Conducting telephone or internet communications with a youth using an unauthorized telephone account, email account or website.
- j. Engaging in after-hours, off-site or isolated meetings without the express permission a diocesan supervisor and the person's legal caregiver.
- a. Comments about a youth's or vulnerable person's physique or body development
- b. Lengthy or romantic embraces.
- c. Kissing.
- d. Touching a youth's or vulnerable person's thighs, buttocks, groin or breasts,
- e. Wrestling, tickling, rough housing or piggyback rides with a youth or vulnerable person
- f. Massaging a youth or vulnerable person
- g. Allowing youth to sit on the lap
- h. Any display of unwanted affection

**Acceptable Forms of Interactions**

The following are acceptable form of interaction between diocesan personnel and youth or vulnerable persons:

- a. Interaction is Public, Appropriate and Non-Sexual in nature and Non-Threatening
- b. Verbal praise
- c. Handshakes, high-fives and hand slaps
- d. Pats on the shoulder, back or head
- e. Side hugs and bending down for hugs with small children
- f. Holding hands during prayer, while walking, kneeling or sitting beside a youth or vulnerable person
- g. Respect an individual's preference if they do not want to touched in an appropriate way

***In accord with my role as Church personnel, and in witness to the Gospel of Jesus Christ, I will conduct myself with integrity, acting in a manner that is consistent with the discipline and teachings of the Catholic Church.***

***I will guide my behavior by civil and canon law, by the policies of the Diocese of Altoona-Johnstown and by the Code of Conduct by...***

1. Respecting the rights of each person and advancing his or her welfare during the course of counseling, advising or spiritual direction.
2. Holding in the strictest confidence information disclosed during the course of counseling, advising or spiritual direction with respect to Pennsylvania Child Protective Services Law and Mandated Reporting Requirements.
3. Maintaining an open and trustworthy relationship when working with youth, free from inappropriate behavior that would put them at risk.
4. Honoring the trust placed in Church personnel by not exploiting others for sexual gain or intimacy.
5. Providing a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.
6. Maintaining confidentiality in creating, storing, accessing, transferring and disposing of Church records.
7. Avoiding situations that might present a conflict of interest.
8. Reporting to proper authorities my own ethical or professional misconduct and the misconduct of others.
9. Treating Church personnel justly in the day-to-day operations of work and ministry.
10. Being responsible for my own spiritual, physical, mental, and emotional health.

***I HAVE CAREFULLY READ, UNDERSTAND, AND HEREBY COMMIT TO CONDUCTING MYSELF IN ACCORD WITH THE DIOCESE OF ALTOONA-JOHNSTOWN CODE OF CONDUCT.***

\_\_\_\_\_  
(PRINT Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Position)

\_\_\_\_\_  
(Name of Parish/School/Diocesan Office)

## **Use of Technology, Electronic Communication, Texting, Social Media, Video, Gaming, etc.**

For the purposes of this policy, the term “personnel” shall mean clergy and members of religious orders, any diocesan, parish or school employee, volunteer or contractor.

### **General**

Regardless of the manner or method, all communication with minors must be faithful to the teachings and values of the Catholic Church. As leaders and role models for children our communication with minors must respect the psychological, physical and behavioral boundaries of the young person and be appropriate to the ministerial and professional relationship. Permission of the parent or guardian must be obtained, in writing, in order for an adult leader to communicate with minors via telephone, cell phone, text messaging, e-mail, social networks, or other electronic means. All means of communication (written, text, email, etc.) with minors will be copied to the parent or guardian.

The Diocese of Altoona-Johnstown shall manage the use of its electronic or digital communication devices, computers, email accounts, social media accounts, websites and digital data storage for the protection of youth and others. All personnel or any person who is granted access to diocesan technology devices or technology accounts, shall complete an orientation on the responsible use of technology and sign the ‘Standards for the Utilization of Electronic Media Policy’ provided by the Director of Information Technologies and Director of Human Resources. The diocese shall maintain a record of all persons who are oriented.

### **Unacceptable Use Restrictions for Diocesan Personnel**

*Personnel shall **NOT**:*

- a. Use any technology to violate a federal, state or local law
- b. Conduct electronic or digital communications with a non-familial minor without using a diocese-approved device and/or account, and without the approval of the minor’s legal caregiver
- c. Encourage a sexual relationship between an adult and a minor
- d. Use, transmit or store pornographic or obscene content
- e. Share a person’s personal information without their consent or the consent of their legal caregiver
- f. Use diocese-owned equipment or devices to harm others, for personal profit or for partisan political purposes
- g. Use diocese-owned equipment or devices for pornography purposes
- h. Allow the use of a diocesan email account by an unauthorized user
- i. Allow access to a diocesan digital file to anyone not authorized to view, edit, or copy its contents
- j. Electronic media may not be used to knowingly submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive or otherwise illegal material; nor shall the user encourage the use, sale, or distribution of controlled substances. Any use in violation of any local, state or federal law is also prohibited and is a breach of the terms and conditions of this policy
- k. Any messages or information sent by a user to one or more individuals via an electronic network are statements identifiable and attributable to the Diocese, must comply with this and other Diocesan policies, and may not disclose any confidential or proprietary information
- l. The use of chat rooms is prohibited. An authorized alternative is the use of Project Discussion Groups
- m. Any employee or client found to be abusing the privilege of Diocesan-facilitated access to electronic media or services will be subject to disciplinary action including risk of having the privilege removed

### **Social Network, Media and Text Messaging**

While the Diocese respects the right of employees to use social media and networking sites, as well as personal websites and blogs, it is important that employees’ personal use of these sites does not damage the reputation of the Diocese, its employees, or its students or their families. Employees should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is

private in the digital world often has the possibility of becoming public, even without their knowledge or consent.

### Social media or Text Messaging

- Youth under the age of 18, including students, volunteers, etc., are not to be included as “friends,” “followers,” or any other similar terminology used by various sites.
- All communication with youth under the age of 18 must include their parent or guardian and be only for reasons related to school, volunteer activities, etc., and never for the purpose of sharing or requesting personal information.
- If the Diocese believes that an employee’s activity on any means of social media social violates its policies, the Diocese will request that the employee cease such activity; and dependent upon the severity of the incident, the employee may be subject to disciplinary action.
- The use of pornography, sexting or any other inappropriate social media or text exchange with a minor or vulnerable person is prohibited.
- Any form of social media contact with youth will also be copied to the parent(s) or guardian (s) of the youth.
- Except in the case of emergency, personnel are not permitted to communicate with minors using private email accounts, or personal/private social media or telephone accounts.

### Email

- Email services are available for Diocesan employees to conduct and communicate Diocesan business. Incidental personal use of email is allowed with the understanding that the primary use be job-related, and that occasional use does not adversely impact work responsibilities or the performance of the network and should never involve inappropriate or offensive content.
- Email services are provided only while a user is employed by the Diocese and once a user's electronic services are terminated, employees may no longer access the contents of their mailboxes, nor should they export their mailbox to a personal account before departure.
- Email users are advised that electronic data (and communications using the Diocesan network for transmission or storage) may be reviewed and/or accessed by authorized diocesan officials for purposes related to diocesan business. The Diocese of Altoona-Johnstown has the authority to access and inspect the contents of any equipment, files or email on its electronic systems.
- Personal email is not to be used to conduct diocesan business or communications under any circumstances.
- Any form of email contact with youth will also be copied to the parent(s) or guardian (s) of the youth.

### Photograph and Video

If pictures and videos are taken during youth ministry events and gatherings there must be parental consent. No child or youth under the age of 18 should be photographed in any form without the knowledge of their parent or guardian and a signed consent form. All photographs and videos of minors considered to be used for flyers, parish and diocesan publications, and the ministry website must have the written consent of the parent or guardian. Names will not be posted unless written authorization is given the parent or guardian, and then only first names will be used.

### Ministry Web Pages

Anyone who establishes a ministry web presence should make a commitment to this vehicle of communication. Web pages, especially the index or main page(s), should be regularly updated. As with any ministry effort, there should be an intentional plan and set of goals regarding establishing and maintaining a

web presence. Great care should be used to protect people on a web page that is publicly accessible and use the following guidelines:

- Personal information should never be made available (i.e. home address, home or cell number, home email address, etc.).
- Written authorization must be obtained from parent/guardian before posting photos or videos of young people.
- Pictures or videos should not be captioned with a young person’s name unless the parent/guardian has given you written authorization to do so.
- Never use a picture or video that might be considered embarrassing or unflattering or inconsistent with the mission of the Diocese.
- Care should be taken to protect the reputation of our church membership. If individuals are uncomfortable with a particular photo or video, it should be immediately removed from the website.

Online Gaming

Those who minister and work in pastoral settings with young people should take care in their involvement with online gaming. While this may be a recreational alternative, for many it is also an opportunity for social networking. Pastoral ministers should take care of protecting their online game identities so that appropriate boundaries are maintained.

No contact with minors in any form of online gaming, gambling or virtual reality and augmented reality gaming. Minors may not be physically present when personnel are engaged in any form of online gaming, gambling or virtual/augmented reality gaming.

Youth Protection policies extend into cyberspace. There should be no one-on-one online or digital activities (games, social media, etc.) or electronic communications. All users must respect the use of the electronic media. In doing so, we have the means to inform, educate and enlighten a vast number of people. Adults should always include or copy a parent or guardian in all online communications, ensuring no one-on-one contact exists in text, social media or other forms of online or digital communication. We are obligated to use the electronic tools in a manner reflective of the mission of the Diocese of Altoona-Johnstown.

***I HAVE CAREFULLY READ, UNDERSTAND, AND HEREBY COMMIT TO CONDUCTING MYSELF IN ACCORD WITH THE DIOCESE OF ALTOONA-JOHNSTOWN USE OF TECHNOLOGY AND WILL HAVE NO DIGITAL CONTACT WITH A MINOR.***

\_\_\_\_\_  
(PRINT Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Position)

\_\_\_\_\_  
(Name of Parish/School/Diocesan Office)

## **Pastoral Ministry**

*Church personnel providing pastoral counseling or spiritual direction are to respect the rights and advance the welfare of every person. Counselors who are licensed professionals and spiritual directors and hold recognized credentials bear full responsibility for establishing and maintaining clear and appropriate boundaries in accord with their professional standards.*

- The Commonwealth of Pennsylvania defines Counseling as: the application of principles and practices of counseling, mental health, and human development to evaluate and facilitate human growth and adjustment throughout the life span and to prevent and treat mental, emotional or behavioral disorders and associated stresses which interfere with mental health and normal human growth and development (PA Act 136, 1998).
- Spiritual Direction is the help or guidance that a person seeks and another gives over a period of time in the process of growing in a loving relationship with God.

Church personnel are not to step beyond their competence in counseling or spiritual direction situations and are to refer those who seek their assistance to other professionals when appropriate. Pastoral Counselors and Spiritual Directors refers to clergy, religious, and trained staff who provide formal and regular pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

Counseling and spiritual direction of youth and vulnerable persons should be done in an appropriate setting and at an appropriate time. Private living quarters are never a suitable place for counseling or spiritual direction and the following precautions must be used at all times:

- the door to the meeting room must be left open or allow for visibility from the outside barring emergencies
- a parent, guardian or another trusted adult must be in close proximity during the sessions
- another adult must be informed of the meeting and be nearby barring emergencies
- meeting will be scheduled during standard business, worship, or school hours

### Pastoral Standards:

- Pastoral Advisors shall not step beyond their competence in counseling situations and shall refer persons they counsel to other professionals when appropriate.
- Pastoral Advisors are to carefully consider the possible consequences of counseling before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, etc.).
- Pastoral Advisors are not to audiotape, videotape or electronically record sessions.
- Pastoral Advisors are responsible for establishing and maintaining clear, appropriate boundaries in all counseling and counseling- related relationships.
- Pastoral Advisors are to avoid physical contact of any kind (i.e., touching, hugging, holding hands, etc.) between themselves and the persons they counsel. Such actions can be misconstrued and should be avoided. Church Personnel should be mindful that not all members of the congregation are comfortable with physical touching and that hand-shake conduct should ordinarily suffice.
- Pastoral Advisors are not to engage in any form of sexual conduct with the persons they counsel. This includes consensual sexual contact.
- Pastoral Advisors are not to engage in sexual conduct with any individual who is close to the persons they counsel such as a relative or friend of the person they counsel. Pastoral Counselors and Spiritual Directors should presume that the potential for exploitation or harm exists in such intimate relationships.

- Pastoral Advisors will conduct sessions in appropriate settings at appropriate times. Church personnel providing pastoral counseling or spiritual direction are to maintain a log of the times and places of sessions with each person being counseled or directed.
  - These sessions should be clearly defined with a set time for the meeting to begin and end.
- Pastoral Advisors for youth and vulnerable persons must schedule sessions in public/professional locations, never in private or non-public areas with appropriate business hours.
  - Must have parental consent and knowledge of scheduled sessions for all minors.
  - Counseling area must have an exposed window or a door to be open during the sessions.
  - A parent, guardian or trusted adult in close proximity during the sessions.
  - Advisor will always be professional in manner.
- If the Sacrament of Reconciliation is requested it should be clearly separated from the pastoral counseling or spiritual direction session and, except in an emergency situation, it should take place in the church confessional since the Universal Law of the Church states that Sacrament of Reconciliation should not be heard outside of the confessional. Pastoral Advisor could also recommend that the person being counseled take advantage of regularly scheduled confession times in the parish. This recommendation might more clearly separate the distinction between the Sacrament of Reconciliation and either pastoral counseling or spiritual direction.
- All Pastoral Advisors are accountable to their immediate supervisors.
- Any and all violations will be reported.

### **Confidentiality**

Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction is to be held in the strictest confidence possible. Privileged communications between a mandated reporter and a patient or client of the mandated reporter does not apply to a situation involving child abuse or relieve the mandated reporter of the duty to make a report of suspected child abuse.

- Discussion of the nature of confidentiality and its limitations with each person in counseling prior to beginning sessions.
- Information obtained during scheduled sessions will be confidential, except for compelling professional reasons or as required by law.
- If there is clear and imminent danger to the person receiving services by self-harm to intent to harm others, only the information disclosed necessary to protect the parties affected and to prevent harm may be reported. If feasible, the person being counseled will be informed about the disclosure and the potential consequences.
- Minimal records of the content of sessions should be kept with no audiotape, videotape or electronically record sessions.
- Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.
- While counseling a minor (i.e., anyone under the age of 18) in a formal setting, if Church personnel discover that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Pastoral Advisor personnel are to:
  - Attempt to secure written consent from the minor for the specific disclosure
  - Disclose only the information necessary to protect the health and well-being of the minor if consent is not given
  - Consultation with the appropriate Church authority such as one's immediate supervisor is required before disclosure

These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure— of information received through the confessional. Any obligations related to confidentiality which are listed below are independent of the confidentiality of the confessional. A priest may never disclose anything revealed in the Sacrament of Confession (also known as Sacrament of Penance and Reconciliation), not even with the penitent’s permission. Further, all others who in any way (e.g., inadvertent overhearing) have information received through the confessional are obliged to that same secrecy. (Canon 983)

#### The Pennsylvania “Duty to Warn” Law

The Pennsylvania Supreme Court has ruled that a mental health professional, under certain limited circumstances, owes a duty to warn a third party of threats of harm made by patients. (*Emerich v. Philadelphia Ctr. For Human Dev.*, 720 A.2d 1032 (Pa. Sup. Ct. 1998). The court decided that a mental health professional has a duty to warn third parties if there was an immediate, known and serious risk of potentially lethal harm where (1) there is a specific and immediate threat of serious bodily injury that has been communicated to the mental health professional and (2) the threat was made against a specific and readily identifiable victim.

Persuaded that mental health professionals are best-trained to detect, identify, evaluate and deal with threats and violent behavior, the court found that mental health professionals are in a uniquely good situation to predict violent behavior before it occurs, particularly when a specific threat has been made. The court also noted that the State Board of Psychology recognizes an exception to therapist-patient confidentiality in the case of a serious threat of harm to an identified or readily identifiable person.

#### **Seal of Confession**

The obligation of strict confidentiality imposed by divine law on a confessor in the sacrament of penance not to reveal to any person, under pain of excommunication, the sins confessed. Complementary Norm: The National Conference of Catholic Bishops, in accord with the prescriptions of canon 964, §2, hereby decrees the following norms governing the place for sacramental confessions.

Provision must be made in each church or oratory for a sufficient number of places for sacramental confessions which are clearly visible, truly accessible, and which provide a fixed grille between the penitent and the confessor. Provision should also be made for penitents who wish to confess face-to-face, with due regard for the Authentic Interpretation of canon 964, §2 by the Pontifical Council for the Interpretation of Legislative Texts, July 7, 1998 (AAS 90 [1998] 711).

## **Policies and Procedures for Responding to Allegations and Complaints of Sexual Misconduct and Sexual Abuse**

### **Statement of Commitment**

***The diocese receives and responds to allegations of misconduct and abuse in an open and straightforward manner.***

- Comply with laws for reporting abuse and cooperate with civil authorities.
- All diocesan personnel are considered to be a mandated reporter and will report to ChildLine if there is reasonable cause to suspect a child is a victim of child abuse, a report must be made in all cases (with due regard for the exception of clergy according to PA Title 42, § 5943, as indicated below).

This includes situations where:

- there is contact with a child that has been abused
- an individual makes a specific disclosure to you that an identifiable child is the victim of child abuse
- an individual 14 years of age or older makes a specific disclosure to you that he/she has committed child abuse
- After allegations are reported to the proper authorities reflective of the Pennsylvania Child Protection Services Law, a full investigation for each allegation of misconduct or abuse will take place.
- Respond with compassion to the victims and redress any wrongs.

### General

The diocese shall receive and respond to any allegations or reports of sexual abuse or misconduct by clergy, religious orders, staff, volunteers and youth in an open and straightforward manner, grounded in a commitment to justice, accountability and mercy. To that purpose the diocese shall:

- a. Comply with governing laws for reporting allegations of sexual abuse to the proper authorities
- b. Cooperate with and defer to civil authorities who are involved in a criminal investigation
- c. Fully investigate any allegation, report or suspicion of abuse or wrongdoing, to the extent permitted by law
- d. Respond with compassion to those who have been harmed and their families
- e. Redress any wrongs
- f. Ensure policies and procedures remain effective

### **Reporting Suspected Child Abuse**

***Diocesan personnel comply with civil law for reporting suspected child abuse.***

- The diocese follows the requirements of the Pennsylvania Child Protection Services Law and the Congregation for the Doctrine of the Faith.
- Confidential communications with a priest are, by law, exempt from disclosure.

### General

All personnel shall comply with the requirements of the Pennsylvania Child Protective Services Law (PACPSL) when reporting suspected child abuse. For the purposes of this policy, the term “personnel” shall mean any clergy, members of religious order, diocesan, parish or school employee, volunteer or contractor. Any personnel who fail to comply with CPSL requirements may be subject to disciplinary action.

### Definition of Child Abuse

As interpreted from the PACPSL and for the purposes of this policy, “child abuse” shall mean intentionally, knowingly, or recklessly doing any of the following:

- a. Causing bodily injury to a child through any “recent” act or failure to act. (“Recent” shall be understood as an abusive act within two (2) years from the date the report is made to ChildLine. Sexual abuse, serious mental injury, serious physical neglect and deaths have no time limit.)
- b. Fabricating, feigning, or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act
- c. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act
- d. Causing sexual abuse or exploitation of a child through any act or failure to act
- e. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act
- f. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act
- g. Causing serious physical neglect of a child
- h. Causing the death of the child through any act or failure to act
- i. Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102)

As interpreted from the PACPSL and for the purposes of this policy, “child abuse” shall also mean certain acts in which the act itself constitutes abuse without any resulting injury or condition. These recent acts include any of the following:

- a. Kicking, biting, throwing, burning, stabbing, or cutting a child in a manner that endangers the child
- b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement
- c. Forcefully shaking a child under one year of age
- d. Forcefully slapping or otherwise striking a child under one year of age
- e. Interfering with the breathing of a child
- f. Causing a child to be present during the operation of a methamphetamine laboratory, provided that the violation is being investigated by law enforcement
- g. Leaving a child unsupervised with an individual, other than the child’s parent, who the parent knows or reasonably should have known was required to register as a Tier II or III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent
- h. Exposing pornography to a minor

#### Diocesan Personnel Who Are Considered Mandated Reporters

As interpreted from the PACPSL, the following personnel shall be considered mandated reporters and are required to report suspected child abuse:

- a. All clergy
- b. All school employees
- c. All diocesan or parish employees, volunteers or contractors who have direct and consistent contact with children through a diocesan program or activity

#### Procedures for Reporting Suspected Child Abuse

The following procedures shall apply to all reports of suspected child abuse:

- a. Mandated reporters shall, upon suspecting child abuse:
  - Immediately make a direct report of suspected child abuse to the ***Pennsylvania ChildLine*** by calling **1-800-932-0313** or report electronically at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis).
  - Immediately notify the reporter’s direct supervisor within the diocese, parish or school, after making the report to ChildLine
  - Complete and forward a Report of Suspected Child Abuse (Form CY 47) to the county children and youth agency within forty-eight (48) hours of making an oral report to ChildLine. If an oral report was made to ChildLine, a report of suspected child abuse (CY 47) must also be completed and forwarded to the county children and youth agency within 48 hours after making the report. Form CY 47 can be obtained at [www.KeepKidsSafe.pa.gov](http://www.KeepKidsSafe.pa.gov) or from the children and youth agency
- b. The diocese shall, upon receipt of a complaint of child sexual abuse by personnel shall:
  - Refer the matter to the proper civil authorities
  - Cooperate with civil authorities
  - When an incident of abuse occurred in the past and the victim is an adult when the information is received, the reporting procedures of this policy still apply. If possible, the adult/victim should be encouraged to contact the Victim Assistance Coordinator.

#### Exception for Confidential Communications Made to Clergy

Confidential communications made to a member of the clergy are protected under PA Title 42, § 5943.

However, any priest who hears the confession of a person who abuses children or is the victim of abuse shall urge the penitent to report the abuse to the proper civil authorities’ consideration of the method, location or the duration of the restraint or confinement.

#### **Investigating Allegations of Child Abuse and Related Complaints**

- The victim’s wellbeing is the diocese’s primary concern.
- The diocese will treat all persons involved with dignity, compassion and understanding.
- The diocese will not retaliate against complainants or prevent persons from obtaining legal counsel.
- The requirements of civil law must be fulfilled before complying with canon law.
- The diocese follows civil and canon law when investigating child abuse or related complaints.
- Precautionary measures mentioned in the Code of Canon Law, c. 1722, i.e., to remove the accused from sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public celebration of the most Holy Eucharist pending the outcome of the process.
- An independent Allegation Review board advises the Bishop and ensures continued improvement.

### General

The diocese shall first comply with applicable civil laws for reporting suspected child abuse and cooperating with civil authorities, and then comply with the guidelines established by the *Congregation for the Doctrine for the Faith* for investigating suspected abuse by any diocesan personnel and the treatment of all persons involved. The diocese shall maintain records of all complaints against all diocesan personnel and youth, including anonymous complaints. However, in the absence of accompanying verifiable facts, anonymous complaints may not be investigated. The accused shall be informed of all complaints.

### Canonical Responsibilities and Process for Investigating Complaints and Allegations

The Diocese of Altoona-Johnstown will comply with all applicable civil laws and will also report all allegations of sexual abuse of minors to the Vicar General who will also contact civil authorities and initiate a preliminary investigation in accordance with canon law (CIC, c.1717; CCEO, c.1468. Upon receipt of a complaint of child sexual abuse by any diocesan personnel, the diocese shall:

- Refer the matter to the proper civil authorities and defer to their investigative process, as may be required
- Begin an internal investigation according to the procedures established by the Congregation of the Doctrine of the Faith
- Maintain records of all complaints against all diocesan personnel and youth, including anonymous complaints. However, in the absence of accompanying verifiable facts, anonymous complaints may not be investigated
- Inform the accused of all complaints
- Retain privileged and non-privileged records and other materials related to the matter that may be considered evidence, including claims, intakes, investigative reports and records of services provided to those harmed by sexual misconduct
- Treat as confidential, any diocese’s files that are maintained on an investigation
- Limit access to any privileged files to the diocesan counsel, the Diocese of Altoona-Johnstown Allegation Review Board, other necessary diocesan or organizational personnel, and those authorized through appropriate Court Order

### Prohibited Actions

The diocese prohibits retaliation or discrimination against a person who reports, alleges or makes a complaint concerning sexual abuse. No actions will be taken to prevent a person from retaining an attorney or filing a lawsuit to resolve a complaint with the Diocese of Altoona-Johnstown.

### **Response to Victims/Survivors, Faith Communities, Those Accused of Abuse and Families**

***The diocese shall ensure victims, faith communities or persons accused of abuse receive assistance.***

### Key points:

- The diocese will offer a full range of support to victims, faith communities and those accused of abuse, explaining all the processes involved.
- The diocese will not bind, limit or force the actions of any complainant.
- The diocese will communicate with the Church community regarding the incident.

### General

The Diocese of Altoona-Johnstown shall offer pastoral, spiritual and support to victim/survivors, faith communities, those accused of abuse and associated family members. Such assistance shall not be considered as an indication that the diocese has legal responsibility for the actions of an accused diocesan personnel. For the purposes of this policy, the term “personnel” shall mean any clergy, members of religious order, diocesan, parish or school employee, volunteer or contractor.

### Actions to Support Victims, Faith Communities and Those Accused

The diocese shall respond to and assist the victims, faith communities and those accused, as follows:

- a. Be respectful of all persons bringing a complaint.
- b. Provide an advocate or advisor upon request.
- c. Provide and explain a list of available resources.
- d. Explain the procedures for investigating allegations, presentations of allegations to the Allegation Review Board, and civil reporting requirements and rights.
- e. Make periodic public announcements about the services available and procedures for making a complaint.

### Prohibited Actions

The diocese shall not:

- a. Bind any complainants to a condition of confidentiality or nondisclosure of the complaint, except at the specific request of the complainant for substantial reasons. The text of any such agreement shall contain the reasons for the confidentiality agreement.
- b. Attempt to force reconciliation between the offender and the victim. Any involvement in non-authorized reconciliation efforts by diocesan staff or agents will be considered a violation of these policies.

### Actions to Support the Parishes and Religious Community

The diocese recognizes that parishes and religious communities suffer when any person is abused by any diocesan personnel and to that purpose the diocese shall:

- a. Provide Parishes and Religious community accurate information regarding an allegation, to the extent allowed by civil and canon law, and the protection of privacy of the persons or families involved.
- b. Facilitate healing within the Parishes and Religious community through a Parish Pastoral Response Team, established through the Victim Assistance Program.
- c. Ensure an official voice of the Church, religious community, institute or organization meet with the Parishes and Religious community.

### **Responding to the Accused**

***The diocese shall follow all applicable laws to ensure the appropriate treatment of any personnel accused of abuse.***

### Key points:

- The diocese will take immediate action to protect the Church community

- Clergy and non-clergy will be offered a range of support and may be referred to counseling, placed on administrative leave or terminated

### General

Under both civil and canon law, a person is presumed innocent until proven guilty. However, the presumption of innocence does not preclude the diocese from taking immediate, prudent action to protect the Church community in response to complaints and before an investigation is complete.

### Actions by the Diocese following an Allegation of Diocesan Personnel

The diocese shall take the following actions after an allegation of abuse has been made against any diocesan personnel:

- Ensure that the diocese follows applicable civil laws for reporting child abuse
- Take all appropriate steps to protect the reputation of the accused
- Initiate a prompt, objective, preliminary investigation, when an allegation is made against a priest or permanent deacon
- Remove an accused cleric from ministry and place him on administrative leave, when there is sufficient evidence that child sexual abuse has occurred
- Ensure any bishop or priest involved in the investigation may not hear the sacramental confession of the accused
- Notify the Congregation for the Doctrine of the Faith

### Administrative Actions for Clergy

The diocese shall plan and impose administrative leave for an accused cleric that is consistent with the provisions of Canon 1722 and perform the following actions:

- Living arrangements, location, financial support, treatment, conduct, and aftercare, where applicable
- Reevaluate the need for and terms of administrative leave at the end of the imposed time limit and pursuant to canon law
- The Vicar General shall support and assist any priest on administrative leave to find housing and other pastoral or psychological support
- Advise the accused clergy to retain civil and canonical counsel and when necessary, provide canonical counsel to the accused
- Refer the accused clergy for assessment, evaluation, counseling, and/or treatment. If the accused clergy chooses not to cooperate, the Diocesan Bishop will be notified of the lack of cooperation. The Diocesan Bishop or his designee shall make all decisions regarding the noncooperation accused individual's ministry and ministerial status without his input
- Provide emotional, psychological and spiritual support to the family members if requested

### Administrative Actions for Non-Clergy Personnel

The diocese shall place non-clergy staff and volunteers on administrative leave during an investigation of credible complaints and perform the following actions:

- Advise the accused of their right to obtain legal counsel
- Specify the length of time for imposed administrative leave and reevaluate it upon expiration
- Require the accused to participate in pastoral and psychological counseling as a condition of further employment or volunteer activities, regardless of the outcome of the investigation
- Terminate the accused if the allegation is found to be valid

### Legal Restitution

When allegations are substantiated, the diocese may seek restitution from the offender for the services provided to persons harmed by sexual abuse by clergy or other Church personnel. The offender may be held responsible for the costs of therapy and for all other expenses incurred by the diocese, including but not limited to attorney fees, court costs, and judgments. The diocese shall maintain its right to take action against

guilty parties to recover judgments and/or legal expenses it incurs as a result of child sexual abuse by clergy, religious, staff, and/or volunteers.

### **The Allegation Review Board**

***An Allegation Review Board shall assist the bishop with assessing allegations and provide independent oversight.***

#### Key points:

- The board members are appointed by the bishop and made up of lay persons and clergy.
- The board establishes its own rules and procedures for operation and reports directly to the bishop.
- The board reviews diocesan policies for responding to allegations of abuse and makes recommendations.
- The board monitors the aftercare for any offending clergy.

#### General

The Diocesan Bishop shall establish an independent Allegation Review Board to assist with assessing allegations and determining the fitness for ministry of clergy and religious suspended from ministry during an investigation of accusations of sexual abuse.

#### The Allegation Review Board shall:

- a. Report directly to the Diocesan Bishop or his designee.
- b. Establish its own rules and procedures for operation.
- c. Be made up of laypersons and clergy, serving a term of five (5) years.
- d. Have access to all information in the possession of the diocese provided that all necessary releases have been secured.
- e. Retrospectively and prospectively review allegations and advise the Diocesan Bishop as to the credibility of complaints of child sexual abuse. The board shall communicate its assessment to the victim and the accused.
- f. Review investigation reports and make recommendations to leadership regarding actions necessary to resolve complaints.
- g. Review and make recommendations regarding the continuation of the cleric in pastoral ministry, counseling, or aftercare.
- h. Review and make recommendations regarding the fitness for ministry of any cleric whose ministry was restricted due to false, unsubstantiated, or unverifiable accusations of misconduct.
- i. At least every two years, review and recommend changes to current diocesan policies regarding the response to allegations of sexual abuse and the assignment of clergy.

#### Confidentiality

All information gained by the review board shall be considered confidential and may only be disclosed, under certain circumstances, to the parties involved, the Diocesan Bishop and as required by civil and/or canon law.

### **Reassignment of Personnel Accused of Sexual Misconduct or Sexual Abuse**

***The reassignment of any diocesan personnel follows the guidelines in canon law.***

#### Key points:

- No person found to have engaged in sexual activity with a minor shall be allowed to return to any ministry, employment or volunteer position

- The bishop will consider the recommendations of the Allegation Review Board and act in the best interest of the Church community

### General

No personnel who engages in sexual activities with a minor shall be allowed to return to any ministry, employment or volunteer position within the diocese. ***THERE SHALL BE NO EXCEPTIONS TO THIS POLICY.*** For the purposes of this policy, the term “personnel” shall mean any clergy, members of religious order, diocesan, parish or school employee, volunteer or contractor.

### Actions by the Diocesan Bishop

When allegations are unsubstantiated, or unverifiable, the Diocesan Bishop, in consultation with the review board, will consider the following factors in making decisions about ministry reassignment:

- a. The findings of the completed investigation report.
- b. The assessment and recommendations of the review board.
- c. The outcome of proceedings in a civil or criminal court case.
- d. The judgment, recommendation, and advice of professional therapists.
- e. The well-being of the faith community and all those ministered to by the Church or religious community/institute.
- f. The concerns of complainants and their families.
- g. The ability of the Church, religious community or institute to assure the safety of the community or organization to be served.
- h. The ability of the clergy to provide effective ministry, in light of the circumstances.
- i. The best interests of the diocese and its people.
- j. The stewardship of the diocese’s financial resources.

### Additional Actions Pertaining to Clerics

When the Allegation Review Board concludes that an allegation regarding a cleric is credible, it may make recommendations to the bishop regarding the accused individual's continued ecclesiastical ministry. According to the *motu proprio* of John Paul II, the final disposition of all allegations of all sexual misconduct cases of clerics with minors are reserved to jurisdiction of the Congregation for the Doctrine of the Faith. Once an allegation is investigated by the Bishop, the matter must be referred to them to determine whether a trial or dismissal is to take place.

No religious or non-incardinated priest or permanent deacon known to have sexually abused a minor will be accepted for ministry in the Diocese of Altoona-Johnstown. Furthermore, before any priest or permanent deacon transfers to or takes up residence in another diocese, for any purpose, his ordinary/hierarchy shall forward an accurate and complete description of the clergy's record to the ordinary/hierarchy in the new location. The description shall include any information in the transferee's background indicating that he could be a danger to children or young people. This applies to all circumstances, including clergy offenders who take up residence in a community/institute to lead a life of prayer and penance.

The diocese shall seek advice from the Appellate Review Board as needed. The diocese shall advise the alleged victim and the accused of the availability of the appellate process and the procedures for initiating the process. Any bishop, alleged victim, or accused may request the Appellate Review Board's advice within 15 days of the alleged victim or the accused receiving notification of the review board's assessment of the complaint. The appellate review board will communicate its advice within sixty (60) days of receipt of the request.

### **Unsubstantial Accusations**

***The diocese shall make provisions for the restoration of any personnel falsely accused of abuse.***

Key points:

- The falsely accused person’s thoughts, feelings, fears and concerns will be paramount

- The diocese’s efforts shall be coordinated with the Allegation Review Board
- The bishop will determine if and how a falsely accused cleric is reassigned

### General

When allegations of abuse are found to be false, the diocese shall work closely with the accused and the faith community to restore trust and recreate the pastoral and ministerial relationships. To that end, the diocese shall:

- Provide support for the accused regarding their thoughts, feelings, fears, and concerns.
- Provide a supportive environment and counseling or therapy to the accused to help mitigate the effects of the false accusation.
- The Allegation Review Board will provide recommendations for the falsely accused person to protect or, if necessary, restore his or her good name and reputation and create a workable plan for the future.
- Inform the faith community of the results of the investigation.

### Support Provided by the Vicar General

The Vicar General shall be responsible for personnel who are falsely accused of child sexual abuse shall provide continuing moral support to the individuals as they return to work or volunteer services. The diocese will provide necessary mental health services to assist falsely accused individuals to overcome the consequences of the accusations and to become restored to power and effectiveness in their job duties and volunteer services.

### Reassignment of Clergy Who Are Falsely Accused

The diocese recognizes that the trauma of being falsely accused can do irreparable harm to the accused's ability to be effective in ministry. However, no person falsely accused of child sexual abuse should suffer any adverse consequences or have his or her future ministry opportunities compromised as a result of a false accusation. Therefore, when making decisions about the reassignment of clergy who are the subject of false allegations, the Diocesan Bishop will consider the following factors:

- The completed investigation report.
- The recommendation of the Allegation Review Board.
- The spiritual, emotional, and psychological well-being of the accused.
- The judgment, recommendation, and advice of trained mental health professionals.
- The well-being of the faith community and of all those ministered to by the Church or religious community/institute.
- The ability of the cleric to provide effective ministry in light of the circumstances.
- The best interests of the diocese and all its people.

### **Non-Clergy Allegations**

Allegations of sexual misconduct (i.e., sexual abuse, sexual exploitation or sexual harassment) involving adults are to be taken seriously and are to be reported. These allegations will also be reported to the District Attorney of the appropriate county within the Diocese.

If an accusation of sexual misconduct is made against any church personnel who is not a cleric then the procedures entitled Responses to Complaints of Clerical Sexual Misconduct will also be followed. Appropriate adjustment will be made based on the person’s particular job or position.

## **Media**

***Public communications about an allegation are through the diocese's designated spokesperson.***

### Key points:

- The Secretary for Communications is the designated spokesperson for Diocese of Altoona-Johnstown. The spokesperson is responsible for responding to all inquiries and news conferences regarding allegations of sexual abuse.
- The identity of the accused of shall remain confidential until it becomes public record or public knowledge

### Complaints to the Diocese

All complaints to the Diocese of Altoona-Johnstown shall be treated as confidential. The diocese shall neither confirm nor deny:

- a. That a complaint has been made
- b. The identity of any person reporting incidents, concerns, or allegations
- c. The identity of any person against whom a complaint is pending, until the allegation becomes public record, as a result of charges being filed or the matter has become general public knowledge

## **Conflict of Interest**

Personnel are to avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question. For the purposes of this policy, the term "personnel" shall mean any clergy, members of religious order, diocesan, parish or school employee, volunteer or contractor.

Personnel are to disclose to the appropriate Church authority (such as one's immediate supervisor) all relevant factors that potentially could create a conflict of interest. Personnel are to inform all parties when a real or potential conflict of interest arises. No personnel is to take advantage of anyone to whom they are providing services in order to further their personal, political, or business interests.

## **Facilities**

The diocese will maintain safe and secure facilities. Annual site inspections will occur recommending safety and security measures, including the identification of potential danger zones within facilities and the means and methods to rectify and mitigate any problem areas.

### General

A facility committee will be formed to oversee the safety and security of diocesan facilities. The committee shall be made up of at least five (5) members.

### Responsibilities of the Facility Committee

- Conduct an annual review of applicable, building safety and health regulations
- Conduct an annual inspection of each diocesan property
- Confer with facility safety and security experts
- Develop reports, recommendations and cost estimates to address immediate and long-term needs
- Review and revise written agreements for the use of diocesan facilities by others
- Coordinate with the Director of Youth Protection and the Diocesan Bishop

## Definitions

**Accused:** the person against whom a complaint of sexual abuse is made.

**Administrative leave:** a term used for the temporary removal of a cleric from his assignment during an investigative process, prior to any determination of guilt or innocence.

**An Adult:** a person age 18 or older.

**A (Vulnerable) Adult:** is defined for the purpose of this document as any person over the age of eighteen (18), who, by reason of some mental infirmity has such diminished reasoning or cognitive capabilities that they may be considered the equivalent of a minor child.

**Allegation:** A first person accusation of sexual abuse of a minor brought against church personnel; past or present, living or deceased, which is reported to the Bishop through any form of communication including any that are anonymous.

**Annual Audit:** dioceses and eparchies submit to a yearly assessment of their implementation of the Charter for the Protection of Children and Young People.

**Canon law:** the term used to describe the laws of the Roman Catholic Church. The primary sources are the Code of Canon Law promulgated in 1983 and the Code of Canons of the Eastern Churches promulgated in 1990. Supplemental law dealing with the sexual abuse of minors and other graviora delicta (more serious crimes) is contained in the motu proprio *Sacramentorum Sanctitatis Tutela* promulgated in 2001.

**Charter:** refers to the Charter for the Protection of Children and Young People that was approved in Dallas in 2002 and by the Holy See. It a comprehensive set of procedures for addressing allegations of sexual abuse of minors by Catholic clergy as well as guidelines for reconciliation, healing, accountability, and prevention of future acts of abuse.

**Child, Children or Minor:** all persons under the age of eighteen and/or an adult who is physically or cognitively impaired and unable to protect themselves.

### **Child Abuse: (PA. CONS. STAT. § 6303)**

The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

- (1) Causing bodily injury to a child through any recent act or failure to act.
- (2) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
- (3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
- (4) Causing sexual abuse or exploitation of a child through any act or failure to act.
- (5) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- (6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- (7) Causing serious physical neglect of a child.
- (8) Engaging in any of the following recent acts:
  - (i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
  - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.

(iii) Forcefully shaking a child under one year of age.

(iv) Forcefully slapping or otherwise striking a child under one year of age.

(v) Interfering with the breathing of a child.

(vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of

methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(A) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(B) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(C) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(9) Causing the death of the child through any act or failure to act.

(c) Restatement of culpability.--Conduct that causes injury or harm to a child or creates a risk of injury or harm to a child shall not be considered child abuse if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.

(d) Child abuse exclusions.--The term "child abuse" does not include any conduct for which an exclusion is provided in section 6304 (relating to exclusions from child abuse).

**Child Labor Trafficking:** The use of force, fraud, or coercion for the purpose of subjection in involuntary servitude, peonage, debt bondage, or slavery. Examples of labor trafficking include agricultural or domestic service workers who are underpaid or not paid at all, physically abusive traveling sales crews that force children to sell legal items (e.g., magazines) or illegal items (e.g., drugs) or to beg, and workers in restaurants and hair and nail salons who are abused, confined, and/or not paid.

**Child Pornography:** Any written, printed, electronic, photographic or other depiction or description of a minor in a sexually explicit context or any material of any kind that is produced created or displayed for the purpose of sexual gratification of adults through the exploitation of minors.

**Child Protective Services:** Those services and activities provided by the Department and each county agency for child abuse cases.

**Child Sex Trafficking:** Any child under the age of 18 who is induced to engage in commercial sex is a victim of sex trafficking. Examples of sex trafficking of children includes prostitution, pornography, and sex tourism.

**ChildLine:** is the Pennsylvania hotline for reporting Child Abuse. Call 1-800-932-0313 24 hours a day to report suspected child abuse.

**Civil Authorities:** refers to the local law enforcement agency, whether it be the city police department, the sheriff's department, the state police post or an area child protection agency. It is distinguished from religious authority.

**Complainant:** the person who has made an allegation against Church personnel.

**CPSL—The Child Protective Services Law, 23 Pa.C.S. § § 6301—6385:** The PA Child Protective Services Act was signed into law in 1975. It was enacted to protect children from abuse, allow the opportunity for healthy growth and development and, whenever possible, preserve and stabilize the family.

*The Pennsylvania Child Protective Services Law (CPSL) Definitions Pa. C.S. §6303 (a).*

**“Intentionally”** The term shall have the same meaning as provided in 18 Pa. C.S. § 302 (relating to general requirements of culpability).

**“Knowingly”** The term shall have the same meaning as provided in 18 Pa. C.S. § 302 (relating to general requirements of culpability).

**“Recklessly”** The term shall have the same meaning as provided in 18 Pa. C.S. § 302 (relating to general requirements of culpability).

**Diocese:** The Roman Catholic Diocese of Altoona-Johnstown, including parishes, schools, and institutions that are directly accountable to the Diocese.

**Diocese Personnel:**

- All bishops and priests (active and retired), religious men and women on assignment in the Diocese, deacons and seminarians;
- All diocesan, school and parish employees. This would include any individual 14 years of age or older applying for or in a paid position as an employee responsible for the welfare of a child or having contact with children.
- All school volunteers; and
- All diocesan and parish volunteers who perform a service where they have direct access to children.

**Diocesan Review Board:** a local board that functions as a confidential consultative body to the bishop/eparch. The board is to offer advice to the bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry.

**Direct Contact:** is defined in the PA Child Protective Services Law as “the care, supervision, guidance or control of children or routine interaction with children.”

**Direct Volunteer Contact:** is defined in the PA Child Protective Services Law as “the care, supervision, guidance or control of children and routine interaction with children.”

**Elder Abuse & Adults with Disabilities Abuse:** In 2010, the Adult Protective Services (APS) Law, Act 70 of 2010, was enacted to provide protective services to adults between 18 and 59 years of age who have a physical or mental impairment that substantially limits one or more major life activities. The APS Law establishes a program of protective services in order to detect, prevent, reduce and eliminate abuse, neglect, exploitation and abandonment of adults in need.

A report can be made on behalf of the adult whether they live in their home or in a care facility such as a nursing facility, group home, hospital, etc. Reporters may remain anonymous and have legal protection from retaliation, discrimination, and civil and criminal prosecution. The statewide Protective Services hotline is available 24 hours a day. To report abuse of elderly individuals or adults with disabilities call the Protective Services Hotline: 1-800-490-8505.

*Common Signs of Abuse:*

- Bruises or Broken Bones
- Weight Loss

- Memory Loss
- Personality Changes
- Social Isolation
- Changes in Banking Habits
- Giving Away Assets such as money, property, etc.

**False Allegation/Report:** An allegation or report that was proven to be untruthful and fabricated.

**Implausible:** Any allegation or report that could not possibly have occurred under the given circumstances (e.g., an accusation is made against church personnel who was deceased at the time of the alleged offense).

Erroneous information does not necessarily make an allegation/report implausible (e.g., the church personnel arrived at the parish a year after the alleged abuse, but all of the other facts of the case are credible and the alleged victim might have mistaken the date).

**Immediate Vicinity:** is defined to mean an area in which an individual is physically present with a child and can see, hear, direct and assess the activities of the child.

**Implausible:** Any allegation or report that could not possibly have occurred under the given circumstances (e.g., an accusation is made against church personnel who was deceased at the time of the alleged offense).

Erroneous information does not necessarily make an allegation/report implausible (e.g., the church personnel arrived at the parish a year after the alleged abuse, but all of the other facts of the case are credible and the alleged victim might have mistaken the date).

**Independent Oversight Board:** The Independent Oversight Board was created pursuant to a Memorandum of Understanding signed by the Diocese of Altoona-Johnstown and the U.S. Attorney for the Western District of Pennsylvania on March 6, 2017. Under the Memorandum of Understanding, the Diocese established the Independent Oversight Board to supervise the implementation and provide ongoing review of the expanded child protection efforts of the Diocese.

**Mandated Reporting:** *What is a mandated reporter? Who is mandated to report abuse in PA?*

Individuals who, in the practice of their employment, occupation or practice of a profession, come into contact with children and have reasonable cause to suspect that a child under the care, supervision, guidance, or training of that person or of an agency, institution, organization or other entity with which that person is affiliated is a victim of child abuse.

Anyone may report suspected abuse; mandated reporters are those people who are required by law to report suspected child abuse. Mandated reporters are held to a higher standard of responsibility and may receive serious consequences for not reporting suspected abuse. Pennsylvania's Child Protective Services Law (CPSL) was amended in 2014, including substantial changes to the list of people who are mandated reporters.

Effective December 31, 2014, people in these positions are mandated to report child abuse:

- A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State;
- A medical examiner, coroner or funeral director;
- An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals;
- A school employee;
- An employee of a child care service, who has direct contact with children in the course of employment;
- Clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization;

- An individual paid or unpaid; who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child;
- An employee of a social services agency, who has direct contact with children in the course of employment;
- A peace officer or law enforcement official defined as Attorney General, District Attorney, PA State Police and municipal police officer.
- An emergency medical services provider certified by the Department of Health;
- An employee of a public library, who has direct contact with children in the course of employment;
- An individual supervised or managed by a person listed above who has direct contact with children in the course of their employment; and
- An independent contractor who has direct contact with children.
- An attorney affiliated with an agency, institution, organization or other entity that is responsible for the care, supervision, guidance or control of children.
- A foster parent.

**Minor:** is defined as a person under the age of 18. A minor should never be used as a chaperone.

**National Review Board:** A board instituted by the Charter for the Protection of Children and Young People whose purpose is to collaborate with the USCCB in preventing the sexual abuse of minors in the U.S. by persons in service to the Church.

**Norms:** particular law for all the dioceses and eparchies of the United States of America.

**Religious:** a person who is a member of an institute of consecrated life or a society of apostolic life. A "Religious" is distinguished from a "Diocesan priest," who is incardinated into a diocese.

**Permissive Reporters:** Persons who report abuse voluntarily may do so orally, usually by telephone, by calling ChildLine or their county agency. ChildLine is available at all times and can be reached toll free at 1-800-932-0313.

- If you suspect child abuse or neglect for the following situations:
- If you are not a mandated reporter;
- You prefer to remain anonymous;
- You do not know the county where the incident occurred;
- The suspected abuse and/or neglect you are reporting occurred outside the state of Pennsylvania;
- You are unsure if the child is at imminent risk of harm.
- You have more than 8 alleged perpetrators and/or the child has a list of extensive injuries.

**Report:** A third party accusation of sexual abuse of a minor brought against church personnel; past or present, living or deceased, which is reported to the Bishop through any form of communication including any that are anonymous.

**Safe Environment:** term used to refer to a wide assortment of practices that contribute to preventing child abuse of any kind.

**Safe Environment Coordinator:** The person appointed by the pastor, principal or administrator to oversee compliance with the United States Conference of Catholic Bishops (USCCB) Charter for the Protection of Children and Young People and the Diocese's Safe Environments Policy.

**Sexual Abuse or Exploitation:** (Legal Definition, Pa. C.S. § 6303 Any of the following: (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:

- (i) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
- (ii) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
- (iii) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
- (iv) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

**Victim/survivor:** a person who has abuse of any kind in their background and has or is working to overcome the negative effects of that abuse.

**Volunteer:** Adults applying for or holding an unpaid position as a volunteer with a child care service, a school or a program, activity or service responsible for the child's welfare or having direct volunteer contact with children will need clearances

**Vulnerable Person:** Any person (children included) whose ability to perform the normal activities of daily living or to provide for his/her own care or protection is impaired due to a mental, emotional, physical or development disability or dysfunction, or brain damage or the infirmities of aging. This includes all residents or patients of a care facility.

# EXHIBIT J



# Diocese of Altoona-Johnstown

## Office of Child and Youth Protection

927 S. Logan Boulevard  
Hollidaysburg, PA 16648-2604

Telephone: (814) 695-5579 ext. 2621

Fax: (814) 695-8894

Website: [www.dioceseaj.org](http://www.dioceseaj.org)

### Youth Protection Application

Primary Location: \_\_\_\_\_ City: \_\_\_\_\_

(Parish, School, Diocese Office/Activity)

Primary Ministry Role: \_\_\_\_\_ Other Roles: \_\_\_\_\_

#### Personal Information

Name: \_\_\_\_\_

Last

First

Middle

Maiden Name/Alias

Present Address: Street: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Home Phone: \_\_\_\_\_ Alternate Phone #: \_\_\_\_\_

Email: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

List the name, location and dates of attendance with respect to the last two educational institutions in which you have been enrolled.

*Name of Institutions*

*Date/s Attended*

*Degree/Diploma*

1. \_\_\_\_\_

2. \_\_\_\_\_

Previous home addresses (if any) with applicable dates. Please list at least last two.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List all previous experiences involving youth (employment/volunteer):

<i>Location/Address</i>	<i>Phone</i>	<i>Contact person</i>	<i>Type of Work</i>	<i>Dates</i>
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List any gifts, training, education or other factors that have prepared you for work with children/youth.

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List your employers for the past ten years (*please use the back if needed*)

<i>Employer</i>	<i>Street Address</i>	<i>Phone</i>	<i>Contact Person</i>	<i>Dates of Employment</i>
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Please respond Yes or No to the following questions. Any yes answer requires a detailed explanation below.

- Yes No    Have you ever been convicted of a felony?
- Yes No    Have you ever had your driver's license or a professional license revoked or suspended?
- Yes No    Have you been arrested/charged with driving under the influence of alcohol/other substance?
- Yes No    Have you ever been convicted of child abuse or a crime involving actual or attempted sexual molestation of a minor?
- Yes No    Is there any fact or circumstance about you or your background that would call into question the advisability of entrusting you with the supervision, guidance, and care of young people?

If you answered yes for any of the above, please explain. \_\_\_\_\_

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Please provide three references other than relatives or present or former employers.

1. Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

2. Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

3. Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

- I declare that all statements contained in this form are true and that any misrepresentation or omission is cause for discontinuation of my involvement as an employee or a volunteer.
- I authorize the Diocese of Altoona-Johnstown to conduct personal and professional reference checks as needed. I realize that the criminal record check will be conducted by the Diocese of Altoona-Johnstown or I may be asked to furnish it.
- I hereby release and agree to hold harmless from liability any person or organization that provides information to the Diocese of Altoona-Johnstown and/or the above mentioned Parish/Organization and their employees, officers and directors or any authorized representative of the same as a result of this record.
- My signature indicates that I have read and understood the above statement and am signing below of my own free will. I also understand that the Diocese of Altoona-Johnstown will conduct a background check every five years for the duration of my employment/volunteerism.

\_\_\_\_\_  
Signature of Employee/Volunteer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature of Parent if under the age of 18

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

*Updated June 2018*

# EXHIBIT K

SELECTION.COM® offers the most **up-to-date** information and **fastest** turnaround on a wide variety of background reports to give you the information you need **when** you need it most!

#### Criminal History Reports

- Reports criminal activity from individual **county** courts, **state** repositories, state databases or **federal** courts
- Includes felonies and misdemeanors, arrests, convictions and disposition of each record
- *Average turnaround time (TT) for county reports is 24-72 hours.*
- **Search America**® reports provide a multi-jurisdictional search of criminal records databases, Government Watch lists, National criminal database, including correction records and Sex Offender registries from all 50 states.
- **INSTANT** (*Search America*® TT is instant for clear reports and averages 24-48 when records are found)

#### Social Security Number Trace and Validation

- Identifies addresses and names associated with a given Social Security Number.
- Provides validation, history of residence and identity through the Social Security Administration and the three major credit bureaus.
- **INSTANT**

#### Motor Vehicle Reports (MVR)

- Depending on jurisdiction, MVR reports will cover between three and seven years of driving history.
- A typical MVR provides a physical description, license information, home address and infractions (including driving under the influence).
- **INSTANT** (*TT is instant in 44 states, but may average 24-48 hours on some requests and may longer due to state-mandated procedures*)

#### Personal Credit Reports

- Provides verification of an applicant's identity, employment history, payment histories and Civil Court records including Bankruptcy.
- **INSTANT**

#### Employment Verification Reports

- Verification is available for previous positions held, length of employment, salary, motivation, work habits, and other relevant information about the applicant's performance.
- *Average TT is 24-48 hours.*

#### Work Authorization Verification (I-9)

- Check Department of Homeland Security (DHS) and Social Security Administration (SSA) databases to verify the employee's right to work.
- **INSTANT**

#### Education/Credentials Verification Reports

- Documents an applicant's educational start dates, end dates, major fields of study and degrees earned.
- Other stated credentials may also be validated through the institution contacted.
- *Average TT is 24-48 hours.*

### Workers' Compensation Reports

- Reports include information collected on the state level regarding reports of injury and court-contested claims.
- Reports will typically include employer's name, date of each incident, time lost from work, type of injury, body part affected by the accident and disposition.
- *TT averages 24-48 hours on most requests; some are longer due to state-mandated procedures.*

### Personal Reference Checks / Character Reference

- Contacts personal references of your applicant to gather information concerning the reputation, conduct and integrity of that applicant.
- *Turnaround averages 24-72 hours.*

### Medical Sanctions Report

- Reports include specific information regarding sanctions and restrictions on the applicant's licensure, dates of effectiveness and dates of expiration.
- *Results within 24 hours.*

### Civil Records Checks

- Reveals the record of civil suits where the applicant was a plaintiff or defendant.
- Also shows the nature of the complaint, the status of the suit, date of filing, names of plaintiffs/defendants and whether a judgment was entered.
- *Turnaround averages 24-72 hours.*

### Professional License Verification Reports

- This report includes license type, issuing authority and dates of validity.
- Examples: CPA, FAA, NIPR, admittance to the bar and medical/dental licenses.
- *Turnaround averages 24-72 hours.*

### Drug Screening

- 10-panel drug screen, providing thorough, professional screening that exceeds NIDA and DOT requirements.
- *Turnaround averages 24-72 hours.*

### Consumer Credit Report

- Provides verification of an applicant's identity, employment history, payment histories and Civil Court records including Bankruptcy.
- Provides FICO Score.
- **INSTANT**

### State Eviction History

- This report will include all information reported from the municipality:
- Last Name, First Name, Address of Eviction, Judgment Information, Case Number, Case Details
- The SSN Trace Report is a recommended addition to identify addresses where the applicant has lived.
- **INSTANT**

# EXHIBIT L

## Independent Oversight Board, Diocese of Altoona Johnstown (IOB)-- Oversight Responsibilities

Note: This spreadsheet is a summary. For full information, see the Annual Report or underlying documents.

RESPONSIBILITY	Source	Completion/Deadline	Status	Comments
Memorandum of Understanding Diocese and US Attorney (MOU)	US Attorney	3/6/17	Completed.	
Appointment of Independent Oversight Board Members	MOU	7/2/17	Completed.	James W. Brown, Walter "Pete" Carlson Eileen Dombo, Mary Herwig, Jerry Johnson
Appointment of Consultant	MOU	2017	Completed.	Les Nichols
Appointment Of Youth Protection Director for Diocese	MOU	1/12/18	Completed.	Cynthia O'Connor
Reform of Allegations Review Board, Appointment of New Members	MOU	2017	Completed.	
Code of Conduct For Diocese Document	MOU	9/30/18	Completed. Ongoing responsibility.	Revised Code of Conduct.
Training Program for Clergy, Employees and Volunteers	MOU	2018	Completed. Outside contractor selected and retained. Ongoing responsibility.	Virtus retained. Training in progress for current employees and new hires. New hires must complete before starting work.
Review of Outside Audit by Independent Oversight Board	MOU		Completed for 2016-2017. Awaiting 2017-2018 audit report.	Audit for 7/1/2016 - 6/30/2017 (on site) completed by Stonebridge Business Partners, indicates full compliance with Charter for the Protection of Children and Young People. Stonebridge compliance letter reviewed by IOB. IOB also reviewed Stonebridge additional recommendations. Awaiting report on 7/1/2017-6/30/18 desk audit.
Policy Concerning Supervision of Clergy	MOU		Completed. Ongoing responsibility.	
Public Disclosure of Information	MOU		Completed as to past and current allegations. Ongoing responsibility.	Diocese discloses allegations and criminal referrals of misconduct by clergy, employees and other personnel on Diocesan website.
Financial Assistance for Victims	MOU		Completed. Ongoing responsibility.	Diocese helps pay for private counseling for victims, including co-pays, deductibles and costs in excess of insurance.
Partnering with Independent Victim Assistance Services	MOU		Completed. Ongoing responsibility.	Diocese working with Pennsylvania Coalition Against Rape (PCAR) and local sexual assault centers.
Victim Advocate	MOU		Completed. Ongoing responsibility.	Jean Johnstone
Child Sex Abuse Hotline	MOU		Completed. Ongoing responsibility.	Must be widely publicized and distributed.
Youth Protection Policies for Diocese Document	MOU	9/30/18	Completed. Ongoing responsibility.	Includes policies mandated in MOU.
Background Check System	MOU	2018	Completed. Outside contractor selected and retained. Ongoing responsibility.	Selection.com chosen and retained. Implementation in progress. Must also conform with Pennsylvania State requirements. Clergy are reviewed by Diocesan staff, Selection.com, FBI and PA background checks. Employees are reviewed by Diocesan HR, Selection.com, FBI and PA background checks. Volunteers are Reviewed by FBI and PA background checks. Everyone signs an application.
Youth Protection Communications Program	Stonebridge Recommendation		Completed. Ongoing responsibility.	

RECOMMENDATIONS	Source	Status	Comments
Parish Level Leadership Teams/ Safety Committees	Consultant Recommendation	Recommended.	
Physical Inventory of Diocesan Properties	Consultant Recommendation	Recommended.	Inventory of Diocesan properties to identify and eliminate "entrapment areas."
Promotion of Nulton hotline	Independent Oversight Board recommendation		
Additional Education & Training Programs, Youth Protection Staff, Adequacy and Funding	Independent Oversight Board recommendation	Ongoing responsibility.	IOB has reviewed with Youth Protection Director.
Procedure for Following Up on Referrals to Law Enforcement Agencies	Independent Oversight Board recommendation	Recommended.	
Diocesan Culture of Protection	Independent Oversight Board recommendation		