

## Listening Sessions: Responding to Questions, part 3

By Bishop David Ricken

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### **What happens to clergy who have been removed? Does the diocese still provide support for them?**

In part two of this series, I provided information about what happens when we receive an allegation of clergy sex abuse. Towards the end of that response, I mentioned that even in cases where clergy do not face civil or criminal penalties, they are still subject to penalties under canon law, which is the law of the church. In answering this question, I want to provide a bit more information about these penalties, also known as canonical penalties.

Any priest found guilty under canon law of sexually abusing a minor is barred from public ministry for life. There is a zero tolerance policy for sexual abuse of a minor, one case and that priest can no longer serve in public ministry. When this occurs, the priest receives one of two penalties: he is either assigned to a life of prayer and penance or he is dismissed from the clerical state.

Being assigned to a life of prayer and penance is the lesser of the two penalties, but it still carries significant consequences. These priests cannot publicly present themselves as priests, can have no interaction with young people, and are subject to regular monitoring by the Diocesan Victim Assistance coordinator. This includes drop-in monitoring. These men remain priests whose job is to pray and do penance. They receive a reduced salary from the diocese up until official retirement age. Then they are legally entitled to whatever retirement benefits they have accrued, but, once retired, no longer receive a salary from the diocese.

The more serious penalty is to dismiss a priest from the clerical state. When clergy are dismissed from the clerical state, they are no longer priests, which is why this is sometimes referred to as being "laicized." Laicized men no longer receive a salary from the diocese.

The penalty that the guilty party receives depends on the seriousness of their offense, just as would be the case in a civil court. Of course, all abuse of a minor is extremely serious, but some cases warrant greater consequences than others. Initial decisions for the penalty of "formal dismissal of the priesthood" are made locally, but ultimately that decision must be approved by the Holy See.

I want to reiterate that penalties within the church are independent of the penalties someone faces from the civil authorities. We support whatever penalties civil authorities determine are appropriate, but the priest is still subject to canonical penalties regardless of the civil and criminal penalties they face.

### **Can clergy confess a sin of abuse in the sacrament of reconciliation and receive absolution and avoid transparency?**

Clergy, like all Catholics, can and should confess serious sins in the sacrament of reconciliation. We have a loving and merciful God, who gave his life for us despite our sinfulness. God can forgive any sin including the terrible sin of sexual abuse of a minor.

While the priest who hears this confession can never reveal what he has heard in the confessional, any evidence of the sexual abuse of a minor received outside of the sacrament of reconciliation must be turned over to the civil authorities immediately.

In terms of pastoral practice, a priest hearing a confession from someone who has committed a serious crime such as abuse, whether the person confessing is a priest or a lay person, should tell the person confessing that he/she has a responsibility to confess the crime to the authorities. However, he cannot compel the person to do so and cannot reveal what has been shared in the sacrament.

### **How do we know that current clergy are not abusing minors? How are seminarians being screened?**

As I said in last week's issue, because we take allegations of abuse seriously, there are currently no priests in ministry in the Diocese of Green Bay who are known to have abused minors.

Priests and seminarians are part of the family of the church. Families must hold each other accountable. For priests and seminarians, this means not only being accountable to their superiors, namely the bishop and the Vicar for Priests, but to all members of the Body of Christ, both priests and laity. So if you are aware of clergy who have or are abusing others, we

want you to report the abuse to civil authorities and to the diocese. The only way we can address the problem is if it is known.

At the same time, we work hard to adequately screen any man who would like to join the seminary. The process begins with conversations to get to know the person better. We discuss his vocation story and family history to try to get a better picture of the prospective candidate. If, after consultation with me and others, we feel that this man has an authentic call to the priesthood in our diocese, we will begin the formal application process. Today, the application is 19 pages long and asks everything from the applicants' educational background to their work background to their physical health to their legal background to their spiritual journey.

Knowing that this alone is not exhaustive, seminarian candidates also complete a full psychological evaluation. They meet with an independent psychologist who thoroughly evaluates the mental health of the applicant and offers their opinion on whether or not this person would be a good candidate for seminary. In the midst of this process, we also contact their parish priest, as well as a diverse group of references. Applicants also undergo a mandatory background check.

Finally, we ensure that every applicant is trained through the VIRTUS program, which is our safe environment training. The program identifies best practices to promote safe and appropriate interactions between adults and children within our diocese, and every seminarian must read and complete the monthly bulletins that VIRTUS writes and sends to all those trained. If all goes well, the candidate will be accepted as a seminarian and begin studies.

### **So do you feel that this is a homosexual issue? Are homosexuals allowed to become priests? Are homosexuals allowed to become seminarians?**

First of all, I think it is important to point out the distinction between homosexuality and sexual abuse. Although a majority of the people abused have been male, it is not accurate to equate homosexuality with abuse of children. We must be careful not to seek simplistic answers to complex issues.

In terms of homosexuals being seminarians or priests, what we are really discussing here is a matter of lack of fidelity to the promise of celibacy. All priests of the diocese make a solemn promise of celibacy, that is a commitment to refrain from sexual activity, whether heterosexual or homosexual.

Those who experience same sex attraction have been and continue to be part of the Body of Christ, the church. Throughout the history of the church, there have been priests who have experienced homosexual attractions and who nevertheless remained true to celibate chastity and their promises and vows. At the same time, sadly there are a few priests who have sinfully lived a double life and engaged in violations of celibacy either heterosexually or homosexually. Those who have broken their solemn promises represent a minority within the clergy.

A man who has "deep-seated homosexual tendencies" is not admitted to the seminary or ordained because of the likely danger of violations of celibacy. However, a man who has experienced same sex attraction and has an established pattern of living chastely can be considered for admission to the seminary.

Making this determination is part of the discernment process for a seminarian and those of us within the diocese responsible for the seminarians, in particular the vocations director and me. While fully recognizing the difficult discernment that comes with this, we as a church have a duty and obligation to ensure anyone admitted for Holy Orders has reached a level of emotional maturity necessary to carry out his ministry in our parishes.

### **Is celibacy part of the problem? What about allowing married priests?**

I think we must be careful in assuming that celibacy is somehow a root cause of sexual abuse. There are married men who sexually abuse minors. Allowing priests to marry would not prevent the possibility of clergy sexual abuse of a minor. This is evidenced by the fact that there are instances of clergy sexual abuse of a minor in denominations and religious faiths that have a married clergy. Mandatory celibacy for priests is an ancient discipline in the Western Church, with deep spiritual and ecclesial roots. There is no direct connection between celibacy for priests and sexual abuse of children. The practice of celibacy has resulted in many good and holy priests who, because of their commitment to making this sacrifice, have been more available to love and care for the people of God.

### **Are sacraments invalid if performed by a priest who has abused?**

A sacrament received by a priest who has seriously sinned (such as in the case of sexually abusing a minor) is valid. Sacraments work because of God's grace working through the human instrument of a priest, and the priest's sinfulness cannot prevent God from working. The heresy of Donatism was rejected by the church 1,500 years ago, which taught that only perfect priests could confer the sacraments. The effectiveness and validity of the sacraments comes from God, not from humans. We should all be grateful for that.