

THE ARCHDIOCESE OF SAN FRANCISCO

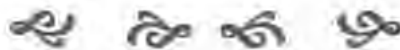
INDEPENDENT REVIEW BOARD

MINUTES, AGENDAS & DOCUMENTS

2015 -



LEGAL OFFICE



**ARCHDIOCESE OF SAN FRANCISCO
INDEPENDENT REVIEW BOARD
BYLAWS**

ARTICLE I ESTABLISHMENT

The name of the board is the Independent Review Board ("Board").

The Board is an independent advisory board established by the Archbishop of the Roman Catholic Archdiocese of San Francisco ("Archdiocese") in accord with canon law of the Roman Catholic Church and Norm 4 of the Charter and Essential Norms adopted by the United States Conference of Catholic Bishops ("USCCB"). The Board advises and makes recommendations directly to the Archbishop concerning cases in which a clergy member is accused of sexual abuse of a minor. The Archdiocese establishes these bylaws to implement the Charter and Norms and to be fair and responsive to the pastoral needs of the victim, the victim's family, the community and the accused.

ARTICLE II MEMBERSHIP, APPOINTMENT AND TERM

- Section 1. The Board shall be composed of at least five (5) and no more than ten (10) persons of "outstanding integrity and good judgment in full communion with the Church." (See Essential Norm 5). The majority of the Board shall be lay persons. One member shall be a priest who is an experienced and respected pastor. The Chancellor (or Promoter of Justice of the Archdiocese) shall be a member. One member shall be a victim of childhood sexual abuse by a clergy member. Of the lay Catholic members there shall be at least one mental health professional. The remaining Board members are to have expertise in a variety of areas such as law enforcement, legal training, medical training and counseling. An effort will be made to have the Board membership reflect the racial, ethnic and social diversity of the Archdiocese.
- Section 2. Board members are appointed by the Archbishop.
- Section 3. Members are appointed for a term of five years. Terms will be staggered. Members can be appointed for no more than two consecutive terms. New appointments should be made to assure a reasonable turnover in membership in order to provide the Board with new perspectives and expertise.
- Section 4. The Vicar for Clergy, the Victim Assistance Coordinator and the Diocesan Attorney shall attend meetings and assist the Board in the performance of its duties but are not voting members of the Board.
- Section 5. Board members will not receive any compensation for their services but will be reimbursed for any necessary expenses. Past and present Board members will be covered by the Archdiocesan liability insurance programs with sufficient coverage

to insure them from any liability that could arise from the performance of their duties on the Board.

Section 6. Identity of Board members shall be made public.

ARTICLE III FUNCTIONS OF THE BOARD

Section 1. The Board will biannually review the *Archdiocese of San Francisco Policies and Procedures Regarding Child Abuse* and, in its discretion, may make recommendations to the Vicar for Clergy and the Archbishop for modifying, updating, strengthening and enhancing those policies to ensure they reflect current social and Church teaching and standards and are effective in preventing and dealing with sexual abuse of a minor by clergy.

Section 2. Any complaint or allegation of sexual abuse of a minor shall be channeled to applicable Chancery official for review.

Section 3. Chancery official screens the matter, gathering basic information in conjunction with Victim Assistance Coordinator and Legal Counsel, and presents the matter to the Board to determine whether reasonable suspicion of child abuse exists and, if so, matter is reported to civil authorities.

Section 4. The Board will then authorize an independent investigation into the matter on behalf of the Archbishop. Upon receiving the investigator's report, the Board will discuss the allegation, the background of the parties involved, the response of the clergy member, the results of the investigation and all other relevant information. It shall have the authority and resources to request further investigation as it deems necessary.

Section 5. Once sufficient information has been obtained the Board will make a formal report to the Archbishop concerning its findings and recommendations and whether the allegation is "sustained" or "not sustained." The Chairperson of the Board shall date and sign the "IRB Findings Form."

Section 6. The Board will make a recommendation as to whether a clergy member may be returned to ministry or whether canonical steps should be taken to remove a clergy member permanently from ministry.

ARTICLE IV OFFICERS

The Archbishop will designate one member of the Board as Chairperson and one member as Vice-Chairperson. The Chairperson will convene and preside at meetings of the Board. The Vice-Chairperson will perform these functions when the Chairperson is unavailable.

ARTICLE V MEETINGS

- Section 1. The Board shall conduct regular meetings four (4) times per year.
- Section 2. The Board shall conduct special meetings as often as necessary to perform its duties. Special meetings shall be called by the Chairperson as needed to carry out the responsibilities of the Board that cannot be addressed appropriately or in a timely manner at a regularly scheduled meeting.
- Section 3. A quorum consisting of a majority of the members shall be necessary for the transaction of official business.
- Section 4. The concurrence of not less than a quorum is necessary to make a recommendation to the Archbishop, on behalf of the entire Board.
- Section 5. Meetings will be consultative and advisory. Meetings are not hearings but rather sessions at which the Board receives and considers information, deliberates, and formulates recommendations.
- Section 6. Board proceedings are confidential and the members of the Board will not discuss the business of the Board or the information presented to the Board with persons who are not Board members or authorized staff.

ARTICLE VI CONFIDENTIALITY OF RECORDS

All records relating to the work of the Board are confidential. Access to these records is restricted to the Archbishop and his delegates, the Chairperson and Vice-Chairperson.

ARTICLE VII REVIEW OF BYLAWS

The Board shall formally review these bylaws annually and, if it so determines, make recommendations to the Archbishop regarding appropriate changes.

ARTICLE VIII AMENDMENTS

These bylaws may be amended upon recommendation by the Board, after a vote and concurrence of not less than a quorum, to the Archbishop and his approval of such amendment.

The Archdiocese of San Francisco

Independent Review Board (five-year terms)

as of June 30, 2022

Membership	Term end date	Work Phone	Home Phone	Cell Phone	Email	Comments
Dr. Renee Duffey	(1 st) 12/31/2021	Redacted	Redacted	Redacted	Redacted	
Dr. Kesook Lee	(1 st) 12/31/2022					
Mr. John McCord	(2 nd) 12/31/2022					
Msgr. C. Michael Padazinski	N/A					
Dr. Laura Rubinos	(1 st) 12/31/2025					
Msgr. John J. Talesfore	(1 st) 12/31/2022					
Mr. Al Trigueiro	(1 st) 12/31/2025					
Chancery attendees:		Redacted	Redacted	Redacted	Redacted	
Archbishop Salvatore Cordileone						
Paula Carney, Esq.						
Ms. Rocio Rodriguez						
Fr. Andrew Spyrow						
Staff: Karen Guglielmoni						
Chancery support:		Redacted	Redacted	Redacted	Redacted	
Pam Lyons						
Sr. Celeste Arbuckle, SSS						
IRB Investigators:						

PROMISE TO PROTECT



PLEDGE TO HEAL

Charter for the Protection of Children and Young People

**Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of
Sexual Abuse of Minors by Priests or Deacons**

A Statement of Episcopal Commitment

• *Revised June 2018* •

United States Conference of Catholic Bishops

The revised *Charter for the Protection of Children and Young People* was developed by the Ad Hoc Committee for Sexual Abuse of the United States Conference of Catholic Bishops (USCCB). It was approved by the full body of U.S. Catholic bishops at its June 2005 Plenary Assembly, and this third revision was approved at the June 2018 Plenary Assembly. The revised *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* was developed by the Ad Hoc Committee on Sexual Abuse of the USCCB and by the Vatican-U.S. Bishops' Mixed Commission on Sex Abuse Norms. They were approved by the full body of bishops at its June 2005 General Meeting, received the subsequent *recognitio* of the Holy See on January 1, 2006, and were promulgated May 5, 2006. The revised *Statement of Episcopal Commitment* was developed by the Ad Hoc Committee on Bishops' Life and Ministry of the USCCB. It was approved by the full body of U.S. Catholic bishops at its November 2005 Plenary Assembly and then again in 2011 and 2018. This revised edition, containing all three documents, is authorized for publication by the undersigned.

Msgr. J. Brian Bransfield
General Secretary, USCCB

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Charter for the Protection of Children and Young People

Preamble

Since 2002, the Church in the United States has experienced a crisis without precedent in our times. The sexual abuse¹ of children and young people by some deacons, priests, and bishops, and the ways in which these crimes and sins were addressed, have caused enormous pain, anger, and confusion for victims, their families, and the entire Church. As bishops, we have acknowledged our mistakes and our roles in that suffering, and we apologize and take responsibility again for too often failing victims and the Catholic people in the past. From the depths of our hearts, we bishops express great sorrow and profound regret for what the Catholic people have endured.

We share Pope Francis' "conviction that everything possible must be done to rid the Church of the scourge of the sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused" (Letter of His Holiness Pope Francis to the Presidents of the Episcopal Conferences and Superiors of Institutes of Consecrated Life and Societies of Apostolic Life Concerning the Pontifical Commission for the Protection of Minors, February 2, 2015).

Again, with this 2018 revision of the *Charter for the Protection of Children and Young People*, we re-affirm our deep commitment to sustain and strengthen a safe environment within the Church for children and youth. We have listened to the profound pain and suffering of those victimized by sexual abuse and will continue to respond to their cries. We have agonized over the sinfulness, the criminality, and the breach of trust perpetrated by some members of the clergy. We have determined as best we can the extent of the problem of this abuse of minors by clergy in our country, as well as its causes and context. We will use what we have learned to strengthen the protection given to the children and young people in our care.

Perhaps in a way never before experienced, we feel the power of sin touch our entire Church family in this country; but as St. Paul boldly says, God made Christ “to be sin who did not know sin, so that we might become the righteousness of God in him” (2 Cor 5:21). May we who have known sin experience as well, through a spirit of reconciliation, God’s own righteousness. We know that after such profound hurt, healing and reconciliation are beyond human capacity alone. It is God’s grace and mercy that will lead us forward, trusting Christ’s promise: “for God all things are possible” (Mt 19:26).

In working toward fulfilling this responsibility, we rely, first of all, on Almighty God to sustain us in faith and in the discernment of the right course to take.

We receive fraternal guidance and support from the Holy See that sustains us in this time of trial. In solidarity with Pope Francis, we express heartfelt love and sorrow for the victims of abuse.

We rely on the Catholic faithful of the United States. Nationally and in each diocese/eparchy, the wisdom and expertise of clergy, religious, and laity contribute immensely to confronting the effects of the crisis and taking steps to resolve it. We are filled with gratitude for their great faith, for their generosity, and for the spiritual and moral support that we receive from them.

We acknowledge and re-affirm the faithful service of the vast majority of our priests and deacons and the love that people have for them. They deservedly have our esteem and that of the Catholic people for their good work. It is regrettable that their committed ministerial witness has been overshadowed by this crisis.

In a special way, we acknowledge and thank victims of clergy sexual abuse and their families who have trusted us enough to share their stories and to help us understand more fully the consequences of this reprehensible violation of sacred trust. With Pope Francis, we praise the courage of those who speak out about their abuse; their actions are “a service of love, since for us it sheds light on a terrible darkness in the life of the Church.” We pray that “the remnants of the darkness which touch them may be healed” (Address to Victims of Sexual Abuse, July 7, 2014).

Let there now be no doubt or confusion on anyone's part: For us, your bishops, our obligation to protect children and young people and to prevent sexual abuse flows from the mission and example given to us by Jesus Christ himself, in whose name we serve.

As we work to restore trust, we are reminded how Jesus showed constant care for the vulnerable. He inaugurated his ministry with these words of the Prophet Isaiah:

The Spirit of the Lord is upon me,
because he has anointed me
to bring glad tidings to the poor.
He has sent me to proclaim liberty to captives
and recovery of sight to the blind,
to let the oppressed go free,
and to proclaim a year acceptable to the Lord. (Lk 4:18-19)

In Matthew 25, the Lord, in his commission to his apostles and disciples, told them that whenever they show mercy and compassion to the least ones, they show it to him.

Jesus extended this care in a tender and urgent way to children, rebuking his disciples for keeping them away from him: "Let the children come to me" (Mt 19:14). And he uttered a grave warning that for anyone who would lead the little ones astray, it would be better for such a person "to have a great millstone hung around his neck and to be drowned in the depths of the sea" (Mt 18:6).

We hear these words of the Lord as prophetic for this moment. With a firm determination to restore the bonds of trust, we bishops recommit ourselves to a continual pastoral outreach to repair the breach with those who have suffered sexual abuse and with all the people of the Church.

In this spirit, over the last sixteen years, the principles and procedures of the *Charter* have been integrated into church life.

- The Secretariat of Child and Youth Protection provides the focus for a consistent, ongoing, and comprehensive approach to creating a safe environment for young people throughout the Church in the United States.
- The Secretariat also provides the means for us to be accountable for achieving the goals of the *Charter*, as demonstrated by its annual reports on the implementation of the *Charter* based on independent compliance audits.
- The National Review Board is carrying on its responsibility to assist in the assessment of diocesan/eparchial compliance with the *Charter for the Protection of Children and Young People*.
- The descriptive study of the nature and scope of sexual abuse of minors by Catholic clergy in the United States, commissioned by the National Review Board, was completed in February 2004. The resulting study, examining the historical period 1950-2002, by the John Jay College of Criminal Justice provides us with a powerful tool not only to examine our past but also to secure our future against such misconduct.
- The U.S. bishops charged the National Review Board to oversee the completion of the *Causes and Context* study. The Study, which calls for ongoing education, situational prevention, and oversight and accountability, was completed in 2011.
- Victims' assistance coordinators are in place throughout our nation to assist dioceses and eparchies in responding to the pastoral needs of the abused.
- Diocesan/eparchial bishops in every diocese/eparchy are advised and greatly assisted by diocesan and eparchial review boards as the bishops make the decisions needed to fulfill the *Charter*.

- Safe environment programs are in place to assist parents and children—and those who work with children—in preventing harm to young people. These programs continually seek to incorporate the most useful developments in the field of child protection.

Through these steps and many others, we remain committed to the safety of our children and young people.

While the number of reported cases of sexual abuse has decreased over the last sixteen years, the harmful effects of this abuse continue to be experienced both by victims and dioceses/eparchies.

Thus it is with a vivid sense of the effort which is still needed to confront the effects of this crisis fully and with the wisdom gained by the experience of the last sixteen years that we have reviewed and revised the *Charter for the Protection of Children and Young People*. We now re-affirm that we will assist in the healing of those who have been injured, will do all in our power to protect children and young people, and will work with our clergy, religious, and laity to restore trust and harmony in our faith communities, as we pray for the Kingdom of God to come, here on earth, as it is in heaven.

To make effective our goals of a safe environment within the Church for children and young people and of preventing sexual abuse of minors by clergy in the future, we, the members of the United States Conference of Catholic Bishops, have outlined in this *Charter* a series of practical and pastoral steps, and we commit ourselves to taking them in our dioceses and eparchies.

To Promote Healing and Reconciliation with Victims/Survivors of Sexual Abuse of Minors

ARTICLE 1. Dioceses/eparchies are to reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims is for healing and reconciliation. Each

diocese/eparchy is to continue its outreach to every person who has been the victim of sexual abuse as a minor by anyone in church service, whether the abuse was recent or occurred many years in the past. This outreach may include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and the diocese/eparchy.

Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his representative is to offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the “profound sense of solidarity and concern” expressed by St. John Paul II, in his Address to the Cardinals of the United States and Conference Officers (April 23, 2002). Pope Benedict XVI, too, in his address to the U.S. bishops in 2008 said of the clergy sexual abuse crisis, “It is your God-given responsibility as pastors to bind up the wounds caused by every breach of trust, to foster healing, to promote reconciliation and to reach out with loving concern to those so seriously wronged.”

We bishops and eparchs commit ourselves to work as one with our brother priests and deacons to foster reconciliation among all people in our dioceses/eparchies. We especially commit ourselves to work with those individuals who were themselves abused and the communities that have suffered because of the sexual abuse of minors that occurred in their midst.

ARTICLE 2. Dioceses/eparchies are to have policies and procedures in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel. The procedures for those making a complaint are to be readily available in printed form and other media in the principal languages in which the liturgy is celebrated in the diocese/eparchy and be the subject of public announcements at least annually.

Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch. The majority of its members are to be lay persons not in the employ of the diocese/eparchy (see Norm 5 in *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2006). This board is to advise

the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial policies and procedures for dealing with sexual abuse of minors. Also, the board can review these matters both retrospectively and prospectively and give advice on all aspects of responses in connection with these cases.

ARTICLE 3. Dioceses/eparchies are not to enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement.

To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors

ARTICLE 4. Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities with due regard for the seal of the Sacrament of Penance. Diocesan/eparchial personnel are to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question.

Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the person is no longer a minor.

In every instance, dioceses/eparchies are to advise victims of their right to make a report to public authorities and support this right.

ARTICLE 5. We affirm the words of St. John Paul II, in his Address to the Cardinals of the United States and Conference Officers: "There is no place in the priesthood or religious life for those who would harm the young." Pope Francis has consistently reiterated this with victims of clergy sexual abuse.

Sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1). Because of the seriousness of this matter, jurisdiction has been reserved to the Congregation for the Doctrine of the Faith (*Motu proprio Sacramentorum sanctitatis tutela*, AAS 93, 2001). Sexual abuse of a minor is also a crime in all civil jurisdictions in the United States.

Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor—whenever it occurred—which is admitted or established after an appropriate process in accord with canon law, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state. In keeping with the stated purpose of this *Charter*, an offending priest or deacon is to be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being.

The diocesan/eparchial bishop is to exercise his power of governance, within the parameters of the universal law of the Church, to ensure that any priest or deacon subject to his governance who has committed even one act of sexual abuse of a minor as described below (see notes) shall not continue in ministry.

A priest or deacon who is accused of sexual abuse of a minor is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his reputation. He is to be encouraged to retain the assistance of civil and canonical counsel. If the allegation is deemed not substantiated, every step possible is to be taken to restore his good name, should it have been harmed.

In fulfilling this article, dioceses/eparchies are to follow the requirements of the universal law of the Church and of the *Essential Norms* approved for the United States.

ARTICLE 6. There are to be clear and well publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and volunteers of the Church with regard to their contact with minors.

ARTICLE 7. Dioceses/eparchies are to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by sexual abuse of a minor.

To Ensure the Accountability of Our Procedures

ARTICLE 8. The Committee on the Protection of Children and Young People is a standing committee of the United States Conference of Catholic Bishops. Its membership is to include representation from all the episcopal regions of the country, with new appointments staggered to maintain continuity in the effort to protect children and youth.

The Committee is to advise the USCCB on all matters related to child and youth protection and is to oversee the development of the plans, programs, and budget of the Secretariat of Child and Youth Protection. It is to provide the USCCB with comprehensive planning and recommendations concerning child and youth protection by coordinating the efforts of the Secretariat and the National Review Board.

ARTICLE 9. The Secretariat of Child and Youth Protection, established by the Conference of Catholic Bishops, is to staff the Committee on the Protection of Children and Young People and be a resource for dioceses/eparchies for the implementation of “safe environment” programs and for suggested training and development of diocesan personnel responsible for child and youth protection programs, taking into account the financial and other resources, as well as the population, area, and demographics of the diocese/eparchy.

The Secretariat is to produce an annual public report on the progress made in implementing and maintaining the standards in this *Charter*. The report is to be based on an annual audit process whose method, scope, and cost are to be approved by the Administrative Committee on the recommendation of the Committee on the Protection of Children and Young People. This public report is to include the names of those dioceses/eparchies which the audit shows are not in compliance with the provisions and expectations of the *Charter*. The audit method refers to the

process and techniques used to determine compliance with the *Charter*. The audit scope relates to the focus, parameters, and time period for the matters to be examined during an individual audit.

As a member of the Conference staff, the Executive Director of the Secretariat is appointed by and reports to the General Secretary. The Executive Director is to provide the Committee on the Protection of Children and Young People and the National Review Board with regular reports of the Secretariat's activities.

ARTICLE 10. The whole Church, at both the diocesan/eparchial and national levels, must be engaged in maintaining safe environments in the Church for children and young people.

The Committee on the Protection of Children and Young People is to be assisted by the National Review Board, a consultative body established in 2002 by the USCCB. The Board will review the annual report of the Secretariat of Child and Youth Protection on the implementation of this *Charter* in each diocese/eparchy and any recommendations that emerge from it, and offer its own assessment regarding its approval and publication to the Conference President.

The Board will also advise the Conference President on future members. The Board members are appointed by the Conference President in consultation with the Administrative Committee and are accountable to him and to the USCCB Executive Committee. Before a candidate is contacted, the Conference President is to seek and obtain, in writing, the endorsement of the candidate's diocesan bishop. The Board is to operate in accord with the statutes and bylaws of the USCCB and within procedural guidelines developed by the Board in consultation with the Committee on the Protection of Children and Young People and approved by the USCCB Administrative Committee. These guidelines set forth such matters as the Board's purpose and responsibility, officers, terms of office, and frequency of reports to the Conference President on its activities.

The Board will offer its advice as it collaborates with the Committee on the Protection of Children and Young People on matters of child and youth protection, specifically on policies and best practices. For example, the Board will continue to monitor the recommendations derived

from the *Causes and Context* study. The Board and Committee on the Protection of Children and Young People will meet jointly every year.

The Board will review the work of the Secretariat of Child and Youth Protection and make recommendations to the Executive Director. It will assist the Executive Director in the development of resources for dioceses.

ARTICLE 11. The President of the Conference is to inform the Holy See of this revised *Charter* to indicate the manner in which we, the Catholic bishops, together with the entire Church in the United States, intend to continue our commitment to the protection of children and young people. The President is also to share with the Holy See the annual reports on the implementation of the *Charter*.

To Protect the Faithful in the Future

ARTICLE 12. Dioceses/eparchies are to maintain “safe environment” programs which the diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for minors, parents, ministers, employees, volunteers, and others about ways to sustain and foster a safe environment for minors. Dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct for clergy and other persons with regard to their contact with minors.

ARTICLE 13. The diocesan/eparchial bishop is to evaluate the background of all incardinated priests and deacons. When a priest or deacon, not incardinated in the diocese/eparchy, is to engage in ministry in the diocese/eparchy, regardless of the length of time, the evaluation of his background may be satisfied through a written attestation of suitability for ministry supplied by his proper ordinary/major superior to the diocese/eparchy. Dioceses/eparchies are to evaluate the background of all their respective diocesan/eparchial and parish/school or other paid personnel

and volunteers whose duties include contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. Each diocese/eparchy is to determine the application/renewal of background checks according to local practice. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (see USCCB, *Program of Priestly Formation* [Fifth Edition], 2006, no. 39 and the *National Directory for the Formation, Ministry and Life of Permanent Deacons in the United States*, n.178 j).²

ARTICLE 14. Transfers of all priests and deacons who have committed an act of sexual abuse against a minor for residence, including retirement, shall be in accord with Norm 12 of the Essential Norms (see *Proposed Guidelines on the Transfer or Assignment of Clergy and Religious*, adopted by the USCCB, the Conference of Major Superiors of Men [CMSM], the Leadership Conference of Women Religious [LCWR], and the Council of Major Superiors of Women Religious [CMSWR] in 1993).

ARTICLE 15. To ensure continuing collaboration and mutuality of effort in the protection of children and young people on the part of the bishops and religious ordinaries, two representatives of the Conference of Major Superiors of Men are to serve as consultants to the Committee on the Protection of Children and Young People. At the invitation of the Major Superiors, the Committee will designate two of its members to consult with its counterpart at CMSM. Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates are to meet periodically to coordinate their roles concerning the issue of allegations made against a cleric member of a religious institute ministering in a diocese/eparchy.

ARTICLE 16. Given the extent of the problem of the sexual abuse of minors in our society, we are willing to cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in this area.

ARTICLE 17. We commit ourselves to work individually in our dioceses/eparchies and together as a Conference, through the appropriate committees, to strengthen our programs both for initial priestly and diaconal formation and their ongoing formation. With renewed urgency, we will

promote programs of human formation for chastity and celibacy for both seminarians and priests based upon the criteria found in *Pastores dabo vobis*, no. 50, the *Program of Priestly Formation*, and the *Basic Plan for the Ongoing Formation of Priests*, as well as similar, appropriate programs for deacons based upon the criteria found in the *National Directory for the Formation, Ministry and Life of Permanent Deacons in the United States*. We will continue to assist priests, deacons, and seminarians in living out their vocation in faithful and integral ways.

Conclusion

As we wrote in 2002, “It is within this context of the essential soundness of the priesthood and of the deep faith of our brothers and sisters in the Church that we know that we can meet and resolve this crisis for now and the future.”

We reaffirm that the vast majority of priests and deacons serve their people faithfully and that they have their esteem and affection. They also have our respect and support and our commitment to their good names and well-being.

An essential means of dealing with the crisis is prayer for healing and reconciliation, and acts of reparation for the grave offense to God and the deep wound inflicted upon his holy people. Closely connected to prayer and acts of reparation is the call to holiness of life and the care of the diocesan/eparchial bishop to ensure that he and his priests and deacons avail themselves of the proven ways of avoiding sin and growing in holiness of life.

It is with reliance on the grace of God and in a spirit of prayer and penance that we renew the pledges which we made in the 2002 *Charter*:

We pledge most solemnly to one another and to you, God’s people, that we will work to our utmost for the protection of children and youth.

We pledge that we will devote to this goal the resources and personnel necessary to accomplish it.

We pledge that we will do our best to ordain to the diaconate and priesthood and put into positions of trust only those who share this commitment to protecting children and youth.

We pledge that we will work toward healing and reconciliation for those sexually abused by clerics.

Much has been done to honor these pledges. We devoutly pray that God who has begun this good work in us will bring it to fulfillment.

This *Charter* is published for the dioceses/eparchies of the United States. It is to be reviewed again after seven years by the Committee on the Protection of Children and Young People with the advice of the National Review Board. The results of this review are to be presented to the full Conference of Bishops for confirmation. Authoritative interpretations of its provisions are reserved to the Conference of Bishops.

NOTES

- 1 For purposes of this *Charter*, the offense of sexual abuse of a minor will be understood in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which reads:

§1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.

2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for “mak[ing] allowance for the legislation of the country where the Conference is located,” Section III(g), we will apply the federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen, for assessing a cleric’s suitability for ministry and for complying with civil reporting statutes.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

- 2 In 2009, after consultation with members of the USCCB Committee on the Protection of Children and Young People and the Conference of Major Superiors of Men and approval from the USCCB Committee on Canonical Affairs and Church Governance, additional Model Letters of Suitability, now available on the USCCB website, were agreed upon and published for use by bishops and major superiors in situations which involve both temporary and extended ministry for clerics.

Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons

Office of the President

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Most Reverend William S. Skylstad, D.D.
Bishop of Spokane

May 5, 2006

THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

DECREE OF PROMULGATION

On November 13, 2002, the members of the United States Conference of Catholic Bishops approved as particular law the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Following the grant of the required *recognitio* by the Congregation for Bishops on December 8, 2002, the *Essential Norms* were promulgated by the President of the same Conference on December 12, 2002.

Thereafter, on June 17, 2005, the members of the United States Conference of Catholic Bishops approved a revised text of the *Essential Norms*. By a decree dated January 1, 2006, and signed by His Eminence, Giovanni Battista Cardinal Re, Prefect of the Congregation for Bishops, and His Excellency, the Most Reverend Francesco Monterisi, Secretary of the same Congregation, the

recognitio originally granted to the *Essential Norms* of 2002 was extended to the revised version *donec aliter provideatur*.

As President of the United States Conference of Catholic Bishops, I therefore decree the promulgation of the *Essential Norms* of June 17, 2005. These *Norms* shall obtain force on May 15, 2006, and so shall from that day bind as particular law all Dioceses and Eparchies of the United States Conference of Catholic Bishops.

Most Reverend William S. Skylstad
Bishop of Spokane
President, USCCB

Reverend Monsignor David J. Malloy
General Secretary

Preamble

On June 14, 2002, the United States Conference of Catholic Bishops approved a Charter for the Protection of Children and Young People. The charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). The bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

In addition, the bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest environment for minors. In the same way, the bishops have pledged to evaluate the background of seminary applicants as well as all church personnel who have responsibility for the care and supervision of children and young people.

Therefore, to ensure that each diocese/eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons.¹ These norms are complementary to the universal law of the Church and are to be interpreted in accordance with that law. The Church has traditionally considered the sexual abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.

For purposes of these Norms, sexual abuse shall include any offense by a cleric against the Sixth Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO, canon 1453 §1 (*Sacramentorum sanctitatis tutela*, article 6 §1).²

Norms

1. These Essential Norms have been granted *recognitio* by the Holy See. Having been legitimately promulgated in accordance with the practice of the United States Conference of Catholic Bishops on May 5, 2006, they constitute particular law for all the dioceses/eparchies of the United States of America.³

2. Each diocese/eparchy will have a written policy on the sexual abuse of minors by priests and deacons, as well as by other church personnel. This policy is to comply fully with, and is to specify in more detail, the steps to be taken in implementing the requirements of canon law, particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470. A copy of this policy will be filed with the United States Conference of Catholic Bishops within three months of the effective date of these norms. Copies of any eventual revisions of the written diocesan/eparchial policy are also to be filed with the United States Conference of Catholic Bishops within three months of such modifications.

3. Each diocese/eparchy will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.

4. To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board which will function as a confidential consultative body to the bishop/eparch in discharging his responsibilities. The functions of this board may include

- a. advising the diocesan bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry;
 - b. reviewing diocesan/eparchial policies for dealing with sexual abuse of minors;
- and

- c. offering advice on all aspects of these cases, whether retrospectively or prospectively.

5. The review board, established by the diocesan/eparchial bishop, will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons who are not in the employ of the diocese/eparchy; but at least one member should be a priest who is an experienced and respected pastor of the diocese/eparchy in question, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed. It is desirable that the Promoter of Justice participate in the meetings of the review board.

6. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468). During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified. The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473—i.e., withdraw the accused from exercising the sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.⁴

7. The alleged offender may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese/eparchy and to the accused.

8. When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed

permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (SST, Art. 6; CIC, c. 1395 §2; CCEO, c. 1453 §1).⁵

- a. In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the diocesan bishop/eparch to proceed (Article 13, “Procedural Norms” for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch may apply to the Congregation for the Doctrine of the Faith for a derogation from the prescription, while indicating relevant grave reasons. For the sake of canonical due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process.
- b. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

9. At all times, the diocesan bishop/eparch has the executive power of governance, within the parameters of the universal law of the Church, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry.⁶ Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all civil jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the

diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry.⁷

10. The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the bishop/eparch may request of the Holy Father the dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the priest or deacon.

11. The diocese/eparchy will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. In every instance, the diocese/eparchy will advise and support a person's right to make a report to public authorities.⁸

12. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese/eparchy. Every bishop/eparch who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

Before such a diocesan/eparchial priest or deacon can be transferred for residence to another diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the bishop of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.

In the case of the assignment for residence of such a clerical member of an institute or a society into a local community within a diocese/eparchy, the major superior shall inform the diocesan/eparchial bishop and share with him in a manner respecting the limitations of confidentiality found in canon and civil law all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people so that the bishop/eparch can make an informed judgment that suitable

safeguards are in place for the protection of children and young people. This will be done with due recognition of the legitimate authority of the bishop/eparch; of the provisions of CIC, canon 678 (CCEO, canons 415 §1 and 554 §2), and of CIC, canon 679; and of the autonomy of the religious life (CIC, c. 586).

13. Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. When an accusation has been shown to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

NOTES

- 1 These Norms constitute particular law for the dioceses, eparchies, clerical religious institutes, and societies of apostolic life of the United States with respect to all priests and deacons in the ecclesiastical ministry of the Church in the United States. When a major superior of a clerical religious institute or society of apostolic life applies and interprets them for the internal life and governance of the institute or society, he has the obligation to do so according to the universal law of the Church and the proper law of the institute or society.
- 2 If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts*, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.
- 3 Due regard must be given to the proper legislative authority of each Eastern Catholic Church.
- 4 Article 19 *Sacramentorum sanctitatis tutela* states, “With due regard for the right of the Ordinary to impose from the outset of the preliminary investigation those measures which are established in can. 1722 of the Code of Canon Law, or in can. 1473 of the Code of Canons of the Eastern Churches, the respective presiding judge may, at the request of the Promoter of Justice, exercise the same power under the same conditions determined in the canons themselves.”

- 5 Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or as suffering from a related sexual disorder that requires professional treatment. With regard to the use of the phrase “ecclesiastical ministry,” by clerical members of institutes of consecrated life and societies of apostolic life, the provisions of canons 678 and 738 also apply, with due regard for canons 586 and 732.
- 6 Cf. CIC, cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348, and 1740-1747. Cf. also CCEO, cc. 1510 §1 and 2, 1^o-2^o, 1511, 1512 §§1-2, 1513 §§2-3 and 5, 1514-1516, 1517 §1, 1518, 1519 §2, 1520 §§1-3, 1521, 1522 §1, 1523-1526, 940, 946, 967-971, 974-977, 374, 178, 192 §§1-3, 193 §2, 191, and 1389-1396.
- 7 The diocesan bishop/eparch may exercise his executive power of governance to take one or more of the following administrative actions (CIC, cc. 381, 129ff.; CCEO, cc. 178, 979ff.):
- a. He may request that the accused freely resign from any currently held ecclesiastical office (CIC, cc. 187-189; CCEO, cc. 967-971).
 - b. Should the accused decline to resign and should the diocesan bishop/eparch judge the accused to be truly not suitable (CIC, c. 149 §1; CCEO, c. 940) at this time for holding an office previously freely conferred (CIC, c. 157), then he may remove that person from office observing the required canonical procedures (CIC, cc. 192-195, 1740-1747; CCEO, cc. 974-977, 1389-1396).
 - c. For a cleric who holds no office in the diocese/eparchy, any previously delegated faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1; CCEO, cc. 191 §1 and 992 §1), while any *de iure* faculties may be removed or restricted by the competent authority as provided in law (e.g., CIC, c. 764; CCEO, c. 610 §§2-3).
 - d. The diocesan bishop/eparch may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present (CIC, c. 906). The bishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments, for the good of the Church and for his own good.
 - e. Depending on the gravity of the case, the diocesan bishop/eparch may also dispense (CIC, cc. 85-88; CCEO, cc. 1536 §1–1538) the cleric from the obligation

of wearing clerical attire (CIC, c. 284; CCEO, c. 387) and may urge that he not do so, for the good of the Church and for his own good.

These administrative actions shall be taken in writing and by means of decrees (CIC, cc. 47-58; CCEO, cc. 1510 §2, 1^o-2^o, 1511, 1513 §§2-3 and 5, 1514, 1517 §1, 1518, 1519 §2, 1520) so that the cleric affected is afforded the opportunity of recourse against them in accord with canon law (CIC, cc. 1734ff.; CCEO, cc. 999ff.).

- 8 The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of the delict of sexual abuse of minors.

A Statement of Episcopal Commitment

We bishops pledge again to respond to the demands of the *Charter* in a way that manifests our accountability to God, to God's people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Without at all diminishing the importance of broader accountability, this statement focuses on the accountability which flows from our episcopal communion and fraternal solidarity, a moral responsibility we have with and for each other.

While bishops are ordained primarily for their diocese or eparchy, we are called as well to protect the unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c. 201). Participating in the college of bishops, each bishop is responsible to act in a manner that reflects both effective and affective collegiality.

Respecting the legitimate rights of bishops who are directly accountable to the Holy See, in a spirit of collegiality and fraternity we renew our commitment to the following:

1. Within each of our provinces, we will assist each other to interpret correctly and implement the *Charter for the Protection of Children and Young People*, always respecting Church law and striving to reflect the Gospel.
2. We will apply the requirements of the *Charter* also to ourselves, respecting always Church law as it applies to bishops. Therefore, if a bishop is accused of the sexual abuse of a minor, the accused bishop is obliged to inform the Apostolic Nuncio. If another bishop becomes aware of the sexual abuse of a minor by another bishop or of an allegation of the sexual abuse of a minor by a bishop, he too is obliged to inform the Apostolic Nuncio and comply with applicable civil laws.

3. In cases of financial demands for settlements involving allegations of any sexual misconduct by a bishop, he, or any of us who become aware of it, is obliged to inform the Apostolic Nuncio.

4. Within each of our provinces, as an expression of collegiality, including fraternal support, fraternal challenge and fraternal correction, we will engage in ongoing mutual reflection upon our commitment to holiness of life and upon the exercise of our episcopal ministry.

In making this statement, we firmly uphold the dignity of every human being and renew our commitment to live and promote the chastity required of all followers of Christ and especially of deacons, priests and bishops.

This Statement of Episcopal Commitment will be reviewed by the Committee on Clergy, Consecrated Life and Vocations upon the next review of the *Charter*.

IRB CONFIDENTIAL KEY, AS OF 3/12/2021

Redacted

then-Fr. I Greg Ingels, lawized 4-5-2013

Redacted

Fr. P Fr. Pritchard

Redacted

Redacted

Fr. JP Fr. Joseph Pritchard

Redacted

Fr. DC Fr. Dan Carter

Redacted

ARCHDIOCESE OF SAN FRANCISCO

OFFICE OF THE VICAR FOR CLERGY

ONE PETER YORKE WAY, SAN FRANCISCO, CA 94109-6601 (415) 614-5611

Corrected:

Revised 4/20/2018

- G. Ford

CONFIDENTIAL

MINUTES:

INDEPENDENT REVIEW BOARD

ARCHDIOCESE OF SAN FRANCISCO

9:30 AM, Friday, January 19, 2018, 4th floor conference room, Chancery

Members: Dr. Renee Duffey, Psy.D., Marriage and Family Therapist
Dr. Esther Dunn, DO, Emergency Medicine
Chair: Mr. Dan L. Lawson, EdD, retired Captain, San Francisco Police
Mr. John McCord, survivor
Sr. Mary Gemma O'Keeffe, RSM, attorney, estate planning law
Reverend Monsignor John J. Talesfore, pastor, Saint Matthew Parish, San Mateo

Chancery: Most Reverend Salvatore Cordileone, Archbishop of San Francisco
Larry Jannuzzi, Esq., legal counsel, Archdiocese of San Francisco
Reverend Raymond M. Reyes, Vicar for Clergy
Rocio Rodriguez, Victim's Assistance Coordinator
Annabelle Grob, Staff

Excused: Reverend Monsignor C. Michael Padazinski, JCD, Chancellor

- I. Dan Lawson invited Fr. Ray to begin the meeting with **A PRAYER**. Fr. Reyes focused on the many priests who have been ill, mentioning in particular Fr. Juan Manuel Lopez.

Archbishop Cordileone introduced Monsignor Talesfore as the newest member of the IRB, succeeding Fr. John Ryan who had finished his second term in October. The Archbishop is now considering another member to succeed Judge Claude Perasso.
- II. **THE AGENDA** was approved as submitted with the following addition:

Archbishop Cordileone has an item he will bring up under New Business;
- III. **THE MINUTES** of the meeting of October 6, 2017 were approved with the following corrections:
 - A. page 3, paragraph 5: John McCord had mentioned a Franciscan Friar. That Friar was not his abuser, but a teacher. His abuser died many years ago.
 - B. page 4, paragraph 5: John McCord was identified mistakenly as John McCain.

IV. **ACTION ITEMS** from the October 6 meeting

- A. Pilot program on Pornography for Archdiocesan schools;
and a Program on Pornography for priests at the next Clergy Study Days

Fr. Reyes informed the Board that Mr. Ed Hopfner, Director of Marriage and Family Life, has also been discussing the importance of this issue with him. Father noted that Pam Lyons will continue to review options for a program to be tested at some Archdiocesan schools during the next school year. A possible speaker made a presentation recently at a seminar she attended with school principals, and their response to the content and delivery was positive.

Fr. Reyes continues to meet with Fr. Bill McCain regularly. Fr. McCain is Director of Ongoing Formation for Clergy. In addition to their one-on-one meetings, Fr. Reyes is also a member of the Ongoing Formation Board, chaired by Fr. McCain. That Board has now made its recommendation to the Archbishop for a specific program on pornography developed by Saint John Vianney Center (SJVC) to be presented to priests at their next Clergy Study Days week October 16 to 19, 2018. Archbishop Cordileone has approved this resource. Fr. McCain and Fr. Reyes have spoken with Director of Education Mariette Danilo [PhD, MPhil, MA], SJVC President Emeritus Fr. James Flavin [M.Div, M.A., LMHC, V.E.] and President David Shellenberger [RN, BSN] on the workshop, which will take place at Saint Stephen Parish in San Francisco.

On January 17, 2018 Archbishop Cordileone sent a memo noting that after consultation with the Presbyteral Council, he was informing priests that Clergy Study Days, along with the Convocation and an annual Retreat, are mandatory [for those in active ministry, and those retired who health and schedule would allow].

- B. Confidential Monthly Form for Chartered Clergy

As requested, more space has been added to the section of the monthly form requesting a health update. Several of the Chartered priests have expressed an appreciation for the more pastoral tone of the form. Almost all receive this via email, though it is sent by regular mail to Fr. A and to Fr. S who do not have online access.

A total of eight priests are out of ministry under the Charter, following the recent death of Fr. L on October 14. He had suffered for much of his life with juvenile diabetes, and had struggled with the side effects of treatment for cancer of the throat for the past 30 years. Fr. L was found dead in his apartment by two other Chartered priests who had been keeping a close eye on him as his health slowly declined. The 8 remaining priests:

Fr. A
Fr. B
Fr. M
Fr. N (*living in the Philippines*)
Fr. R
Fr. S
Fr. W
and Fr. T (*who did not sign an MOU*)

It is no longer as burdensome to complete the monthly form. In part, this may be because questions are included that show more interest in their health and living situation. Fr. N is now elderly, and does not complete the monthly form. His brother in Florida has power of attorney for health and finances and is managing his affairs, along with their sister, Sr. Grace, who lives nearby.

Recently Fr. Reyes met with Fr. B, who has moved from Petaluma in the Diocese of Santa Rosa to South San Francisco, where he now lives on a boat. Fr. B expressed a willingness to meet Archbishop Cordileone and Fr. Reyes in the future. Fr. B is replacing his doctors in the North Bay with physicians who are closer to his new residence. He is currently cancer-free, and his diabetes is under control. **ACTION ITEM** Fr. Reyes will provide an update on his arrangements to meet with Fr. B, along with Fr. B's AA and SA sponsor in Petaluma.

A discussion had taken place at the October meeting about the limitations that Charter priests have in their day-to-day lives. IRB members had wondered whether the priests could be asked, "What gives your lives meaning." Dan Lawson asked Fr. Reyes whether the men had been asked this since the last IRB meeting. Fr. Reyes stated that though he has not put this question to the men specifically, he has been learning more about each priest as he has continued to develop one-to-one relationships. **ACTION ITEM** Fr. Reyes will take time to ask this.

Fr. Reyes asked Board members if they had re-familiarized themselves with the revised Charter for the Protection of Children & Young People, approved by the USCCB in 2011 after it was developed from the 2005 Charter by the USCCB Ad Hoc Committee for Sexual Abuse. He read paragraph six of the Preamble:

"We feel a particular responsibility for 'the ministry of reconciliation' (2 Cor 5:18) which God, who reconciled us to himself through Christ, has given us. The love of Christ impels us to ask forgiveness of our own faults but also to appeal to all – to those who have been victimized, to those who have offended, and to all who have been victimized, to those who have offended, and to all who have felt the wound of this scandal – to be reconciled to God and one another."

Fr. Reyes expressed his concern that there are far fewer opportunities for reconciliation for those men who were the alleged offenders. Many protections have been initiated for victims, and much has been done to assure that offenders are held accountable. But priests are not finding ways to reconcile within the presbyterate, within the wider Church, or with those victimized. Article 14 mentions the transfer of clergy who have committed an act, but there is little mention on how they are aided in reconciling with God and those surrounding them: He read:

ARTICLE 14. Transfers of clergy who have committed an act of sexual abuse against a minor for residence, including retirement, shall be in accord with Norm 12 of the Essential Norms (Cf. Proposed Guidelines on the Transfer or Assignment of Clergy and Religious, adopted by the USCCB, the Conference of Major Superiors of Men (CMSM), the Leadership Conference of Women Religious (LCWR), and the Council of Major Superiors of Women Religious (CMSWR) in 1993.)

Now that the Charter is in its 13th year, Fr. Reyes wondered how more effort could be given to helping these men, without losing any ground in our responsibilities to victims. He noted that he was not talking about restoring faculties, but specifically about reconciliation.

Dan Lawson expressed his interest in this, noting the theme of restorative justice. The victims have been coming forward and we have been listening. They are offered treatment. The alleged perpetrators have been taken out of ministry while investigations are underway. Their removal is made permanent if warranted. Children and adult volunteers and employees are being trained. Everyone in the process needs our close attention, and management of the process should be reviewed from time to time to ensure that justice is being served. He asked how other members of the Board felt.

Archbishop Cordileone stated that efforts in the past to bring victim and perpetrator together have been marred by lawsuits. Victims have asked to bring in their attorneys, which has been

counterproductive to reconciliation.

John McCord mentioned the letter he composed, which was published in a Franciscan newsletter. He received four very positive responses – and one “not so much.” As a result of his own journey, he expressed a strong feeling that, personally, reconciliation with perpetrators is the right step forward for victims. He mentioned again the Friar in the East Bay. He’d like this Friar to have the opportunity to come to the Archdiocese to volunteer at Saint Anthony Dining Room one or two days each month. John would be present to ensure that no one was harmed. It would require an honest discussion with Saint Anthony Dining Room, with DeMarillac Academy administration, and the IRB for its approval. This Friar did not cause John any difficulty, but he hurt others. The Friar was never criminally charged. His allegation took place beyond the statute of limitations.

A discussion followed regarding the possibility that this would open the Board, and the Archdiocese, to scandal. John McCord wondered about bringing the Friar to Saint Anthony Dining Room only when school at DeMarillac was not in session.

Esther Dunn asked Fr. Reyes what it was that Charter priests most needed. She asked if they wanted to be given the opportunity to serve again. Or whether they wanted to reconcile with their victims. She wondered if they most needed to be reconciled with God. Or with the local Church. Or with Rome. She mentioned the importance of our response to the Charter for everyone’s sake – on all sides of the problem. She saw the benefit of reviewing the Charter in view of the need for implementation of steps to reconcile priests with victims. She wondered about possible backlash from this type of action. It was noted that many forms of reconciliation could be managed privately: reconciliation with individual victims; reconciliation with God.

Fr. Reyes spoke about the big shift in attitude he was experiencing. He noted that priests have had the primary role of administering sacraments and celebrating Eucharist within a parish community. For our Charter priests, after years of celebrating Masses privately by themselves, some of them have simply stopped. It has not made sense to them anymore. Attending Mass in the pews has made them depressed. It is not who they are. Fr. Reyes has been listening to their discouragement, and he feels their emptiness. There is no collective effort on our part to help them, beyond the financial investment we make to underwrite their housing, and the contact we make when we are reminding them of boundaries restricting them. In 2010 many priests expressed support for their brother priests, suggesting that we pray for them, pray with them, talk with them, participate in the Liturgy of the Hours together, and ask them how we can help. We have not been engaging with them enough in this way, and they have been living in pain. It is our obligation to direct our actions toward reconciliation where it can be accomplished, for the sake of their souls and our own.

Archbishop Cordileone noted that the Charter priests do feel included in many presbyteral gatherings, and have been active participants at Study Days and Retreats.

Monsignor Talesfore noted that he feels that there is a tension in the presbyterate between prudence, and being available to Charter priests with generosity of spirit. There is not enough of an understanding of what can be done, and a fear of overstepping or causing new pain for victims. It was mentioned that Chartered priests can relax with other members of the presbyterate at private gatherings, including the recent Convocation at Asilomar. Funerals are another matter. A Charter priest is one of the most visible people in the church in such a circumstance, and this is magnified when the deceased is a close friend or classmate, or, excruciatingly, a member of the priest’s family.

Esther Dunn asked how Charter priests are received at priest gatherings, and was told by the Archbishop, Fr. Reyes and Monsignor Talesfore that they are “pretty well received.” But at a funeral Mass, they attend as lay people. They wear lay clothing in this public setting while their brother priests are wearing vestments. Board members agreed that USCCB Norms would need to be revised to change this reality, and that much tension would arise as media focus returned.

Renee Duffey noted that the Charter is “for the protection of children and young people.” It is not a holistic document. The primary focus has always been our response to the question, “What does the Church do to prevent abuse, and to take care of victims of abuse.” Our response to perpetrators would more likely be separate from the Charter as it is currently written – possibly in the form of a new document.

Monsignor Talesfore stated that apart from priests out of ministry under the Charter, a certain sense of isolation exists among other priests of the Archdiocese. So many parishes are manned by a single priest. There are far fewer opportunities to socialize with other members of the presbyterate on a daily or weekly basis than there once were. Archbishop Cordileone noted that he has been trying to gather priests together for fellowship and spiritual renewal at quarterly events. We need to nurture our presbyterate for the sake of all priests, not just those out of ministry under the Charter. All need reconciliation.

Sr. Gemma O’Keeffe stated that this made good sense to her. It was asked, “When are Chartered priests able to participate in sacramental ministry?” The Archbishop said that they are able to concelebrate when there are no lay people present. When Clergy Study Days is held at Vallombrosa, they have been able to participate if the Mass is held in the Chapel there – but not if Mass is celebrated across the street at Church of the Nativity. Fr. Reyes clarified that though Chartered priests have been involved and present at these gatherings, in reality it is not all of them. Just three, Fr. A, Fr. T and Fr. W, have been attending. Fr. L was also participating before his death. The others are not present because they live too far away, or their health has been in decline.

Archbishop Cordileone noted that the Church has been trying to regain credibility. One path forward has been to draw a strict line and never waver on public ministry for Charter priests. It was stated that very occasionally, a member of the presbyterate will quietly join a Charter priest in the pews at a funeral, sharing with humility the burden of humiliation. It was also mentioned that Charter priests have found it awkward when they have been asked at priest gatherings to introduce themselves and indicate where they minister.

Dan Lawson stated to John McCord that he recognizes that John is at a level of discernment that very few others have experienced. The media is hyper-vigilant, and allegations seem to be coming forward almost daily from various groups. Currently, allegations from gymnasts who have experienced abuse have reached epic proportions. The climate is intense.

Redacted

Fr. Reyes then spoke about the meal that he and John McCord shared with Fr. W. Their discussion was healthy and well-received by Fr. W. The Charter has been great for our children and good for victims. The meeting they had with Fr. W was another step toward healing for this perpetrator. The Archbishop noted that opportunities for public reconciliation of perpetrators will be hampered by the current climate. There is a sense among the broader public that that our parish communities are safe, and that priests in our parishes are moral men who have served the Church responsibility.

ACTION ITEM: John McCord said that he would share with members the article that he wrote that was published in the Franciscan newsletter. He wondered how long the Church would continue to ignore its Chartered priests. He wondered how long their sentences would have to be. He wondered if reconciliation was a concept, but never a reality any more. Fewer Catholics are attending Mass and our churches are empty. John noted that he had recently read that just 20% of Catholic women are

coming to Mass regularly on Sunday. He expressed his appreciation for the discussions that have taken place at the last two IRB meetings. He wondered if anyone would want to write an article about his or her experience since the Charter was implemented. It could be a Charter priest, another priest in the presbyterate, a parent, a victim.

Board members briefly discussed those priests out of ministry under the Charter who have never taken ownership of the abuse that allegedly occurred. Reconciliation would be improbable for them. It was also noted that some have been removed from ministry because of one instance of abuse; others for many instances. Those accused of one instance have been more likely to take ownership. Board members agreed that these were the Chartered priests to focus on for opportunities for reconciliation.

V. REVIEW OF CATEGORIES

ACTION ITEM: In Monsignor Padazinski's absence the Board examined the Review of Categories form. It was agreed that Fr. L would be moved to the "deceased" section of Category V. Another Fr. L, a deceased Salesian, had been moved to that category for one of his allegations (the one that was sustained). **ACTION ITEM:** Fr. L, SDB, will also need to be moved to "deceased" section of Category IV for the listing that was not sustained.

VI. UPDATE FROM ARCHBISHOP CORDILEONE

The Archbishop informed the Board that Fr. W has felt called to a monastic vocation for a long time. He had lived four months with the Carthusian monks in Calabria, Italy several years ago, and had thought of staying there. A new abbot entered the picture, and had not been in favor of the idea, however. More recently, Fr. W has been exploring the possibility of joining the Benedictine monks at Christ in the Desert Monastery in Abiquiu, New Mexico. The Community there is open to accepting him for six months. They are located "in the middle of nowhere" – a 13-mile drive off the highway on a dirt road in the Chama River Canyon. Archbishop Wester has been consulted and is open to this arrangement. The USCCB Secretariat of Child and Youth Protection has also been consulted and does not object. He would still be asked to complete his monthly form, and would use the form to provide a brief update on his presence at the monastery. He would remain an incardinated priest of the Archdiocese during the six-month period. It was noted that Fr. W is a gifted writer who would undoubtedly continue to produce manuscripts.

Board members were supportive of the six-month trial period for Fr. W at the monastery in New Mexico. The Archbishop noted that it will be treated as a pilot program to discern his monastic vocation within the community. If he had remained with the Carthusians in Italy, he would have kept his incardination with the Archdiocese of San Francisco. This is not the case with the Benedictines. If all goes well, he will be going through the novitiate there. He will be allowed to concelebrate Mass there. It is not clear that he would be able to be the principal celebrant. **ACTION ITEM:** Archbishop Cordileone has given Fr. W verbal permission following the receipt of his January 13, 2017 letter. If the process progresses, then a formal written document will be prepared. Fr. W will begin his six-months of discernment in June 2018.

A brief discussion followed regarding the distinction between priests who are out of ministry under the Charter who are incardinated in the Archdiocese of San Francisco, and priests who are out of ministry under the Charter and are members of religious orders. Monsignor Talesfore asked if the Archdiocese was responsible for both. **ACTION ITEM:** The phrase that appear below Categories I

and II, "Order primarily conducting" will be moved over to Categories IV and V and reworded as, "The Order is responsible for monitoring, and informing the bishop of the diocese in which he is domiciled." With those changes, the monitoring report was accepted unanimously. There was some confusion among Board members over the how religious orders are interacting with the Archdiocese following an allegation of sexual abuse of a minor.

VII. NEW BUSINESS

A. [REDACTED] [Victim]

Rocio Rodriguez

Rocio Rodriguez provided an update on [REDACTED] who had requested reimbursement from the Archdiocese of over \$67,000 in therapy expenses incurred in visits to three therapist between 1992 and 2006, based on an allegation of abuse by a now-deceased priest, a Fr. C, to whom she said she had written in 1982. Fr. C was at a San Jose parish before the two dioceses split. [REDACTED] had stated that she had written to the Archdiocese in 1992 and believed she had received a promise of reimbursement, though no correspondence has ever surfaced in Archdiocesan records corroborating this. Rocio has now been able to obtain documentation from [REDACTED] therapists supporting [REDACTED] claim that therapy had been provided to her. Her costs for therapy were \$45,945, or more than \$20,000 less than her claim. [REDACTED] stated that she had provided someone at the San Jose parish with receipts. The parish is not able to substantiate this claim, however. She has called several times to see if anything has changed, but no receipts have been found. Renee Duffey noted that the allegation was not only not sustained, it had never been investigated. The therapist wrote letters to Rocio stating that she had seen [REDACTED] over a certain time period, in support of [REDACTED] request for reimbursement. Esther Dunn noted that this would be insufficient: an insurance company would need more proof of the care given. A brief discussion followed regarding the records needed to substantiate [REDACTED] claim. Monsignor Talesfore asked if [REDACTED] was expressing frustration, and the Board learned from Rocio that she is not. She is simply checking in to find out about reimbursements she believes were agreed to, though she has not been in contact with either anyone at the parish or in contact with the Archdiocese for many years. She apparently has a copy of her correspondence.

ACTION ITEM: Rocio is making arrangements for therapy going forward, but there is no plan to reimburse her for past expenses.

Redacted

Redacted

Redacted

The meeting came to an end with a brief discussion introduced by Dan Lawson of the “heat” Pope Francis was taking in the press for his recent comments in defense of a bishop. The case was reviewed for Board members: while traveling in South America on a “pilgrimage of peace and unity,” Pope Francis had struck a controversial chord by defending [Redacted] who had been accused of covering up sexual abuse of a minor by a priest in Santiago. [Redacted] [Redacted] The pope had said to reporters that the accusations could be “slander” because there was no proof that the bishop had done anything wrong. Pope Francis had appointed [Redacted] in 2015, four years after the Vatican had found [Redacted] guilty of child sex abuse. Dan Lawson asked whether Archbishop Cordileone had received any calls from the local press following the pope’s remarks. The Archbishop said that the press was not as likely to reach out to the Chancery for comment as it had been in the past. Renee Duffey stated that she understood that the bishop’s ordination had been cut short. There was an accusation that then-[Redacted] had been present when the abuse had happened and that a judge had indicated that the story was reliable.

VIII. ADJOURNMENT

The meeting ended at approximately 11:45 a.m., and was followed by lunch. The next meeting will take place on Friday, April 20, 2018 at 9:30 a.m.

Respectfully submitted,
Annabelle Groh
Staff to the Board

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AWARD-WINNING CATHOLIC JOURNALISM**[MENU](#)[DONATE](#)[BECOME A MEMBER](#)[SUBSCRIBE](#)TRENDING: **Crisis in the Church**

Expanded background checks among changes to child protection charter

Jun 14, 2018

by [Brian Roewe](#) . [Accountability](#)



Prelates attend Mass June 13 at St. Pius X Catholic Church during the U.S. Conference of Catholic Bishops' annual spring assembly in Fort Lauderdale, Florida. (CNS/Bob Roller)

Editor's note: This story was updated at 1 p.m. Central time with comments from Bishop Timothy Doherty at a press conference.

FORT LAUDERDALE, FLA. — Incremental changes to the U.S. bishops' guiding document on addressing sexual abuse of minors by clergy were approved Thursday during the prelates' annual spring assembly, marking the first modifications since 2011.

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In the first of six votes set for day two of the gathering, the bishops voted 185-5, with one abstention, to approve a series of revisions to the [Charter for the Protection of Children and Young People](#), also known as the Dallas Charter.

The vote marks the third time U.S. bishops have modified the charter, which was first approved at the bishops' spring meeting in June 2002 in response to the clergy abuse



The latest changes will amend Article 13 of the charter to require all those in contact with minors undergo background checks, and broaden Article 6, which addresses codes of conduct, so that anyone encountering children must abide by standards for behavior and appropriate boundaries. Previously, the stipulation applied only to those who had regular contact with youths.

Another change will reassert the confidentiality of the confessional with regard to reporting allegations to public authorities, a decision Bishop Timothy Doherty, chair of the Committee for the Protection of Children and Young People, said was prompted "due to recent changes and challenges to the inviolability of the seal of confession."

In December, Australia's Royal Commission into Institutional Responses to Child Sexual Abuse recommended that the church remove exemptions from mandatory reporting laws for what clergy are told in confession.

Other revisions to the Dallas Charter will seek to promote the means, specifically digital channels, by which allegations can be reported; add reference to the causes and contexts study to the charter's preamble; and alter the revision period from two years to seven years.

The bulk of the nearly two dozen modifications address issues of style and language.



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The revisions do not alter the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of the Sexual Abuse of Minors by Priests or Deacons. Since they were



The revisions brought before the assembled body of bishops were the result of a process involving the committees for child and youth protection; for clergy and consecrated life; for canonical affairs; the office of general counsel; and the National Review Board, the group of independent lay advisers to the bishops on child protection.

Before the June 14 debate, bishops were able to suggest modifications to the proposed revisions from late March to late May, with those proposals then reviewed by the child protection committee.

Little debate took place on the revisions, with only a single amendment suggested from the revisions presented the day before. Archbishop Michael Jackels of Dubuque, Iowa, asked if bishops should have received a list of rejected modifications or amendments issued before the spring meeting.

"Sometimes that inspired someone else to request a reconsideration," he said.

On the meeting's first day, Francesco Cesareo, chair of the National Review Board, said the board supported the revisions as they stood before the bishops' debate and amending session.



Francesco Cesareo speaks June 13 during the U.S. bishops' annual spring assembly in Fort Lauderdale, Florida. (CNS/Bob Roller)

"I think it will be very helpful in making the charter a stronger document and will also allow for the church to be even more effective in its efforts of child protection and victim assistance," he told NCR.

Specifically, he said the expansion of background checks "will be very, very helpful," in that now everyone in contact with children will have to go through the screening.

Critics of the bishops' handling of the abuse crisis have repeatedly called for a charter revision to place the essential norms under the audit process, as well as place bishops found involved in the cover-up of abuse under the zero tolerance policy.

In addition, the Catholic Whistleblowers, an abuse survivor advocacy group, in April wrote to the bishops urging them to revise the charter to include mandatory publication by



processes.

Doherty, bishop of Lafayette, Indiana, said during a press conference that the charter was designed to focus on clergy, and that bishops, in terms of church jurisdiction, fall under the purview of the Holy See.

"So we don't have legal standing in church law to cover the bishops," he said, while also noting actions taken by the Vatican in recent months on bishops who have mishandled abuse allegations.

Cesareo said that parish audits are one revision he would like to see the bishops make. He said he hoped that as more dioceses conduct such reviews, the bishops would move to codify them in the charter, perhaps in the next revision.

The 2017 audit saw an additional 15 dioceses and eparchies conducting internal or external parish-level audits, what the Review Board chair called an "encouraging result."

As for the decision to hold the revision process every seven years, Cesareo echoed Doherty in saying it would allow for time to implement the changes, and to evaluate the changes and learn from new developments.

Before the proposed revisions were introduced, Cesareo provided a progress report on the implementation of the charter through an overview of the most recent annual audit.

As have preceding reports, the 2017 audit reported "a sense of complacency" among a growing number of dioceses, though Cesareo noted the majority of dioceses are meeting the charter's requirements. (Fifty-eight of 61 dioceses receiving onsite visits were found compliant, as were 133 participating through data collection.)

"There is no room for complacency in this fight to protect our children, young people and vulnerable adults," Cesareo said.

Related: US bishops' annual abuse audit highlights concerns about complacency

He said that despite the progress made in implementing abuse prevention protocols, many Catholics and others outside the church still question the church's, and particularly the bishops', commitment to addressing the issue.



The 2017 audit reported fewer allegations of sexual abuse by clergy than the 2016 and 2015 iterations, with the number, 695, more in line with 2014 allegations. At the same time, reports of boundary violations have risen.

"These are red flags that cannot be ignored," Cesareo said, adding that the 24 allegations reported by minors demonstrated why "each allegation received by a diocese should serve as an important reminder that your vigilance is required."

Cesareo told NCR he didn't view the sense of complacency was stronger in the latest audit than previous years. He attributed it to shifts in personnel and diocesan leadership that can at times bring a lack of urgency.

"It's more a lack of urgency because you've got all this structure in place, and so the structure should take care of itself, but structures never take care of themselves. So I think that's what we're seeing," he said.

On June 13, Cardinal Daniel DiNardo, U.S. bishops' president, appointed three new members to the National Review Board:

- Stacie LeBlanc, a former child abuse prosecutor and current executive director of the [New Orleans Children's Advocacy Center](#);
- Theresa Simak, an assistant state attorney in Florida;
- Jan Slattery, who was director of the [Office for Protection of Children and Youth](#) in the Chicago Archdiocese from 2003 to 2015.

The new appointments bring the board's membership to 16.

[Brian Roewe is an NCR staff writer. His email address is broewe@ncronline.org. Follow him on Twitter: [@BrianRoewe](#).]

A version of this story appeared in the [June 29–July 12, 2018](#) print issue under the headline: Expanded background checks among changes to child protection charter .

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

Wednesday, October 5, 2023, 9:30 a.m., Chancery third-floor conference room and via Zoom

Zoom Meeting link will be provided.

- I. Welcome from Dr. Renee Duffey
Opening Prayer
- II. Approval of Agenda
- III. Approval of the Minutes
from the meeting of May 10, 2023
- IV. Case Review *Rocio Rodriguez, Victims' Assistance Coordinator*
 - a. Previously Reported Cases – *Updates as needed*
- V. Review of Categories *Reverend Monsignor Michael Padazinski*
- VI. New Business
- VII. Next Meeting Date to be Set
- VIII. Adjournment

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Wednesday, May 10, 2023 (Chancery Third-Floor Conference Room and via Zoom)

Attending in-person: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Msgr. John Talesfore, Rocio Rodriguez, Mr. Paul Hessinger, Mr. Al Trigueiro and Paula Carney. **Attending via Zoom:** Dr. Kesook Lee. **Unable to attend:** Msgr. Michael Padazinski and Fr. Andrew Spyrow. With 5 of 6 voting members present, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: At this regularly scheduled meeting, the general agenda items were discussed.

MEETING DETAILS:

Agenda Item I: Renee Duffey called the meeting to order at 9:34 a.m. Archbishop Cordileone led the group in prayer.

Agenda Item II: The agenda was approved as submitted. (Al Trigueiro / Msgr. Talesfore)

Agenda Item III:

December 20, 2022, meeting minutes: The minutes of the December 20, 2022, meeting were approved as amended – on line 21, change “supposedly” to “allegedly”. (Msgr. Talesfore / Al Trigueiro)

February 3, 2023, meeting minutes: The minutes of the February 3, 2023, meeting were approved as submitted. (Msgr. Talesfore / Al Trigueiro)

Agenda Item IV: Rodio Rodriguez presented 4 new cases:

1. This case is transferred from the Diocese of San Jose. In March 2022, a man reported that he dreamt about “Fr. S”, who passed away in June 2009 and is on the Bishop’s accountability list. The alleged abuse occurred in 1968-72 when the survivor was 3-7 years old. Rocio is working with the Diocese of San Jose VAC.
2. A woman reported that in 2005-06 when she was 16 years old, three times she had a sexual relationship with the 26-to-27-year-old director of the kerygma program at Saint Anthony in San Francisco. She said she also reported this to a priest three years ago. The director is no longer active at the parish. Rocio is providing services to the woman and her father and working with Officer Vargas on the case. Archbishop Cordileone spoke with the priest, who said the family initially didn’t want to make a report. Archbishop told the priest that he is a mandated reporter. Rocio said the priest also spoke with and met with the involved parties. Msgr. Talesfore asked if the people with the kerygma program are VIRTUS compliant. Rocio said she will follow up on this.
3. This case came through the Department of Catholic Schools, which received a call from the Diocese of Oakland regarding a teacher at Marin Catholic. The teacher was put on administrative leave and has since resigned. **Redacted**

Redacted Rocio is in contact with the Diocese of Oakland VAC.

- 46 4. This case involves a Saint Veronica Catholic School extended care employee who texted
47 inappropriate animated videos to four middle school students. The principal and school
48 personnel took immediate action, and the police department was notified. The
49 employee was put on administrative leave and has since resigned. Services have been
50 offered to those affected.

51 Rocio also reported that services are still being offered to and used by previous and on-going
52 survivors.
53

54 **Redacted**
55
56
57

58 **Agenda Item VI:** Msgr. Talesfore asked about the situation occurring at Saint Emydius Parish.
59 Paula said that there are three living priests with lawsuits against them. They have been
60 removed from ministry and investigations are on-going. There may be a need for a special
61 meeting once the investigations have concluded.

62 Rocio asked if there were any AB218 updates.

Redacted

63 **Redacted**
64
65

66 **Agenda Item VII:** The next meeting is scheduled for Thursday, October 5, 2023, at 9:30 a.m. at
67 the Chancery. In-person and Zoom options will continue to be offered.
68

69 There being no further discussion, Renee adjourned the meeting at 10:23 a.m.

The Archdiocese of San Francisco

Independent Review Board (five-year terms)

as of October 3, 2023

Membership	Term end date	Work Phone	Home Phone	Cell Phone	Email	Comments
Dr. Renee Duffey	(2 nd) 12/31/2026	Redacted	Redacted	Redacted	Redacted	
Mr. Paul Hessinger	(1 st) 12/31/2027					
Dr. Kesook Lee	(2 nd) 12/31/2027					
Msgr. C. Michael Padazinski	N/A					
Dr. Laura Rubinos	(1 st) 12/31/2025					
Msgr. John J. Talesfore	(2 nd) 12/31/2027					
Mr. Al Trigueiro	(1 st) 12/31/2025					
Chancery attendees:						
Archbishop Salvatore Cordileone						
Paula Carney, Esq.						
Ms. Rocio Rodriguez						
Fr. Andrew Spyrow						
Staff: Karen Guglielmoni						
Chancery support:						
Pam Lyons						
Sr. Celeste Arbuckle, SSS						
IRB Investigators:						

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Re:

Redacted

The Independent Review Board (IRB) finding as to whether there is sufficient evidence that "sexual abuse of a minor", as defined in the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, took place in the matter which the IRB reviewed involving the above-referenced individual is as follows:

Sustained: _____

Not Sustained: ✓

INDEPENDENT REVIEW BOARD CHAIRMAN

10/05/2023

(Date)

Renee A Duffey

(Signature)

Renee A. Duffey

(Please Print Name)

ADDITIONAL COMMENTS/RECOMMENDATIONS, IF ANY:

based on information presented



Redacted

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Re: _____

Redacted

The Independent Review Board (IRB) finding as to whether there is sufficient evidence that "sexual abuse of a minor", as defined in the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, took place in the matter which the IRB reviewed involving the above-referenced individual is as follows:

Sustained: _____

Not Sustained: _____

INDEPENDENT REVIEW BOARD CHAIRMAN

12/21/2022

(Date)



(Signature)

Renee Duffey

(Please Print Name)

ADDITIONAL COMMENTS/RECOMMENDATIONS, IF ANY:

Based on the findings of the investigation, the Board unanimously agreed there was not enough evidence to support the allegations made against **Redacted** and recommend that he be returned to full time ministry.

Independent Review Board Meeting
December 20, 2022 11 am

Attending via zoom: Archbishop Salvador Cordileone, Dr. Renee Duffey, Fr. Andrew Spyrow, Msgr Michale Padazinski, Msgr John Talesfore, Ms Paula Carney, Ms Rocio Rodriguez, Mr. John McCord, Dr. Keesook Lee, Dr. Laura Rubinos
Excused: Mr. Al Trigueiro

Meeting Summary: follow up meeting on accusation of Fr. N. after request by Board for an investigator to interview additional individuals regarding Fr. N.'s performance at St. Pius. Board decided there was not enough evidence to support the allegations against Fr. N and recommended he be returned to ministry.

Meeting Details

A private investigator with Cannon Street interviewed Fr. McDonald, former pastor of St. Pius and Rita Carrol, former principal of St. Pius School, Ms. Barbara Drake, Operations Manager at St. Pius and Fr. Gerald Coleman rector of St. Patrick's Seminary who lived and worked at St. Pius during the relevant period of time.

There was consistency in the interviews in that Fr. N may have been a free spirit, lacked discipline and promoted his CD in the parish. None of the interviewees had any knowledge or suspicion of Fr. N being alone with children or having acted inappropriately with minors. Since the abuse supposedly happened after the implementation of the Carter, there was a heightened awareness of abuse and procedures put in place to ensure that adults were not alone with minors. The Board recommended that a followup be made to ensure that students indeed were not sent as altar servers alone and that Fr. N would not have had the opportunity to be alone with students.

Based on the findings of the interviews, the Board unanimously agreed that there was not enough evidence to support the allegations made against Fr. N and recommended that he be returned to ministry.

The meeting adjourned at 1:25 pm.

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

Wednesday, November 9, 2022, 9:30 a.m., Chancery third-floor conference room and via Zoom

Father Spyrow will be providing the Zoom Meeting link

- I. WELCOME FROM DR. RENEE DUFFEY,
AND OPENING PRAYER
- II. APPROVAL OF AGENDA
- III. APPROVAL OF THE MINUTES
from the meeting of August 12, 2022
- IV. APPROVAL OF BYLAWS AS FURTHER AMENDED
- V. CASE REVIEW *Rocio Rodriguez, Victims' Assistance Coordinator*
 - a. Previously Reported Cases – *Updates as needed*
- VI. REVIEW OF CATEGORIES *Reverend Monsignor Michael Padazinski*
- VII. NEW BUSINESS
- VIII. NEXT MEETING DATE TO BE SET
- IX. ADJOURNMENT

Paula Carney

From: Karen Guglielmoni
Sent: Thursday, November 03, 2022 4:08 PM
To: Most Rev. Salvatore J. Cordileone; Renee Duffey (rduffey@msn.com); Rev. Andrew Spyrow; Rev. Msgr. C Michael Padazinski; Rev. Msgr. John Talesfore; Kesook Lee (kleepedi@gmail.com); Laura Rubinos (lrubinos@gmail.com); John McCord (jononwater@yahoo.com); Al Trigueiro (triggermoy@icloud.com); Paula Carney; Rocio Rodriguez
Subject: Nov. 9 IRB meeting supporting documents
Attachments: 2022-11-09 IRB Meeting Agenda.pdf; 2022-08-12 IRB Minutes.pdf; IRB Bylaws DRAFT V3.pdf; 2012-Diocesan-Review-Board-Resource USCCB.pdf; 2022-11-09 IRB Contact List.pdf; IRB-1.pdf; IRB-2.pdf; IRB-3.pdf; IRB-4.pdf; IRB-5.pdf; School-1.pdf; School-2.pdf; School-3.pdf; School-4.pdf; School-5.pdf; School-6.pdf
Importance: High

Good afternoon to you all,

****Father Spyrow, would you kindly “reply all” to the email with the Zoom link so those who will be attending virtually can join the meeting. Thank you.****

Attached please find 16 attachments pertaining to the IRB meeting on Wednesday, November 9th, at 9:30 a.m. at the Chancery (third-floor conference room) and via Zoom:

- Agenda for the November 9, 2022, meeting
- Minutes from the August 12, 2022, meeting
- Bylaws draft V3 (changes discussed at the August meeting are in red) – per Renee, please review for a vote to adopt the Bylaws.
- The USCCB’s Diocesan Review Board handbook (printed copies will be made available as well)
- The up-to-date Contact List

Redacted

Thank you,
Karen



Karen Guglielmoni

**Administrative Assistant to the Director of Pastoral Ministry
Safe Environment Coordinator for Children**

The Archdiocese of San Francisco | www.sfarch.org

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Redacted

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Wednesday, November 9, 2022 (Chancery Third-Floor Conference Room and via Zoom)

Attending in-person: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Msgr. Michael Padazinski, Msgr. John Talesfore, Dr. Laura Rubinos and Paula Carney. **Attending via Zoom:** Fr. Andrew Spyrow, Dr. Kesook Lee, Mr. John McCord and Mr. Al Trigueiro. (Rocio Rodriguez not in attendance.) With 6 of 6 voting members present, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: At this regularly scheduled meeting, the general agenda items were discussed and the Board adopted the Bylaws.

MEETING DETAILS:

Agenda Item I: Renee Duffey called the meeting to order at 9:28 a.m. Archbishop Cordileone led the group in prayer.

Agenda Item II: The agenda was approved as submitted.

Agenda Item III:

August 12, 2022, meeting minutes: The minutes of the August 12, 2022, meeting were approved as submitted.

Agenda Item IV: The most recent draft of the Bylaws, with updates from the May 3, 2022, meeting, was presented for adoption. With no further edits or corrections, the motion was made to adopt the bylaws and carried unanimously. Paula Carney will finalize the Bylaws.

Agenda Item V: In Rocio's absence, Renee reported that there were no new developments.

Agenda Item VI: Msgr. Padazinski shared that the Categories list has been updated to reflect the second allegation against DG.

Agenda Item VII: Renee shared information on 4 new cases, [Redacted]

[Redacted] Three of the allegations are against DG, who is aware of the claims and remains in active ministry. These alleged incidents occurred at Saint Vincent's Home decades ago. [Redacted]

Redacted

[Redacted] Renee stated that there is not currently sufficient information in the three claims against DG to warrant further action at this time. DG will be notified of the IRB's knowledge of the claims, discussion and decision to recommend no action.

44 The fourth allegation is against LN, and is of a more recent nature. LN has been removed from
45 active ministry based on this claim. This is the first allegation against LN, who denied that it
46 occurred. Claimant was a middle-school student at Saint Pius School (Redwood City) in
47 approximately 2006-2008. The student's file has been obtained. After further discussion, the
48 decision of the IRB was to advise Archbishop Cordileone to ask the ADSF investigator to
49 interview those he can and to keep the allegation in-house at this point. **Redacted**

50 **Redacted** A follow-up meeting will be called
51 when the report is ready.

52
53 Before the meeting's adjournment, Archbishop Cordileone thanked John McCord as he comes
54 to the end of his second term on the IRB. His insights have been fair-minded and insightful and
55 he will be missed. For others completing their first term, he will be speaking with them.

56
57 There being no further discussion, Renee adjourned the meeting at 10:51 a.m.

58
59 **Next meeting date:** The next regularly scheduled meeting will be held on Friday, February 3,
60 2023, at 9:30 a.m.

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

Friday, August 12, 2022, 9:30 a.m., via Zoom

Father Spyrow will be providing the Zoom Meeting link

- I. WELCOME FROM DR. RENEE DUFFEY,
AND OPENING PRAYER
- II. APPROVAL OF AGENDA
- III. APPROVAL OF THE MINUTES
from the meetings of April 8, 2022, and May 3, 2022
- IV. APPROVAL OF BYLAWS AS AMENDED
- V. CASE REVIEW *Rocio Rodriguez, Victims' Assistance Coordinator*
 - a. Previously Reported Cases – *Updates as needed*
- VI. REVIEW OF CATEGORIES *Reverend Monsignor Michael Padazinski*
- VII. NEW BUSINESS
- VIII. NEXT MEETING DATE TO BE SET
- IX. ADJOURNMENT

The Archdiocese of San Francisco
Independent Review Board (five-year terms)

as of August 8, 2022

Membership	Term end date	Work Phone	Home Phone	Cell Phone	Email	Comments
Dr. Renee Duffey	(1 st) 12/31/2021	Redacted	Redacted	Redacted	Redacted	
Dr. Kesook Lee	(1 st) 12/31/2022					
Mr. John McCord	(2 nd) 12/31/2022					
Msgr. C. Michael Padazinski	N/A					
Dr. Laura Rubinos	(1 st) 12/31/2025					
Msgr. John J. Talesfore	(1 st) 12/31/2022					
Mr. Al Trigueiro	(1 st) 12/31/2025					
Chancery attendees:						
Archbishop Salvatore Cordileone						
Paula Carney, Esq.		Redacted	Redacted	Redacted	Redacted	
Ms. Rocio Rodriguez						
Fr. Andrew Spyrow						
Staff: Karen Guglielmoni						
Chancery support:						
Pam Lyons						
Sr. Celeste Arbuckle, SSS						
IRB Investigators:						

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Status of Individuals Affected by USCCB Charter for the Protection of Children and Young People (As of 08/12/2022)

CATEGORY I Diocese closed. Clergy invited, in writing, to consider retirement memorandum. Archbishop needs to contact and get definitive response in writing.	CATEGORY II Matter pending before IRB. If priest wishes to suspend participation pending outcome of criminal process he may do so, subject to formal administrative leave with restrictions.	CATEGORY III A. Canonical process requested, IRB's work completed.	CATEGORY IV IRB finding = "Not Sustained"	CATEGORY V Charter Memorandum Memorandum signed.	CATEGORY VI Laicization.
				Rev. (Finding of IRB = "Sustained") 2008	Rev. 2006, laicization requested 2018, granted by Vatican 2018.
	Rev. 2008		Rev. (Notified) 2005, 07 Carter, Daniel E., Rev. (Notified) 2003		Ingels, Gregory, Rev. (Finding of IRB = "Sustained") Canonical Trial and Appeal Complete. Laicization Imposed by trial as penalty, 2013.
			Rev. (Notified) 2007	Rev. Msgr. (Finding of IRB = "Sustained") 2010	Rev. (Finding of IRB = "Sustained") Case forwarded to Rome with AB's recommendation to return to lay state, 11/14; canonical process completed 2016 Laicization imposed; 2016
			(Notified) 2006 SDB (Notified) 2006 Rev. (Notified) 2010 Rev. (Notified) 2009 Rev. (Notified) December 2021; May 2022 (Notified) 2010 (Notified) 2007 (Notified) 2005; December 2021 Rev. (Notified) November 2021	Rev. (Finding of IRB = "Sustained") 2006 Additional complaint received. IRB investigation completed, and sustained. Rev. (Finding of IRB = "Sustained") 2007 SDB (Prelim finding of IRB=Not Sustained but "reversed" following jury verdict); Left ADSF 2009	Rev. (Laicization requested by Myers granted by Vatican, 2012.) O'Shea, Patrick J. (Laicization Imposed as a penalty by Vatican, 2005)
		B. Canonical process completed.		DECEASED	DECEASED
		Rev. (Finding of IRB = "Sustained" 2003. Declined invitation to sign Memorandum. Canonical trial completed. Decision of trial court upheld by Rome. Charter prohibitions permanent.)	(notified) 2004 SDB (Notified) Left ADSF 2011 (Notified) 2011 Rev. (Notified) 2005 Deacon (Notified) 2006 Rev. (Notified) 2006 (Notified) 2006 DECEASED 2013 2013 2004	Armstrong, Peter R., Rev. Msgr. (Finding Sustained-prior to death) 2009 Rev. (Finding sustained-prior to death) 2010 Rev. (Finding Sustained-prior to death) 2007 Durkin, Charles, Rev. Msgr. (Finding Sustained-prior to death) 2006 Rev. Msgr. (Finding Sustained-prior to death) 2010 Allegation Two. Sustained prior to death 2017	Keegan, Austin (Laicization requested by Keegan granted by Vatican, 2003) Deceased 2021 (Laicization imposed as a penalty by Vatican, 2005) Deceased 2021
*Order responsible for monitoring and notification of bishop in diocese of domicile		DECEASED	DECEASED	2013 2013 2004	
**Fresno Primarily		CDF informed of death 3/15/13; case closed	2013 2017 2017	Leach, Jerome, Rev. (Finding Sustained prior to death), 2007 (Finding Sustained prior to death) 2021 (Finding Sustained prior to death) 2021	
S:\SHARED\IRB					

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Friday, August 12, 2022 (Chancery Third-Floor Conference Room and via Zoom)

Attending in-person: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Fr. Andrew Spyrow, Msgr. Michael Padazinski, Msgr. John Talesfore, Mr. Al Trigueiro, Paula Carney, and Rocio Rodriguez.

Attending via Zoom: Mr. John McCord and Dr. Kesook Lee. (Dr. Laura Rubinos was not in attendance). With 5 of 6 voting members present, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: At this regularly scheduled meeting, the general agenda items were discussed and the Board continued to work on the by-laws.

MEETING DETAILS:

Agenda Item I: Renee called the meeting to order at 9:32 a.m. Archbishop Cordileone led the group in praying the Hail Mary.

Agenda Item II: With the additions of “in-person” to the meeting format and a request for Board input from Fr. Spyrow (inserted after Case Review), the Agenda was approved. (Msgr. Talesfore/Al Trigueiro)

Agenda Item III:

April 8, 2022, meeting minutes: under Case Review, the years of the alleged sexual abuse in the ceramics classroom should be 1987-88; under New Business, change the name of the individual to initials “MW” (Karen was directed to look for the “initial key” in the information passed along by Annabelle Groh). The minutes from the April 8, 2022, meeting were approved as amended. (Msgr. Talesfore/Al Trigueiro)

May 3, 2022, meeting minutes: amend the Meeting Summary statement to “The purpose of this emergency meeting was to discuss an allegation recently brought to the attention of the Archbishop against DG arising from an investigation commissioned by DG’s attorney, and to determine if a new investigation should be opened.” The minutes from the May 3, 2022, meeting were approved as amended. (Al Trigueiro/John McCord)

Agenda Item IV: Additional edits to the Bylaws were discussed. Karen will incorporate the edits and send the new revision to Paula before sending to the Board.

Agenda Item V: Rocio presented two new cases.

The first is an allegation which was brought to her attention in May 2022. From 1985-87, [REDACTED] alleged abuse by Fr. TR at Saint Philip Parish (he was at the parish during that time, and died in April 1993).

Rocio offered therapy and services, but [REDACTED] hasn’t accepted any assistance yet.

[REDACTED]

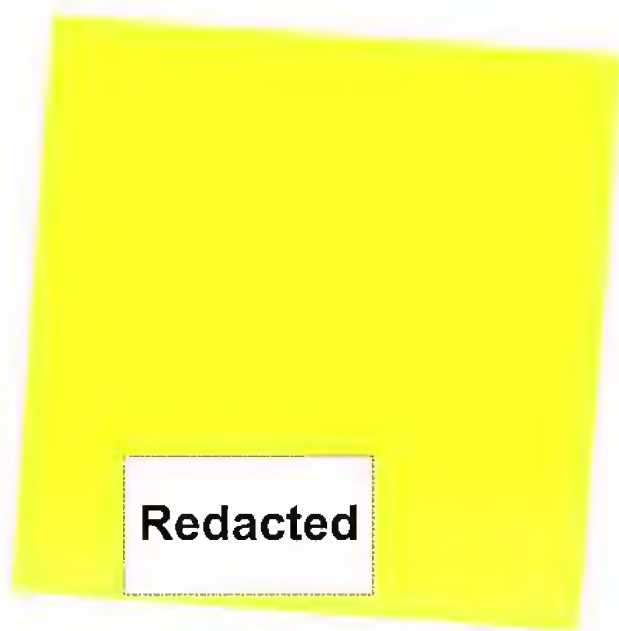
[REDACTED]

Rocio will continue trying to make contact with [REDACTED].

The second is an allegation which was brought to her attention by [REDACTED] in June 2022 alleging sexual abuse at Junipero Serra High School in 1976 by Fr. JZ (now deceased). [REDACTED] sent Rocio a message asking for compensation. No further information is available at this time.

Fr. Spyrow asked about two cases involving vulnerable adults (since one case involves a seminarian, it was not discussed, but Archbishop said it is being acted upon). He has reached out to the individuals and discussed the allegations with Archbishop Cordileone.

[REDACTED]



49 **Redacted**

50 John asked if the existing IRB could be tasked to review allegations by
51 vulnerable adults. If so, Renee asked if someone would be brought on with specific expertise with
52 vulnerable adults. Msgr. Talesfore said the focus should be kept on minors. Archbishop shared that the
53 Bishops' consensus is to keep minors and vulnerable adults separate.

54 Fr. Spyrow reported that the allegation was brought to Rocio's attention this month via email regarding
55 a priest who is active in the Archdiocese of San Francisco. The priest was at a conference in Washington,
56 D.C., and was seen with a 24-year-old man with whom he also shared a hotel room. Rocio has 7-8
57 people to interview, including family members. Fr. Spyrow will follow up with the priest. Msgr.
58 Talesfore asked if the local Archbishop would be informed if there is substance to the allegation.

59 **Agenda Item added from Fr. Spyrow:** As a follow-up to the previous case of the pastor, parochial vicar,
60 and family (introduced at the June 2021 meeting and discussed at the October 2021 meeting), Fr.
61 Spyrow reported that he follow up with the parochial vicar regarding the ADSF recommendations. In
62 reviewing the parochial vicar's complete file, Fr. Spyrow found that previous cases did not involve
63 boundary violations. In June 2022, the parochial vicar reviewed his file with a Canon Advocate present.
64 Fr. Spyrow is awaiting the Canon Advocate's report. The parochial vicar has since been assigned as
65 administrator for another parish.

66 Fr. Spyrow asked the Board's advice on how to determine something measurable. The priest seems
67 willing to take part in the recommendations, though he hasn't yet. Archbishop will reach out regarding
68 a mentor priest, with a focus on addressing awkwardness around young people.

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80 **Agenda Item VI:** Msgr. Padazinski shared that the date was added to DG regarding the second
81 allegation.

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83 **Agenda Item VII:** The issue of document security was brought up in light of Article VI of the proposed
84 bylaws (documents are currently in a locked file cabinet in a locked office at the Chancery).
85 Karen will update the member list for distribution to the Board.

86
87 There being no further discussion, Renee adjourned the meeting at 11:55 a.m.

88
89 **Next meeting date:** The next meeting will be held on Wednesday, November 9, 2022, at 9:30 a.m.

Redacted

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Friday, May 3, 2022 (via Zoom)

Attending: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Fr. Andrew Spyrow, Msgr. Michael Padazinski, Mr. John McCord, Mr. Al Trigueiro, Dr. Kesook Lee, Paula Carney, and Rocio Rodriguez. (Msgr. John Talesfore and Dr. Laura Rubinos were not in attendance). With 4 of 6 voting members present, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: The purpose of this emergency meeting was to discuss a new allegation against DG which came about in the course of the previous investigation and determine if a new investigation should be opened.

MEETING DETAILS:

Renee called the meeting to order at 5:15 p.m. Fr. Spyrow prayed the Prayer for Priests with the Board.

Renee presented the allegation, saying that if this were a typical new allegation, it would need to be investigated. But it came about in the course of the investigation into the previous, unfounded allegation.

Redacted

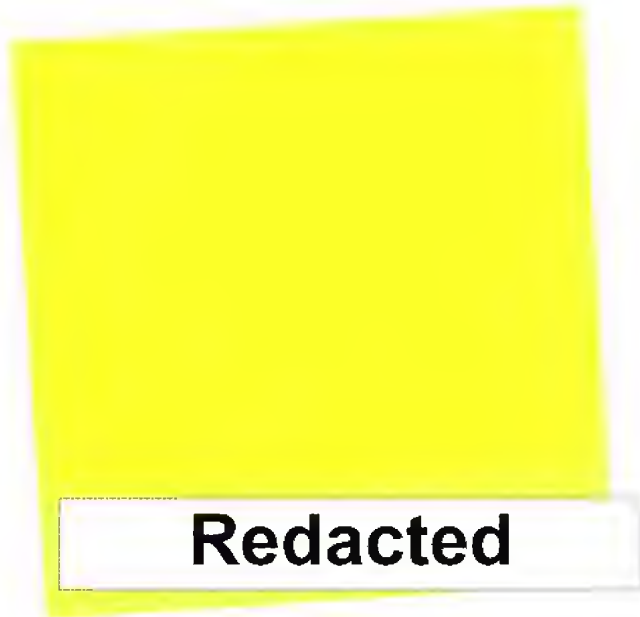
Discussion ensued among the Board members. Following discussion, the Board members recommended to Archbishop that this investigation falls within the scope of the previous investigation.

Renee thanked everyone for attending the meeting, saying that it was important to bring the allegation to the Board's attention, and that has been done.

There being no further discussion, Renee adjourned the meeting at 5:54 p.m.

Next meeting date:

As a reminder, the next regularly scheduled meeting is set for Friday, August 12, 2022, at 9:30 a.m., with the goal being to meet in person. Archbishop suggested a hybrid meeting if there are those who wouldn't feel comfortable meeting in person.



THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Re:

Redacted

(Name of Accused)

The Independent Review Board (IRB) finding as to whether there is sufficient evidence that "sexual abuse of a minor", as defined in the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, took place in the matter which the IRB reviewed involving the above-referenced individual is as follows:

Sustained: _____

Not Sustained: _____

X

INDEPENDENT REVIEW BOARD CHAIRMAN

May 3, 2022
(Date)

Renee A Duffley
(Signature)

Renee A Duffley
(Please Print Name)

ADDITIONAL COMMENTS/RECOMMENDATIONS, IF ANY:

This allegation came about as the result of a previous unsustained allegation. The Board recommended that it falls within the scope of the previous allegation and that not be removed from ministry

Redacted

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

Friday, April 8, 2022, 9:30 a.m., via Zoom

Father Spyrow will be providing the Zoom Meeting link

- I. WELCOME FROM DR. RENEE DUFFEY,
AND OPENING PRAYER
- II. APPROVAL OF AGENDA
- III. APPROVAL OF THE MINUTES
from the meeting of January 21, 2022
- IV. REVIEW OF BYLAWS DISCUSSION
- V. CASE REVIEW *Rocio Rodriguez, Victims' Assistance Coordinator*
 - a. Previously Reported Cases – *Updates as needed*
- VI. REVIEW OF CATEGORIES *Reverend Monsignor Michael Padazinski*
- VII. NEW BUSINESS
- VIII. NEXT MEETING DATE TO BE SET
- IX. ADJOURNMENT

**Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Friday, April 8, 2022 (via Zoom)**

Attending: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Fr. Andrew Spyrow, Msgr. Michael Padazinski, Msgr. John Talesfore, Mr. John McCord, Mr. Al Trigueiro, Dr. Kesook Lee, Dr. Laura Rubinos (left meeting at 10:00 a.m. at end of Rocio's presentation of a new case), Paula Carney, and Rocio Rodriguez. With all 6 voting members present, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: Following the approval of the agenda and minutes from the January 22, 2022 meeting, the Board began the process of reviewing the bylaws. Rocio Rodriguez presented one new case for review and updated prior cases. Msgr. Padazinski did not have any changes under Review of Categories. Finally, under New Business, Archbishop Cordileone asked for the Board members' opinions on a situation with a former priest.

MEETING DETAILS:

Renee called the meeting to order at 9:33 a.m. Archbishop Cordileone led the group in prayer.

II. Approval of Agenda: The meeting agenda was approved without change (Al Trigueiro/Kesook Lee).

III. Approval of Minutes from the January 22, 2022, meeting: The minutes was approved without change (Msgr. Talesfore/Al Trigueiro). Msgr. Padazinski reminded the Board that Fr. Spyrow, Rocio and Paula are not voting members.

IV. Bylaws Review:

-

Redacted

- Discussion on other aspects of the Bylaws draft continued:
 - Under Article II, Section 3, Archbishop would like it to be changed to “no more than two consecutive terms.
 - Under Article IV, Section 1, Renee pointed out that there is not currently a vice-chairperson and asked if Archbishop would appoint one as it would be helpful if the chairperson is unavailable.
- Renee concluded the Bylaws review, saying that the changes would be made for possible approval at the next meeting.

V. Case Review: Rocio reported that a new case came in on Feb. 13. **Redacted** now lives in [REDACTED] but was a student at Saint Anselm School in the 1980s. She alleges daily sexual abuse in the ceramics room during the 1987-87 school year by second-grade teacher PB, now deceased. She suffers from OCD, anxiety, depression, and migraines. **Redacted** is not sure what she would want to happen in coming forward. Rocio met with the pastor and principal, but received not return calls from the other

names offered. When Rocio met with [Redacted] at the end of February [Redacted] did ask about monetary compensation and mentioned hiring an attorney. [Redacted] said she will stay with her current therapist.

Discussion ensued regarding whether the teacher was at Saint Anselm School at the time (he was) and whether any documentation exists from other allegations (Rocio said other possibly verbal reports were made, but there is nothing in her files). Rocio said she has opened a file on the allegation for now.

Updates: Rocio shared an update from a report in June 2021 regarding Fr. BN. She spoke with Sgt. Mendez of the SFPD on March 5, who said the child's father reported to police through the Special Victims Unit. On March 25, SFPD confirmed that the allegation warranted no further investigation, but did ask to speak with Archbishop and Fr. BN. Archbishop shared that he has received no call to date.

Redacted

Review of Categories: Msgr. Padazinski reported that there were no changes since December.

New Business:

- Archbishop Cordileone asked for the Board members' opinions any concerns regarding possibly conducting a tour of the Cathedral with 2 couples before a non-ADSF auction dinner (he hadn't been asked yet). Should he be referred to as a "retired priest" or not? Msgr. Talesfore asked if this was consistent with his MOU agreement and Archbishop said it is a grey area. Discussion continued with opinions and concerns voiced. Archbishop thanked everyone for their feedback.

Next meeting date:

The next meeting was set for Friday, August 12, 2022, at 9:30 a.m., with the goal being to meet in person. Archbishop suggested a hybrid meeting if there are those who wouldn't feel comfortable meeting in person.

There being no further discussion, Renee adjourned the meeting at 10:28 a.m.

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

Friday, January 21, 2022, 9:30 a.m., via Zoom

Zoom Meeting link

<https://us02web.zoom.us/j/82136263826?pwd=UUZuUjFDTHhETzBFY2xqUy8vdM9MQT09>

Meeting ID: 821 3626 3826; Passcode: 444772

- I. WELCOME FROM DR. RENEE DUFFEY,
AND OPENING PRAYER
- II. INTRODUCTIONS
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF THE MINUTES
from the meetings of October 1, November 23, and December 9, 2021
- V. PROCESS DISCUSSION
- VI. CASE REVIEW *Rocio Rodriguez, Victims' Assistance Coordinator*
 - a. Previously Reported Cases – *Updates as needed*
- VII. REVIEW OF CATEGORIES *Reverend Monsignor Michael Padazinski*
- VIII. NEW BUSINESS
- IX. NEXT MEETING DATE TO BE SET
- X. ADJOURNMENT

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Friday, January 21, 2022 (via Zoom)

Attending: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Fr. Andrew Spyrow, Msgr. Michael Padazinski, Msgr. John Talesfore, Mr. John McCord, Mr. Al Trigueiro, Paula Carney, and Rocio Rodriguez. With 4 of 6 voting members present, a quorum was established. Dr. Kesook Lee and Dr. Laura Rubinos were unable to attend the meeting. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: Following the approval of the agenda, attendees looked over the minutes from the October 1, 2021, November 23, 2021, and December 9, 2021 meetings. There were no changes to the submitted minutes.

A discussion about process for future meetings involving allegations followed.

Redacted

Redacted

Archbishop shared information from the October on-site *Charter* audit management letter. Among the items listed were locating and periodically reviewing the by-laws and also possibly expanding the IRB membership.

Redacted

Redacted

Renee would also like to develop an orientation process for new IRB members.

Under Case Review, neither Rocio nor Fr. Spyrow had any new cases to report. Regarding the anonymous report from the Diocese of San Jose reported at the October 1 meeting, Rocio has received no new information from San Jose.

Under Review of Categories, Msgr. Padazinski reported that MM (from the November 23 meeting), and DG and MH (from the December 9 meeting) have been added to the chart. Additionally, two laicized priests who recently died have been moved to deceased.

The next meeting was set for Friday, April 8, 2022, at 9:30 a.m. The method of the meeting will be determined as the date approaches, but the hope is to meet in-person.

Redacted

MEETING DETAILS: The meeting began at 9:35 a.m.

Archbishop Cordileone led the group in prayer, reading Billy Graham's Prayer for a New Year.

Approval of Agenda: The meeting agenda was approved without change (Fr. Spyrow/Al Trigueiro).

Approval of Minutes:

From the meeting of October 1, 2021: The minutes were approved unanimously without change (Al Trigueiro/Rocio Rodriguez). In following up with the family mentioned during discussion, Rocio shared that they wanted to return for Christmas. Fr. Spyrow met with Fr. Bill. The transition back to the parish went smoothly.

From the meeting of November 23, 2021: The minutes were approved unanimously without change or comment (Rocio Rodriguez/Al Trigueiro).

From the meeting of December 9, 2021: The minutes were approved unanimously without change or comment (Rocio Rodriguez/Al Trigueiro).

Discussion of meeting process, by-laws, and audit findings:

- Renee shared that these were the IRB's first cases in several years, so she wanted to go over what worked and what didn't work.
 - Msgr. Talesfore said he felt much more prepared for the December 9 meeting.
 - **Redacted**
 - All generally agreed that the December meeting went smoother.
- Msgr. Talesfore asked if there could be an overview presented at the beginning of any meeting during which an allegation is presented.
 - **Redacted**
- Msgr. Talesfore asked if there was knowledge of any other IRB's best practices. Renee said she would share a link from the USCCB following the meeting.
 - <file:///C:/Users/guglielmonik/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/F9BABYCA/2012-Diocesan-Review-Board-Resource.pdf>
- Archbishop Cordileone shared the findings from the October 2021 on-site safe environment audit conducted by StoneBridge Business Partners. The items in the management letter pertaining to the IRB included periodic review of the by-laws and expanding the IRB membership.
 - Renee said she recalls seeing by-laws, but so far efforts to locate a copy have been unsuccessful.
 - Msgr. Padazinski asked if the file room binders had been looked through.
 - **Redacted**
 - It was also asked if JoAnn Norris's files had been looked at for bylaws since she had sent out packets to new members.
 - Msgr. Talesfore asked about creating new by-laws if the previous ones cannot be located and about the use of private investigators.
 - **Redacted**
 - Renee asked if IRB meeting minutes could be part of discovery during litigation. **Redacted**
Redacted

Case Review: Rocio reported that there are no new updates or cases. The anonymous report from the Diocese of San Jose introduced at the October meeting has had no further information. Fr. Spyrow also reported that he has no new cases or updates.

Review of Categories: Msgr. Padazinski reported that MM, DG and MH have been added to the chart. Additionally, two laicized priest who recently died were moved to deceased.

New Business:

- Archbishop Cordileone asked that the by-laws process be started. Msgr. Talesfore suggested that a subcommittee could work on the process before the next meeting. Redacted
Redacted
- Renee shared that she would also like to develop an orientation process for new Board members.
- Renee asked about expanding the Board membership. Archbishop said that could be a conversation for the next meeting.
- Rocio asked Archbishop about starting the interview process with a new survivor, who would be added to the Board when John McCord's term expires at the end of 2022. Archbishop said that could be tabled to a future meeting.

Next meeting date:

The next meeting was set for Friday, April 8, 2022, at 9:30 a.m. As the meeting date approaches, it will be communicated whether the meeting will be in-person or via Zoom.

There being no further discussion, the meeting was adjourned at 10:15 a.m. (Msgr. Talesfore/Rocio Rodriguez)

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

Friday, January 21, 2022, 9:30 a.m., via Zoom

Zoom Meeting link

<https://us02web.zoom.us/j/82136263826?pwd=UUZuUjFDTHhETzBFY2xqUy8vdM9MQT09>

Meeting ID: 821 3626 3826; Passcode: 444772

- I. WELCOME FROM DR. RENEE DUFFEY,
AND OPENING PRAYER
- II. INTRODUCTIONS
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF THE MINUTES
from the meetings of October 1, November 23, and December 9, 2021
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- VI. CASE REVIEW *Rocio Rodriguez, Victims' Assistance Coordinator*
 - a. Previously Reported Cases – *Updates as needed*
- VII. REVIEW OF CATEGORIES *Reverend Monsignor Michael Padazinski*
- VIII. NEW BUSINESS
- IX. NEXT MEETING DATE TO BE SET
- X. ADJOURNMENT

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Friday, October 1, 2021, at 9:30 a.m. (via Zoom)

Attending: Archbishop Salvatore J. Cordileone, Dr. Renee Duffey, Msgr. Michael Padazinski, Msgr. John Talesfore, Fr. Andrew Spyrow, Dr. Kesook Lee, Dr. Laura Rubinos, Mr. John McCord, Mr. Al Trigueiro, Paula Carney, and Rocio Rodriguez. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: Fr. Spyrow shared the results of a Pastor's concern about his Parochial Vicar originally brought up at the June 2021 meeting. Extensive information and discussion followed. Though the Board agreed that no *Charter* violation has occurred, follow-up with the Parochial Vicar is warranted. The family at the center of the concern had left the parish at the Pastor's suggestion and wishes to return. Fr. Spyrow and Rocio will work with the family to transition them back to their parish.

Redacted

Rocio shared a new anonymous inquiry from the 1970s naming a specific priest, parish and time frame. She is working with the Diocese of San Jose, but as the inquiry is anonymous, there is not much to follow up on at this time.

Msgr. Padazinski reported there were no changes to the categories, and explained what the category template outlines.

Under New Business, Archbishop asked the opinion of how **Redacted** should be referred to in an upcoming Boston College publication. The Board agreed that he should be referred to without indicating any connection to the Archdiocese of San Francisco or as a former priest.

Also under New Business, Renee and Karen shared information about the upcoming on-site audit with regard to *Charter* compliance.

The next meeting date was set for January 21, 2022.

MEETING DETAILS: The meeting began at 9:30 a.m. Father Spyrow led us in prayer with the Saint Therese Prayer for Priests.

Dr. Duffey introduced Karen Guglielmoni who will be taking over as the staff and support person from Annabelle Groh, who has retired. Archbishop suggested that everyone introduce themselves, which everyone did.

Approval of Agenda: Dr. Duffey shared that the minutes of the June 11, 2021, meeting are not available. Annabelle let her know before she retired that the meeting recording had not worked, and she was not able to recreate the minutes. If anyone recalls actions items from the June 11 meeting, please update the Board. Agenda was unanimously approved as submitted (Msgr. Talesfore/Fr. Spyrow).

Approval of Minutes: Since the June 11 minutes are not available, Dr. Duffey asked that anyone with items from that meeting share with the Board.

- Father Spyrow shared an action item and follow-up from the June IRB meeting. There was a concern brought to him by a Pastor regarding his parish's Parochial Vicar. Since the June meeting, Father Spyrow interviewed the Pastor with Rocio, interviewed the Parochial Vicar and reviewed the Parochial Vicar's file. The two areas Fr. Spyrow focused on were (1) the concern of the Pastor that was brought to his attention and (2) the Parochial Vicar's file.
- Regarding the first area of focus, in May 2021 the Pastor reported that he was concerned with his Parochial Vicar. In a conversation with the parents of an altar server, the Pastor said it was brought to his attention that a parent was concerned that the Parochial Vicar was giving special attention to his son. The Parochial Vicar had been seen brushing the altar server's hair with his hand. The parents of the altar server shared that they are leaving the parish because of the incident. The Pastor also said that the Parochial Vicar was observed by others giving special attention to this altar server and ignoring the other servers prior to Mass; the Pastor had also observed this. The Parochial Vicar had also been observed waiting for the family after Mass. Fr. Spyrow asked the Pastor to put his concerns in writing; he also reviewed the Parochial Vicar's file and met with the Parochial Vicar.
- At the June 2021 meeting, on the recommendation of Archbishop, Fr. Spyrow brought the issue to the IRB and in July 2021, Rocio met with the parents and child. From that meeting, Rocio determined that nothing was reportable; there was no allegation made, no investigation was necessary and there was no need to remove the Parochial Vicar. In September 2021, Fr. Spyrow and Rocio met with the Pastor, who aired his concerns. He said the Parochial Vicar "pays too much attention to the young altar server." The Pastor had been told, but had not witnessed, that a child had been hugged by the Parochial Vicar on Holy Thursday 2020. It is unclear if it was the same child. The Pastor also noticed that the Parochial Vicar hangs around the sacristy before Masses he is not scheduled for, but that altar servers are scheduled for and waits for the family outside of church.
- Msgr. Talesfore asked for clarification – One of the concerns which prompted Rocio's meeting with the parents and child was to explore the report that the family had chosen to leave the parish over this, so are they still at the parish? Fr. Spyrow said they currently are NOT at the parish, but are at another parish. Msgr. Talesfore asked if what has occurred since June is with other servers. Fr. Spyrow deferred to Rocio as to if it was the same child; she said there was no new behavior since the June meeting. Msgr. Talesfore asked if anything was being reported new since the June IRB meeting. Fr. Spyrow said these were the findings following the interview with the parents and child. At the meeting with the Pastor, Fr. Spyrow and Rocio, it was discovered that the Pastor's concerns prompted him to go to the family first rather than the Parochial Vicar, so steps were not followed. Rocio had interviewed the family.
- Asking Rocio to offer any clarification as needed, Fr. Spyrow shared that the family and child were not traumatized, showed no signs of distress or violation, did not believe any abuse or boundary issues had taken place, but did sense there was animosity between the Pastor and Parochial Vicar. Rocio explained to the Pastor that nothing was reportable and there was no allegation, no investigation and no need to remove the Parochial Vicar. Following up with the Pastor, it was explained to him that his concerns should have been brought to the Parochial Vicar's attention or Fr. Spyrow's attention before talking to the family. Though there was no violation, there was a red flag that could possibly lead to an allegation involving the Parochial Vicar's actions around children – for example, giving more attention to one particular altar

server instead of all the servers – and the Parochial Vicar must be made aware of his behavior in public. According to Rocio, the family wants to come back to the parish and there is no ill feeling. Fr. Spyrow's and Rocio's thought is to approach the Parochial Vicar and ask him to reassure the parents that this was all a misunderstanding and put their concerns to rest. There may be some things about the way the Parochial Vicar interacts with children which could be a red flag. The recommendation was for the Parochial Vicar to speak to the family and put their concerns to rest. After that meeting, Fr. Spyrow met with the Parochial Vicar to follow up with the Pastor's concerns reported in May. Fr. Spyrow asked the Parochial Vicar if he had hugged any child on Holy Thursday, and he said he had not. This was prior to gathering any additional information being collected. Fr. Spyrow informed the Parochial Vicar about the Pastor's concerns surrounding a particular altar boy, and the Parochial Vicar responded that he was "the prime target because I am good with children. I make it a point to be professional around children. I am animated around children but not overly animated because they are kids. I have never hugged a child unless a child comes up and initiates a hug. At times I pass through the sacristy and say hello to everyone. I am present and greet families after most Masses out front. Bishop Justice is out to get me," referring to the 2011 IRB recommendations. "As an Archdiocese, we need to address the atmosphere created by the scandal." He also said he had trouble with prior pastors with regard to his working relationship with them. Regarding his current Pastor, the Parochial Vicar said the Pastor aggravated the situation and should have come to him first. He said the Pastor potentially did damage to his reputation and said this was the Pastor's goal. He also said he can't do his job if the Pastor sees him in certain ways, and that the Pastor or Vicar for Clergy needs to smooth the situation over with the family, not him. He said he says silly things to make the children smile, but won't apologize because he is very good around children. He said he can't control the busybodies or those who see through the lens of a climate of Church scandal, and that he did not hug any kids on Holy Thursday and is a firm believer of following policy and is upset by other Pastors who never follow policy, yet he has things in his file. He asked to see his file in order to address items contained in it, and asked if he should bring a lawyer. The Parochial Vicar said this happens time and time again. That summarized the findings of what was reported to Fr. Spyrow in May, and asked if there were any questions at this point.

- Kesook asked what prompted the family's decision to leave the parish. Fr. Spyrow answered that he asked the Pastor if the family brought the concern to his attention or if the Pastor approached the family, and the Pastor answered that he approached the family with his concern. With that knowledge and the results of Rocio's interview, he said that policy wasn't followed.
- Msgr. Talesfore clarified the question – did the family leave before the Pastor approached them? Fr. Spyrow answered no, that he believes they left on the recommendation of the Pastor. Rocio agreed and said, as a result of her interview, she believes the parents didn't know what to do and became a little anxious and concerned after receiving the information from the Pastor and asked him what they should do. According to the parents, they asked the Pastor what they should do and the Pastor suggested that maybe they should leave.
- Regarding the second focus, Fr. Spyrow continued his report, saying he explained to the Parochial Vicar his concerns over the 2011 IRB recommendation. After a review of his file, he noted similar concerns from two other dioceses dating back to his seminary days. In August

1997, the opinion from a psychiatrist who met with the Parochial Vicar at the Archbishop's request stated that he recommended him at that time as psychologically stable and qualified for a meaningful seminary formation experience. The concern about his sexuality stated that a psycho-sexual disorder could not be ruled out, which is the most commitment an evaluator could have made. Psychological testing does not reveal any disorder of any sexual nature. He was accepted into the seminary. Then in November 2010, a letter from the Parochial Vicar to Bishop Justice stated that his then-Pastor had met with him several times to discuss concerns arising from his interactions with children at the school expressed by a small number of parents. In 2011, the IRB reviewed the allegations and it was determined a *Charter* violation did not occur. However, there were three recommendations: first, that he undergo an updated quantitative psychological assessment; second, that any future Letters of Good Standing be updated to reflect concern brought about by review of his file; and third, that appropriate monitoring take place. The psychological evaluation took place in 2012 and showed no known risk factors for inappropriate sexual behavior with minors or adults; and remarked that he was too intellectual and needed to get in touch with his emotive side. In 2013, the Parochial Vicar chose to apply outside the Archdiocese of San Francisco to his home diocese with the intent of serving five years and be incardinated. After nearly five years, his incardination application was denied. That diocese's Vicar for Clergy noted that he met with him following an allegation in which parish staff members reported an incident shared by a parishioner who observed the Parochial Vicar alone in the parlor of a house in which a reception was taking place following a boy's First Communion. The allegation stated the boy was changing and the Parochial Vicar was at or just inside the double doors to the parlor. Another concern was brought about by a deacon who said the Parochial Vicar touched the altar servers too much when giving them instructions and that it made him feel uncomfortable, a concern also shared by a DRE and youth minister.

- Though this is a lot of information, Fr. Spyrow said that after reviewing his file and speaking with Rocio and Archbishop, in this hyper-sensitive age it may be that the Parochial Vicar is not aware of how he is perceived by others, though there are no verifiable boundary violations.
- Renee asked if the Parochial Vicar is concerned about how he is coming across to other people, other than thinking people are out to get him. Fr. Spyrow said he doesn't think he is, sharing the Parochial Vicar's remarks that he is "very good around children" and he can't control what others are thinking or perceiving.
- Msgr. Talesfore asked if Fr. Spyrow feels confident that the Parochial Vicar is able to make that distinction. Fr. Spyrow said that is a very good question, and that maybe the 2011 IRB recommendations may warrant another assessment or counseling. It may not be his intention, but the Parochial Vicar is creating concern.
- Kesook commented that, after listening to his long history, what is bothersome is that he doesn't seem to have much insight into what he's doing and passes blame to others rather than accepting responsibility for his actions. He shows a pattern of behavior and is rationalizing or justifying his behavior. It is good there is this heightened awareness.
- Msgr. Talesfore asked if the contents of the Parochial Vicar's file were confidential and if subsequent pastors were not aware of prior concerns. The presumption is that these were objective observations without prior knowledge of his history. Is there any reason to believe that subsequent pastors were alerted to something in the Parochial Vicar's file? Fr. Spyrow said

he didn't know. Msgr. Talesfore said that, with the associates he has had, he has never been given any warnings or red flags, so he doesn't know if this is something that is done. This would be important for the IRB to know. Fr. Spyrow said he believed it would only be if something comes up after an assignment. Following up, Msgr. Talesfore asked if it is needed for the IRB to make any recommendations to Archbishop. Fr. Spyrow asked if the 2011 recommendations would still be in place. Archbishop thought that the subsequent pastors might have knowledge of the continued monitoring, and Msgr. Talesfore wondered if that led to the reporting of concerns. Archbishop is not aware if monitoring was followed through with because the Parochial Vicar went to another diocese shortly after the 2011 IRB recommendations. Msgr. Talesfore is concerned that the Parochial Vicar is resistant to the natural feedback he is receiving. Following this meeting, Fr. Spyrow will make the Parochial Vicar aware of any new recommendations from this Board or inform him of the 2011 recommendations. It is unclear how formal monitoring would take place, but Archbishop thought it may be similar to the mentor situation in which the individuals meet regularly. It could be with an experience pastor whom the Parochial Vicar trusts.

- John asked if there is some kind of course which could help him with healthy boundaries, particularly with minors, rather than passive meetings. Renee thought it was interesting that the Parochial Vicar was saying that he hasn't touched them or done anything without their permission.

Redacted

Redacted

- Msgr. Padazinski, in going back to the 2011 IRB recommendations, thought he must have been made aware because he underwent the 2012 psychological evaluation. He doesn't know if a third evaluation would bring about anything different from the first two evaluations.
- Going back to John's recommendation, Archbishop shared that it has occurred in the past where priests were sent for additional training and met with child psychologists with no complaints brought about after the additional training. This could be done in the Parochial Vicar's case as well. Renee said that his unwillingness to accept other people's perceptions is the issue rather than a *Charter* violation. Laura agreed this is the primary issue. She noted that he lacks insight into his own behavior and feels targeted or unfairly judged. Meeting with someone regularly who can offer feedback may be helpful.
- Fr. Spyrow asked Rocio if there is anything else to cover and she shared that, in the interviews she conducted, the child was not uncomfortable and that the parents wish to return to the parish. She suggested a transition plan.
- Msgr. Talesfore asked that Archbishop and Fr. Spyrow keep in mind whether the Parochial Vicar's disconnect with people's perceptions plays out in other areas of his ministry. Could a broader issue be addressed rather than one in which he feels targeted regarding his behavior with children? Fr. Spyrow thought perhaps a parochial vicar assessment, but wouldn't know how to diagnose something like that. He said other areas of concern were brought up (i.e., Covid masking mandates). Msgr. Padazinski was also aware of issues regarding how he relates to other people, not just children, and that he has been told several times by other priests about how the Parochial Vicar presents himself.
- Kesook asked if the Parochial Vicar was still at the same parish or a different one, and Fr. Spyrow replied he is at the same parish. She asked if he could be limited in his exposure to children in

his ministry. Archbishop replied if that were to occur, it would be an admission that we thought he was a danger to children, and, if that were the case, he shouldn't be ministering at all.

- Fr. Spyrow asked the current Board if the 2011 IRB recommendations should be kept in place or if new or altered recommendations should be made. Renee liked Msgr. Padazinski's thoughts that he may need more self-awareness in general, rather than just regarding children.
- Rocio shared that she feels the family wants to return and she would like to support the family as they transition back to their parish. In the meeting Fr. Spyrow had with the Parochial Vicar, Rocio didn't get the feeling that he was willing to take responsibility, so is there a way the Parochial Vicar can be made aware that the family will be returning and the awareness of what that will mean for them all. Msgr. Talesfore asked if he is capable of that. Rocio said he probably isn't, based on what she's hearing, but the family would like to return and there needs to be a transition plan. Fr. Spyrow said he can make the Parochial Vicar aware of the family's return, and wants to be sure the family is comfortable. Perhaps the Pastor can also reach out to the family, but that could also be an issue given the perceived animosity between the Pastor and the Parochial Vicar. The Pastor should also smooth over the issue; the family left because of the conversation with the Pastor. Msgr. Talesfore suggested that Fr. Spyrow and Rocio discuss the best pastoral response outside the IRB meeting and meet with the family. Kesook asked if the family comes back, will it be possible for the parish office to schedule the boy as an altar server at masses the Parochial Vicar isn't celebrating. Msgr. Talesfore answered that could lead to speculation and involve additional people.

Renee asked if there were any additional items from the previous meeting.

Redacted

Rocio proceeded with the case review.

- She has one anonymous inquiry that came in from the Diocese of San Jose on September 20th. The location was Saint Francis Cabrini Church rectory in San Jose, and the dates were 1976-1978 when the person was a minor. A priest had been identified by name (JS). That is the only information to date. Rocio is working with the Diocese of San Jose VAC. **Redacted**

Redacted

Redacted Fr. Spyrow added that he had a file, but that the individual was a religious and the first name didn't match up. The priest's middle initial was "J", though there was no indication of what the "J" stood for. He has the file on hold should Paula need it. Renee said we will wait to hear if anything else comes up.

256 Renee asked Msgr. Padazinski if there were any changes to the categories.

257 ■ Msgr. Padazinski said nothing has changed. For the new people, he explained that the category
258 template shows if there is any kind of canonical process in place ... if they've been removed from
259 ministry, they can be placed in one of several categories (allegation made, disposition pending,
260 canonical trial in place, if the case has gone to Rome for laicization at the request of either the
261 priest or Archbishop). There is also a list of priests who died in the past several years since
262 records have been kept, and priests who are still living but have signed a Memorandum of
263 Understanding regarding restricted ministry or who may not represent themselves as a priest.
264 People may move from category to category.

265 Renee asked if there was any new business.

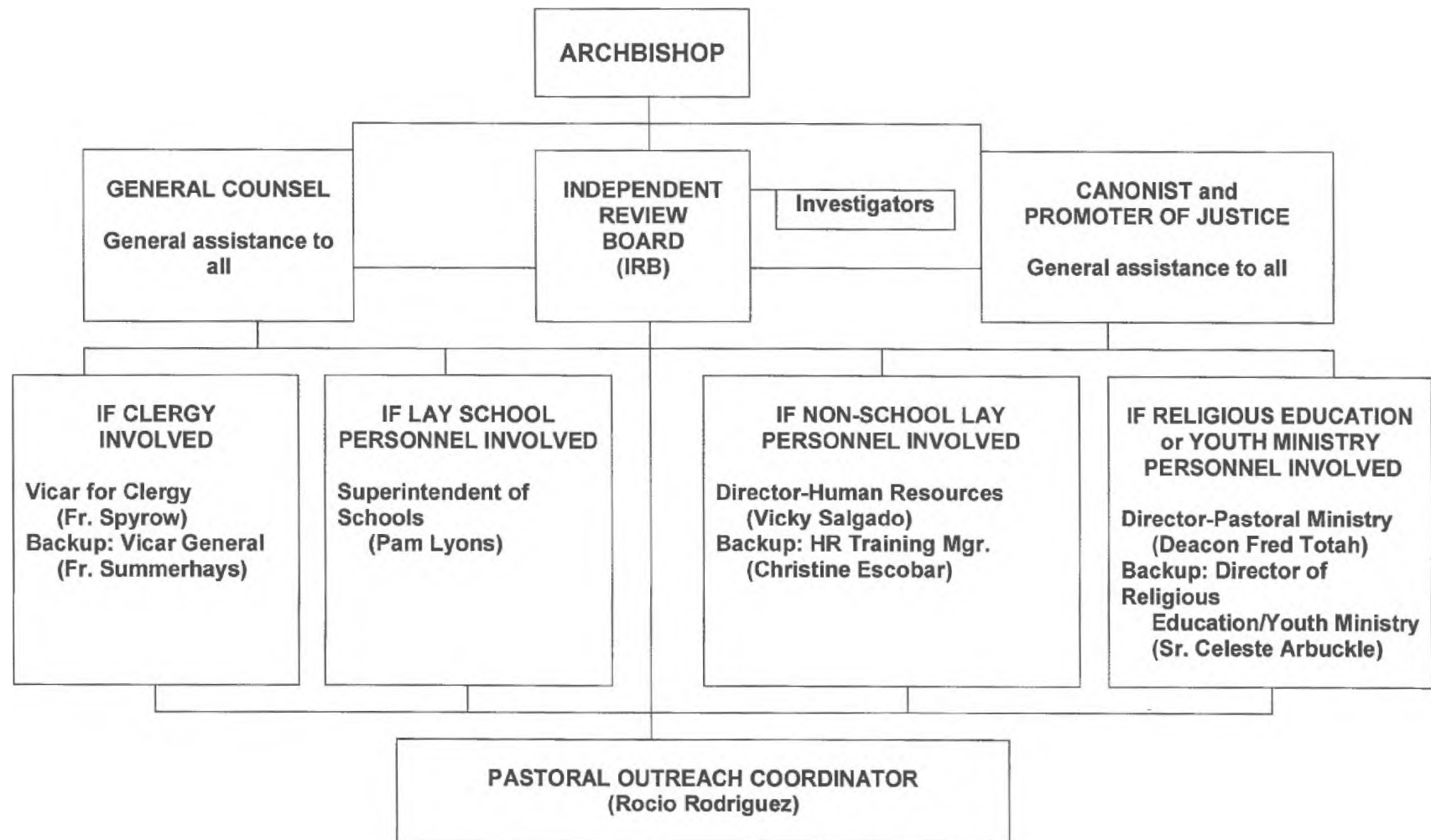
266 ■ Archbishop Cordileone asked about how to handle a publication [Redacted] contributed to.
267 It's a question of how to list his name. Fr. Barton Geger, a professor at Boston College with the
268 Institute for Advanced Jesuit Studies, said an upcoming publication is being translated by [Redacted]
269 [Redacted]. He was planning to identify him in the publication as a priest of the Archdiocese of San
270 Francisco, but was advised to confidentially contact Archbishop's office. Renee asked what has
271 been done in the past, and Archbishop said he has been identified by his name without his title.
272 Msgr. Padazinski said he believed it came up previously several years ago, and that under his
273 MOU, [Redacted] is to identify himself as [Redacted]. Archbishop said the only difference is
274 that this is a journal with [Redacted] name on it, and how they are to refer to him. It would not
275 be appropriate to refer to him as "former priest", but he could be referred to as "retired priest".
276 Msgr. Talesfore said he would request that [Redacted] not be referred to as a priest of the
277 Archdiocese of San Francisco. He can't imagine that his official status would have an impact on
278 the content of the article, and that his educational background should be sufficient. John said
279 he would ask that nothing about the Archdiocese or his status as a priest be used; he's a writer,
280 an author, an expert on religious studies. Archbishop thanked everyone for their input.
281 ■ Renee brought up that 2021 is our year for the USCCB on-site audit, which will take place later
282 this month. Some or all of the Board members will be contacted regarding an interview with the
283 StoneBridge auditor. She knows the Board has by-laws and that packets were given to new
284 Board members when they joined the IRB, but doesn't know where that exists. At one time,
285 there was a copy in the VAC office. It would be good to find them. It would also be good to
286 read the *Charter* by way of preparation. John said he has a file from when he joined the IRB; he
287 will send a copy to Karen. [Redacted]
288 [Redacted] When Annabelle took over, it does not appear that
289 the information was transferred over from Joanne. Karen is working with the auditor and will
290 be in touch with everyone regarding interviews.

291 The next meeting was set for Friday, January 21, 2022, at 9:30 a.m. It will be determined in January if
292 the meeting will be held in person or via Zoom.

293 The meeting ended at 10:50 a.m.

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB) COMMUNICATION / REPORTING STRUCTURE (As of November 2021)



IRB (Rev. 21/11)

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB) OPERATING PROCEDURES

- ◆ Complaint/Allegation: Channeled to applicable Chancery official:
 - ▶ If Clergy Involved:
 - Vicar for Clergy (Fr. Spyrow)
 - Backup: Vicar General (Fr. Summerhays)
 - ▶ If Lay School Personnel Involved:
 - Superintendent of Schools (Pam Lyons)
 - ▶ If Non-School Personnel Involved:
 - Director of Human Resources (Vicky Salgado)
 - Backup: HR Training Manager (Christine Escobar)
 - ▶ If Religious Education or Youth Ministry Personnel Involved:
 - Director of Pastoral Ministry (Deacon Fred Totah)
 - Backup: Director of Religious Ed/Youth Ministry (Sr. Celeste Arbuckle)
- ◆ Applicable Chancery official screens the matter (gathering basic information necessary to determine -- in consultation with Legal Counsel, if necessary -- whether "reasonable suspicion" of child abuse exists). * If so, matter is reported to civil authorities and to the Independent Review Board (IRB).
 - *Note: In some cases it may be necessary to consult with (or refer the matter to) members of the IRB to assist in determining whether the minimum threshold for further investigation/reporting (i.e., "reasonable suspicion") has been met.
- ◆ Applicable Chancery official contacts the alleged victim's parent(s) (or the victim directly if the victim was abused as a child but is over 18 when the allegation is presented to the Chancery) and informs them of the results of the initial investigation. If reasonable suspicion has been found to exist, then the parent(s)/victim will be informed that, pursuant to Archdiocesan policies and procedures, the "Primary Investigator", who is accountable to the IRB, will be contacting them to gather more detailed information. Chancery official will also inform them that when the IRB has completed its assessment of the facts, the findings will be shared with them. Chancery official will also inform the parent(s)/victim that in the interim period, the Archdiocese is willing to assist,

through its Pastoral Outreach Office, with appropriate spiritual/psychological support, if needed.

◆ Applicable Chancery official contacts the IRB Chair and the Primary Investigator. Investigator then arranges a meeting with the parent(s)/victim and presents I.D. card and parental consent form. Potential non-victim witnesses can be contacted directly by the Investigator, who will state that the contact is being made on behalf of the Archdiocese's Independent Review Board. Should the witnesses hesitate to be spoken to without a formal introduction from a Chancery official, then that will be arranged. In some cases, the alleged victim or witness and his or her parents will prefer to meet with the Investigator in their own home. In other instances, these individuals will prefer to meet at an Archdiocesan location. In the latter case, the Archdiocese will make the following three county locations available for this purpose: Vallombrosa Retreat Center (Menlo Park); Chancery Office interview room or Saint Mary's Cathedral counseling room (San Francisco); Marin Catholic High School counselor's office (Kentfield). Alternative arrangements can be made if a victim or witness and his or her parents wish to meet at some other location such as a local parish or school.

◆ As the investigation proceeds, the applicable Chancery official (or his or her designated backup) should be contacted if the IRB is in need of resource assistance (such as accessing databases, arranging for meeting sites if outside the victim/witness's home, etc.) Archdiocesan Legal Counsel shall also be available to respond to various legal questions or concerns that may arise. An Archdiocesan canonist will similarly be available to address any canonical issues.

◆ The Primary Investigator consults along the way, as necessary, with members of the IRB and, when the Investigator feels that he/she has completed his/her work, he/she will prepare a final report for review by the IRB. Following further investigation (if necessary), the IRB will present a final written report to the Archbishop, setting forth its assessment of the facts and recommendations. The IRB shall be provided with suitable secretarial support.



Redacted

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Re:

Redacted

(Name of Accused)

The Independent Review Board (IRB) finding as to whether there is sufficient evidence that "sexual abuse of a minor", as defined in the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, took place in the matter which the IRB reviewed involving the above-referenced individual is as follows:

Sustained: _____

Not Sustained: _____

INDEPENDENT REVIEW BOARD CHAIRMAN

Dec 9, 2021

(Date)

Renee A. Duffey

(Signature)

Renee A. Duffey

(Please Print Name)

ADDITIONAL COMMENTS/RECOMMENDATIONS, IF ANY:

Return to ministry and restore faculties.

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Re:

Redacted

(Name of Accused)

The Independent Review Board (IRB) finding as to whether there is sufficient evidence that "sexual abuse of a minor", as defined in the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, took place in the matter which the IRB reviewed involving the above-referenced individual is as follows:

Sustained: _____

Not Sustained: _____

X

INDEPENDENT REVIEW BOARD CHAIRMAN

December 9, 2021
(Date)

Renee A Duffey
(Signature)

Renee A. Duffey
(Please Print Name)

ADDITIONAL COMMENTS/RECOMMENDATIONS, IF ANY:

Return to ministry and restore faculties

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Thursday, December 9, 2021 (via Zoom)

Attending: Dr. Renee Duffey, Dr. Kesook Lee, Msgr. John Talesfore, Paula Carney, Rocio Rodriguez (left meeting at the 27:15 mark), Al Triguero, and John McCord. Dr. Laura Rubinos joined the meeting at the 48:30 mark, but had familiarized herself with the supporting documents sent in advance of the meeting. With 5 of 6 voting members present at the beginning of the meeting and 6 of 6 present when the vote was called, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: Voting members Dr. Renee Duffey, Dr. Kesook Lee, Dr. Laura Rubinos, Msgr. John Talesfore, Mr. John McCord, and Mr. Al Triguero were present for the vote. After discussion of the documents presented, questions asked and answered, and observations of the members, it was moved, seconded and unanimously approved that the allegations brought against DG and MH are not sustained and that the recommendation to Archbishop Cordileone is to return DG and MH to full ministry and restore their faculties.

MEETING DETAILS: The meeting began at 9:30 a.m.

Renee spoke with Archbishop Cordileone, who had a schedule conflict and was unable to attend. If necessary, the IRB may need to meet again with him in attendance, but he felt it was important to move ahead and meet without him at this time.

Msgr. Talesfore led the group in prayer.

Renee reminded the Board that the purpose of this meeting is to discuss allegations brought against DG and MH, then determine whether to sustain or not sustain the allegations based on the USCCB Standards (believable and plausible, reasonable and probable, or preponderance of evidence).

The attendees had read over the supporting documents. Comments and insights followed:

- Kesook noticed inconsistencies in the details of the allegations by the two accusers. First [Redacted] [Redacted] description of first allegation of abuse on Easter Sunday was not supported by information in DG's interview that there was no Easter Sunday Mass at St. Vincent's School for Boys, only a Vigil Mass. Also, the details of [Redacted] abuse allegation did not seem credible. Kesook felt the evidence and details presented did not sustain the allegations.
- John had serious doubts about the details and veracity of claims of orgies held at Camp Armstrong, noting that abuse almost always happens one-on-one; neither counselor backed up the claims; and none of the other witnesses who agreed to be interviewed and were at St. Vincent's at the time of the alleged incident backed up the claims.
- Msgr. Talesfore shared that he comes from a mindset that he can never comprehend the claims made against the priests. But at the same time he agreed with John that, though it isn't out of the realm of possibility, the plausibility is beyond the extreme of what he can imagine among the accused. He also found that the dialogue reported sounds like a really bad movie. He is concerned with the lack of support, especially by adults in positions of authority, who would bear liability.
- John said that another issue in general is how readily available stories and allegations are, such that someone could take information from other sources and make the inference that this happened to them because they were at the same location. This makes him leery of the

allegations, especially since MH and GI (the latter not named in this allegation) had been accused prior. [Redacted] embellishment seems completely unbelievable.

- Renee said that the stories seem like those against really strong predators, not something that would be single acts. She found it hard to believe that, if the allegations were credible, there would not be additional allegations brought by others.
- John found that in [Redacted] statement, there were also prior issues in some boys' lives which indicated strong psychological damage prior to coming to St. Vincent's.
- Rocio found it interesting that both were in the same prison (and possibly cellmates) as reported in the investigative report – three times as noted in the highlighted section. However, they are about 10 years apart in age.
- John noted that [Redacted] also claims he was abused by a mental health provider post-St. Vincent's/Camp Armstrong. However, there is no doubt that these were troubled boys.
- Renee said that it becomes a balancing act because troubled and abused youth tend to end up in the criminal justice system and become more accessible to abusers, but that doesn't mean these allegations are credible.
- Rocio asked about GI not being named in the allegation. [Redacted]

Redacted

Redacted

- Renee asked if AI had any comments, especially from the perspective of the justice system. AI replied that he agreed that everything said so far was spot on. He also found it interesting that [Redacted] and [Redacted] had been in facilities together, and most recently in 2020. That coincidence leads him to believe that the allegations had been concocted in prison to further their agenda. [Redacted]

Redacted

- John asked about GI; Msgr. Talesfore said he did not know details, but GI has not been a priest for several years and believes he does not live in the area any longer. DG said in his interview that he doesn't know GI, which is consistent with Msgr. Talesfore's experience; they did not move in the same circles. DG and MH would likely know each other due to their shared causes. Msgr. Talesfore has been involved in the Archdiocese for more than 40 years, and doesn't see these men traveling in the same circle.
- John asked if anyone knew the St. Vincent's executive director named at the time the allegations took place. Msgr. Talesfore said he does not know him, but has heard that his leadership was highly regarded and he has a good, strong reputation. Renee knows him by name only, but never heard anything negative.

Redacted

- John asked about how boys come to be at St. Vincent's and if there is a period of time they may remain at St. Vincent's. (Rocio left the meeting) Msgr. Talesfore said some come for shorter periods of time, some for longer, some are moved by the court system to foster care, and some

are returned to their families. Two major areas summed up by a St. Vincent's staff member were that boys were returned to their family of origin or placed into a foster home.

- Kesook noted that [Redacted] was at St. Vincent's from 1982-84 before going into foster care; [Redacted] was there from August 1989-April 1994. [Redacted]

Redacted

- Renee asked if any evidence goes to support the allegations or is more believable or likely.
- Msgr. Talesfore said the only thing that seems to suggest abusive behavior is a witness statement that GI approached him in the shower, though nothing occurred thereafter. John noted that the same witness remembered [Redacted] commenting about one priest being "frisky" with him, but did not recall any specific statements about abuse. That "frisky" statement concerned Msgr. Talesfore. John pointed out that another witness recalled [Redacted] [Redacted] saying that he had been molested at the school, but there was not details supporting [Redacted] statement. The two counselors, both mandatory reporters, had no recollection of any reports of abuse made to them.

Redacted

- John checked online and found an article by attorney Jeff Anderson listing GI and allegations at Marin Catholic, not St. Vincent's (Renee pointed out that these allegations were made by a teenage girl, not by any boys). [Redacted]

Redacted

- John said that is also appears that [Redacted] self-assessment of his mental damages is pretty thorough and he seems to be saying the right things. He went through therapy while in the prison system. He attended multiple high schools within 2-3 years. [Redacted] acknowledged he was likely abused by his father, but there doesn't seem to be any tie-in to St. Vincent's.
- Renee said there has to be a connection between this allegation and these priests in order to sustain the allegation.
- Kesook said she could not find any connection. Witnesses gave no evidence to uphold the allegation.
- Renee asked if the IRB members feel there is enough information to take a vote.
- John asked if there is any sense of plausibility with [Redacted] or [Redacted] statements regarding DG and MH. Renee said she finds it plausible that they were abused, but sees no link to St. Vincent's, DG or MH. The other voting members agreed. (Dr. Rubinos joined the meeting).
- Renee asked if Laura had time to read over the information (she did) and if there was anything that stood out for her.
- Laura replied that her impression was that it was plausible that misconduct had taken place, but there was not corroboration that DG or MH were part of any abuse or misconduct.

- 142 • Renee called the vote, first for DG – Msgr. Talesfore moved that the allegation against DG not be
143 sustained; Al seconded. The voting members approved unanimously.
144 • Renee then called the vote for MH – Renee moved that the allegation against MH not be
145 sustained; Msgr. Talesfore seconded. The voting members approved unanimously.
146 • Renee read the statement she will submit on behalf of the IRB to Archbishop that the allegation
147 against DG and MH were not sustained.
148 • Second, Renee asked if it is recommended by the IRB to Archbishop that DG and MH be
149 returned to active ministry and receive their faculties back. It was unanimously agreed that the
150 recommendation be made.
151 •

Redacted

152 •

Redacted

153 •

Redacted

 Renee also reminded the IRB members to not communicate with the
154 media should they be contacted.
155 • The meeting ended at 10:25 a.m.
156
157

158 Submitted by Karen Guglielmoni



Redacted

THE ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD (IRB)

Re:

Redacted

(Name of Accused)

The Independent Review Board (IRB) finding as to whether there is sufficient evidence that "sexual abuse of a minor", as defined in the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, took place in the matter which the IRB reviewed involving the above-referenced individual is as follows:

Sustained: _____

Not Sustained: _____

X

INDEPENDENT REVIEW BOARD CHAIRMAN

November 23, 2021
(Date)

Renee A. Duffey
(Signature)

Renee A. Duffey
(Please Print Name)

.....
ADDITIONAL COMMENTS/RECOMMENDATIONS, IF ANY:

Due to inconsistencies in the allegation and lack of any corroborating evidence found by the independent investigator, the Independent Review Board unanimously voted to not sustain the allegation against _____ They recommend that _____ be returned to active ministry and his faculties be reinstated.

Minutes of the Meeting
Archdiocese of San Francisco Independent Review Board
Tuesday, November 23, 2021, at 9:00 a.m. (via Zoom)

Attending: For the duration of the two meeting times, Archbishop Salvatore J. Cordileone, Msgr. Michael Padazinski, Msgr. John Talesfore, Fr. Andrew Spyrow, Dr. Renee Duffey, Dr. Kesook Lee, Dr. Laura Rubinos, Mr. John McCord, and Paula Carney attended. Mr. Al Trigueiro was present for the duration of the first meeting time and rejoined 15 minutes into the second meeting time. Rocio Rodriguez attended the first portion of the meeting. With all six voting members present at the time the vote was called, a quorum was established. (Karen Guglielmoni – recording minutes)

MEETING SUMMARY: The meeting began at 9:00 a.m. and continued for approximately 54 minutes, during which time the allegation against MM was discussed, observations given, and questions asked and answered. However, the IRB members did not feel they had adequate preparation to reach a conclusion and asked to reconvene at 11:45 a.m. so they could finish reviewing the documents. After reconvening, the IRB Members completed their discussion and observations. It was moved, seconded and unanimously approved that the allegations brought against MM are not sustained and that the recommendation to Archbishop Cordileone is to return MM to full ministry and restore his faculties.

MEETING DETAILS: The meeting began at 9:00 a.m.

Archbishop Cordileone led the group in prayer.

Renee asked if the IRB members had been able to review the documents (some had, some had not), and shared that the agenda for the meeting is to review the allegation brought against MM in light of the investigative report and other supporting documents. Because the allegation involves a member of the Capuchins, Renee said she thought it was important to look at the findings independently of the Capuchin ethics committee review in order to reach a clear, independent decision and also because most of the Capuchin review board have personal relationships with MM.

Redacted

- Kesook summarized the allegation and investigation: [REDACTED], while he was attending Our Lady of Angels School, alleges that when he was 8 years old, he was called out of his classroom to the church and met with MM. He was taken into the “chamber”, which he had not been in before, and his genitals were briefly touched. The allegation further stated that MM was wearing a priest outfit with a collar. [REDACTED]
[REDACTED] He did not tell anyone at the time of the incident. The parents split in 2008, and he is not close to his father any longer. [REDACTED] he was in a car accident and suffered a traumatic brain injury (TBI). From July 1987-1991, MM was transferred to another parish and was not assigned to OLA; this would not place him at OLA at the time of the allegation.
- Msgr. Talesfore thanked Kesook for her summary and expressed his concern over the gravity of this matter. He asked if there was any discussion as to how the preparation for the meeting would occur and suggested it may be prudent to reconvene after allowing time for more sufficient preparation.

- Renee read directly from the allegation. She also shared that the investigators discovered that MM was not at the parish or school at the time the allegation is said to have occurred, that the priests rarely wore their collars (and then only for formal events) but instead wore their habits, and that no witnesses interviewed recalled anyplace called the “chamber”. Students were not allowed out of the classroom by themselves. Essentially, there is no substantiation of any of the facts presented in the allegation.
- John shared that the information presented does not say who called him out of the room, and that in John’s experience, it would have been a principal or other school office personnel, and that students would be called to the office and not allowed to freely move about the church grounds. The supporting documents also state that the accuser and his mother, who is his conservator due to the TBI and whom he lives with, believe he would be able to go through litigation himself, which led John to question the severity of his brain damage. John also found other inconsistencies in the statements.
- Msgr. Padazinski also found it perplexing that a non-Capuchin priest was vaguely mentioned in the letter from the attorney without any background or additional information. He agreed with John that the attorney letter was poorly presented and created a lot of questions.

Redacted

- Kesook pointed out that the report mentioned the Polly Klaas kidnapping, which did not occur until 1993, so could not have affected school policy in the late 1980s.
- John shared that whatever happened when he was 8 is obviously of importance, but he had a strained relationship with his father and was afraid of him, has been through a traumatic injury, and lives with his mother. The attorney did not know if he had ever been through any therapy sessions. He also questioned the make-up of the Capuchin review board, and how with 250 letters in support of MM, there was not one negative correspondence.

Redacted

Redacted

- Independent of this discussion, Msgr. Talesfore said he would like the IRB to go over processes and procedures, and direction as to what information may be shared with the Board and under what circumstances, etc. That being said, he does not feel he has enough information to review in order to advise Archbishop on the current matter.
- John verified that the Capuchin Provincial Minister is requesting that MM be reinstated as Pastor and asked if that decision comes from Archbishop or if the Provincial Minister can do himself. Archbishop answered that ultimately it is up to him but the Provincial Minister could block it. It is a mutual decision with both parties having to be in agreement on the decision. John continued that he thinks the information currently available for review is pretty weak; he

also has doubts about being able to make a decision based on the findings of people who are already close to MM, and feels it would be helpful to see the independent investigative report.

- Kesook asked about the 250 letters of support for MM, and if that meant the allegation was public knowledge at the parish. Msgr. Talesfore said the Provincial spoke at all masses the weekend MM was removed from active ministry. The San Mateo region has been hit with 3 allegations against well-known clergy all at once, so this is a big deal in the County and in the San Mateo area deanery.
- John said that, as someone who has brought action, if someone is going to destroy a clergy member's reputation, they should have their ducks in a row, and he doesn't feel their ducks are in order. But he doesn't feel the IRB has enough clear information. Msgr. Talesfore concurred, and clarified that if the IRB is to address all credible cases in a timely matter, does this reach the status of a credible case. Renee said that yes, it does. She explained that credible doesn't mean that it happened or that there is evidence that it happened; it means that an allegation has been made against a specific priest at a specific time and place. It's credible enough to move forward with an investigation. Msgr. Talesfore asked what would be an example of a non-credible case. Renee said if a specific priest wasn't named, or if there weren't details as to the incident or to a specific time and/or place, or if someone weren't mentally competent, those could mean an allegation wasn't credible ... basically if there wasn't enough information to open an investigation. In terms of the *Charter*, the word "credible" means that there is enough information to open an investigation. John pointed out that the parish thought it was credible since they opened an investigation, so we have an obligation as well.
- Additionally, Msgr. Talesfore asked if the Vicar for Clergy office could provide the years that MM was at the parish, especially at and around the time the accuser attended the school. Fr. Andrew said he could get the information; he was not approached in the course of the investigation. Fr. Andrew left to obtain MM's file. John agreed that it doesn't sound like the dates line up. Renee would like to see for herself that there is no corroborating evidence supporting the allegation by viewing the actual investigative report rather than just the summary provided by the ethics committee.

Redacted

Redacted

Redacted

- Laura asked about the role of psychological or even neurological evaluations for these types of cases and whether it is standard procedure or case-by-case. She also asked how such findings have affected the Board's process or decision in the past. Renee was not aware that had been done in the past.

The Board reconvened at 11:45 a.m. after having reviewed the investigative report. Renee asked for comments, feedback, observations, or remarks.

- John offered his thanks for providing the report, which was much more informative and thoughtfully laid out than the previous document. At the end the report where facts vs.

statements were given was helpful, and outlined procedures at the school at the time – students wouldn't have been out of class on their own or allowed to walk unaccompanied around campus, friars all wore their robes with rare instances of them wearing their clerical collar, and there was no recall of a dungeon or chamber in the church.

- Renee remarked that the only discrepancy she found was that the ethics committee said the years of service did not match when, in fact, MM was at the parish for two years that coincided with the time the accuser was there (in the 4th and 5th grades).
- Fr. Andrew shared MM's detailed history kept in the computer program, which only shows current assignments beginning August 1, 2009. But MM's hard-copy file has documents and correspondence going back as 1996, but not before. There was nothing from 1986-1996, particularly during the time of the allegation. In 1996, there was a letter from then-Archbishop Levada to MM, but no title was given.
- Msgr. Talesfore said it was his understanding that the Vicar for Clergy Office maintains significant records of what priests were assigned to what parishes during what years should questions arise with the IRB or Priest Personnel Board.
- Fr. Andrew said there was a copy of a May 2000 letter from Bishop Wester to MM referencing his sabbatical. A notation in Annabelle Groh's writing said to pull the file and place in cabinet of priests who have left the Archdiocese and, effective June 2000, remove MM from database. Fr. Andrew is unaware of the procedures in 2000, but the current computer database information begins with MM's assignment in 2009 and whatever information is in his hard-copy file.
- Msgr. Talesfore believes there is additional information outside of these sources because of the way it has been reported in the past, even going back decades. Renee said that they would go through directories for information. Msgr. Padazinski said the Kenedy Directories would be a further source of information. John said church bulletins could be another source. This would be a topic for further discussion.
- Even if there is a discrepancy of dates and MM could have been at the parish at the time of the allegation, Renee asked if any other information in the report supported the claim.
- Msgr. Padazinski was struck by the consistency of the witness statements that MM was not seen in a collar, only the habit. It was also interesting that there was another priest who was not a Capuchin there on assignment for a couple years at the time of the allegation who would have been wearing a collar. He was known to be around the school. There could have been mistaken identity since MM had been there for so many years and was known to the parish. This also supports that it was probably not MM who committed the alleged abuse.
- John was a little confused about the time overlap when the accuser was at the school through 5th grade. Msgr. Talesfore said the front page of the document suggests he was in 4th grade starting fall of 1991. If MM's assignment began in July, as most do, he would have been there starting July 1991 and there for his 4th and 5th grade years. The accuser was born in November 1981 and turned 10 in 1991; therefore he would have been 10 and 11 when the two overlapped at the parish. Msgr. Talesfore did not see the discrepancy to be of significance since memories tend to blur together when children are that age.
- Laura concurred and said the more relevant point, as mentioned previously, was the consistency of the witness statements in regard to school policies and the wearing of the habit. Also interesting was the statement by the accuser's self-identified best friend who still maintains correspondence with him that he has never talked to her about any alleged abuse. Given the personal nature of their long-term relationship, she felt strongly that he would have spoken to her about it.

- John shared that another consistency across the witness statements was that priests did not summon students out of the classroom and that the students would not be unaccompanied, which is the implication of the accuser's statement.
- Kesook said an inconsistency was in the information about moving to Idaho – in one place it was stated that this occurred when the parents split in 2008, but in another that it occurred when the family moved to Idaho when the accuser was a sophomore, which would have been 1998. A witness close to the accuser's mother said they remained close to the family until they moved about 12 years ago, which would have been around 2008-2009. Kesook also thought it was interesting that there was only one reference to the priests wearing the Roman collar which would have occurred after the accuser's school years at the parish, and that no one recalled the "chamber" with a desk, chair and bench as described by the accuser. MM and the best-friend witness also stated that there was no room with a desk, chair and bench. Teacher and student witness statements regarding school policy were also interesting.
- Archbishop clarified that canonically the question at hand is if there is any evidence that the allegation should move on to a formal trial or not. Sustained means there is while not sustained means there is not evidence to support the claim. He needs the recommendation of the Board as to whether or not the claim has merit. Renee verified that the recommendation to the Archbishop will be to either sustain or not sustain the allegation, and clarified that the voting members are herself, Msgr. Talesfore, John, Al, Laura, and Kesook.

The motion was made and seconded (Duffey/McCord) to not sustain the allegation against MM and to restore MM to full faculties and to his ministry at the parish, and was approved unanimously by the six voting members. Renee read aloud the document she will complete, sign and submit to Archbishop Cordileone. Renee will also submit a brief statement to Archbishop outlining the recommendations. Archbishop requested this be done as soon as possible and asked Msgr. Padazinski to complete the decrees for signature. Archbishop will contact MM.

Renee said there will be another meeting coming soon on two other investigations:

Redacted

Redacted

The meeting ended at approximately 12:10 p.m.

Submitted by Karen Guglielmoni

ARCHDIOCESE OF SAN FRANCISCO INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

4th Floor Conference Room, Chancery, 9:30 to 12:00 Noon

February 1, 2019

To include lunch

Members: Dr. Renee Duffey, Psy.D., Marriage and Family Therapist
Dr. Esther Dunn, DO, Emergency Medicine (may have a difficulty changing her shift)
Chair: Mr. Dan L. Lawson, EdD, Retired Captain, San Francisco Police
Dr. Kesook Lee, Medical Consultant for the state of California
Mr. John McCord, Survivor
Reverend Monsignor C. Michael Padazinski, JCD, Chancellor
Reverend Monsignor John J. Talesfore, Pastor, Saint Matthew Parish, San Mateo

Chancery: Most Reverend Salvatore Cordileone, Archbishop of San Francisco
Larry Jannuzzi, Esq., Legal Counsel, Archdiocese of San Francisco
Reverend Raymond M. Reyes, Vicar for Clergy
Rocio Rodriguez, Victim's Assistance Coordinator
Annabelle Groh, Staff

I. OPENING PRAYER

Reverend Monsignor John Talesfore

II. BUSINESS

- A. Approval of Agenda
- B. Approval of the Minutes from the meeting of September 28, 2018
- C. Review of Membership (conclusion at year end of 2nd 4-year term for Sr. Gemma O'Keeffe, RSM)

III. REVIEW OF OUR RESPONSIBILITIES TO PROTECT CHILDREN, YOUNG PEOPLE, AND VULNERABLE ADULTS

IV. UPDATE ON ACTION ITEMS

V. REVIEW OF CATEGORIES

Reverend Monsignor Michael Padazinski

VI. MONITORING UPDATE

VII. NEW BUSINESS (*all members*)

VIII. Set DATE FOR NEXT MEETING

1
2 **ARCHDIOCESE OF SAN FRANCISCO**
3 OFFICE OF THE VICAR FOR CLERGY
4 ONE PETER YORKE WAY, SAN FRANCISCO, CA 94109-6601 (415) 614-5611
5
6

7
8 **CONFIDENTIAL**
9

10 **MINUTES:**
11 **INDEPENDENT REVIEW BOARD**
12 **ARCHDIOCESE OF SAN FRANCISCO**

13 9:30 AM, Friday, September 28, 2018, 4th floor conference room, Chancery
14

15 *Members:* Dr. Renee Duffey, Psy.D., Marriage and Family Therapist
16 Chair: Mr. Dan L. Lawson, EdD, Retired Captain, San Francisco Police
17 Dr. Kesook Lee, Medical Consultant for the state of California
18 Mr. John McCord, Survivor
19 Sr. Mary Gemma O'Keeffe, RSM, Attorney, Estate Planning Law
20 Reverend Monsignor C. Michael Padazinski, JCD, Chancellor
21 Reverend Monsignor John J. Talesfore, Pastor, Saint Matthew Parish, San Mateo
22

23 *Chancery:* Most Reverend Salvatore Cordileone, Archbishop of San Francisco
24 Larry Jannuzzi, Esq., Legal Counsel, Archdiocese of San Francisco
25 Reverend Raymund M. Reyes, Vicar for Clergy
26 Rocio Rodriguez, Victim's Assistance Coordinator
27 Annabelle Groh, Staff
28

29 *Excused:* Dr. Esther Dunn, DO, Emergency Medicine
30

31
32 I. Chair Dan Lawson welcomed everyone. At his invitation, Fr. Reyes began the meeting
33 with **A PRAYER**.
34
35

36 II. **THE AGENDA** was approved as submitted.
37
38

39 III. **THE MINUTES** of September 28, 2018 were approved as submitted, along with the
40 confidential key to the names of Charter priests who appear only with initials.
41
42

43 IV. **REVIEW OF OUR RESPONSIBILITIES UNDER THE CHARTER**
44

45 Dan Lawson invited members to comment on the current climate in the Catholic Church
46 regarding the abuse of minors and vulnerable adults. A discussion ensued. John McCord wondered
47 whether our local leaders could say with some confidence that they have acted well, and that the
48 concerns raised on the East Coast and in Australia are not valid here. Archbishop Cordileone stated
49 that he became a diocesan bishop in August 2002, and thus, had not been leading a diocese before
50 the Charter went into effect in June 2002. He mentioned one instance that his predecessor in
51 Oakland, then-Bishop Vigneron, had faced. The Archbishop briefly mentioned his upcoming town

52 hall meetings in the three counties. He will be speaking to those who attend about the crisis,
53 listening to their questions and responding to their concerns.
54

55 Dr. Renee Duffy clarified the two issues that seem most pervasive at this time in the Church:
56 many believe that sexual abuse of minors is still happening; and many believe that there are still
57 secrets that have never been told from the past.
58

59 Sr. Gemma O’Keeffe stated that she appreciates the value of the IRB. Its very
60 independence helps ensure transparency on both issues.
61

62 Monsignor Talesfore noted that much depends upon the way that the public perceives any
63 new message. The Archdiocese needs to do everything we can to be trustworthy in its day-to-day
64 approach, as opposed to being perceived as “attempting to gain trust.” He wondered about
65 resources that could be helpful – without enlisting a “spin doctor.”
66

67 Dr. Kesook Lee mentioned that as a new member of the Board, she was more interested in
68 hearing about the preventative steps the Archdiocese was taking, and the plans implemented to
69 promote healing. She noted the damage that has been inflicted on all people, even those not directly
70 abused.
71

72 John McCord suggested that Archbishop Cordileone be accompanied by a member from the
73 IRB when he connects with parishioners at the upcoming town hall meetings. Some in attendance
74 may be able to “hear” the message delivered by an IRB member, versus a bishop. They may be
75 better able to develop an understanding of what the Archdiocese is doing, and that others beyond the
76 Church hierarchy are involved. Monsignor Padazinski expressed his support for this idea. Rene
77 Duffey wondered whether this would give the impression that the IRB is not truly independent, but
78 Monsignor Talesfore believed that the opposite would be true.
79

80 Archbishop Cordileone stated that he has received a request from Saint Anthony Parish in
81 Novato for him to answer a number of specific questions. At their town hall meeting, they want to
82 know: What are bishops doing to actively prevent abuse? What has been done at Saint Patrick’s
83 Seminary? How much has been spent on abuse cases? Does the Vatican have an overarching
84 protocol?
85

86 Dan Lawson mentioned that he had recently watched the movie, “Spotlight.” He noted the
87 importance of addressing the perception of cover-up. More than the abuse itself is the issue of the
88 cover-up. Dan suggested bringing in a consultant: not to “spin” but to help us be better able to
89 listen and respond in this current climate, to help heal wounds, and to be proactive. We want to be
90 effective at reporting on ourselves.
91

92 It was noted that while it is good to self-report, accusations are not always credible based on
93 the information that can be uncovered. Some parishioners may think they know of a case of abuse
94 though the priest remains in ministry. They believe this is a sign of a cover-up because they are not
95 privy to the results of independent investigations – nor should they be. It is also true that each time
96 sustained instances of abuse have been announced, people alleging abuse feel more empowered to
97 step forward to tell their story. Dr. Renee Duffey added that rape/incest hotlines increased in
98 volume 147% following reported stories from Pennsylvania earlier in the week.
99

100 Monsignor Talesfore stated that he understood that the Archbishop in New York had said
101 he was going to be reviewing policies and procedures. That seems to be “window dressing.”
102 Monsignor noted that we are lucky that our Archbishop has come to us “post-abuse.” This is

something we can celebrate. If we can confirm his credibility, we will be ahead. Listening and responding to the lay public with compassion and honesty is where our focus may be best directed in the future.

Sr. Gemma said that she was hearing two things: 1) The Archdiocese may want to have access to a public relations person, and 2) The Archdiocese needs to be clear on the preventative steps already in place. She also expressed support for the addition of an IRB member, attending town hall meetings with the Archbishop.

Monsignor Padazinski mentioned how disappointed lay people were to hear of Archbishop Viganò's letter. Their trust in the hierarchy plummets. A suggestion was made that the National Review Board have a subcommittee institute an 1-800 line for calls about bishops who abuse or cover up. Archbishop Cordileone noted that the USCCB is undertaking concrete steps as well.

John McCord said that Church leadership needs to have lay men and women behind them. In addition, the priests of each diocese need to be able to trust in their bishops. Our clergy feel victimized. The vast majority have done nothing wrong. They have simply followed their calling. John wondered what more could be done in support of our priests. Archbishop Cordileone noted that he has been trying to incorporate support more intentionally into his interactions with the clergy: e.g., he expresses his appreciation for each priest publicly during his parish visits, encouraging parishioners to draw close.

Renee Duffey noted that clergy are mandated reporters in California. She wondered if this was the case in every state. [Redacted] Archbishop Cordileone and other priests present clarified that they would encourage any priest who divulged abuse in confession to come forward. Monsignor Talesfore added that if the same matter comes to light from another person not in the context of confession, he would be obliged to reveal the details provided by the third party to the proper authorities.

Monsignor Talesfore stated that Archbishop Cordileone had delivered a compelling message to the priests he invited to gather with him recently at Holy Name Parish. Monsignor felt the strength of that message, and knows he was not alone. He repeated the earlier point: there is contempt for the perceived cover-up. For centuries, people have found great comfort and strength in the trappings of the episcopacy. That is no longer the case, and that perception is no longer helpful. Monsignor encouraged the Archbishop to continue to find ways to interact with his priests and with people of the Archdiocese in as human and vulnerable a manner as possible. This will help dispel the sense of a Chancery that is apart. Priests, staff and parishioners have been struck by the message our Archbishop has been delivering at parish visitations. He has developed positive relationships throughout the Archdiocese. Still, it is obviously true that people are far more comfortable stating that they know and like their parish priest rather than their bishop. Monsignor Talesfore revealed that he was able to speak frankly at the recent presbyteral gathering, and the Archbishop had been open and gracious in his response. Monsignor respected that, and believes that others present did as well. The Archbishop noted his dependence on the presbyterate. He is grateful for their input, and will continue to consult on matters of importance. Dan Lawson voiced his appreciation to the Archbishop for his stance on this.

A question was raised about Saint Patrick's Seminary & University in light of reports being published about [Redacted] The question of an independent investigation of the seminary, dating back to 2005 – the year the last apostolic visitation was undertaken – was then discussed briefly. Monsignor Talesfore stressed the importance of our seminary as the future of our Church. Archbishop Cordileone stated that he can reassure our people that there is no indication that any

inappropriate conduct is going on at the seminary, though no official report currently exists.

Fr. Reyes suggested that the Archbishop also let town hall attendees know that priests are preparing to gather at the IRB's recommendation for several days to discuss issues of abuse, pornography and safe environment. Monsignor Talesfore added that it would be helpful to state that this was long-scheduled.

Two Proposals took shape as Motions:

Motion # 1:

A recommendation from the IRB to the Archbishop was made that an auditor look at the historical priest records kept by the Archdiocese to create a report. Any information released would involve a public relations professional in some capacity; and

Motion #2:

A recommendation from the IRB to the Archbishop was made that Saint Patrick's Seminary & University undertaken an assessment to ensure its health, or to reveal and correct any issues that exist.

Dan Lawson called the vote, and the Board expressed its unanimous support for both motions.

John McCord expressed his willingness to participate in the upcoming town-hall meetings, and the Archbishop accepted his offer, thanking him. It was decided that John McCord would provide a review of the IRB, giving information on membership and goals.

V. Dan Lawson called for a review of the **ACTION ITEMS** from the last meeting

A. Clergy Study Days

Reverend Raymund Reyes

Fr. Reyes stated that mandatory Clergy Study Days would begin in October at Saint Stephen Parish. The focus, as the IRB has heard, is on pornography, and two speakers, one from Saint John Vianney Center along with Dr. Stephan Kappler, a priest of the Diocese of Oakland, have been invited to address the presbyterate. Plans for this four-day workshop have been in the works for the past year. An important component of the week: the individual consultations that are being scheduled with priests each day. Archbishop Cordileone will also be making a presentation.

B. Laicization of Fr. B

Fr. Reyes told the Board that he had contacted the Vicar General of the Diocese of Santa Rosa immediately after the last IRB meeting. Following their conversation about Fr. B's involvement in marriage preparations and non-Roman Catholic weddings at wineries and other secular locations in that diocese, and the laicization process that was moving forward, the Vicar General agreed to prepare a memo for distribution to priests of that diocese. Fr. B received a copy of the memo from his friends there. Fr. B was concerned that he was being characterized as a pedophile, and wanted the Archdiocese of San Francisco to provide him with a letter stating that he was not. The IRB, however, has sustained two allegations of sexual abuse of a minor against him, and he has had no faculties to exercise ministry since June 2006. More recently, a third allegation came to light. Following Fr. Reyes's explanation, Fr. B stated that he understood that such a letter would not be

possible. He now awaits his laicization. A copy of the memo distributed by Santa Rosa was distributed to IRB members by Fr. Reyes. He informed the Board that Fr. B had attested to having contacted each location that had been promoting his availability as a wedding celebrant, and had asked that his name be removed from advertising. Fr. B understands that he is forbidden from wearing vestments.

C. Whereabouts of Fr. C

Monsignor Padazinski stated that he has not yet been in contact with the Mexican Bishops' Conference regarding Fr. C, the priest who fled the Archdiocese in the early 2000s after an allegation of abuse surfaced in Southern California. Monsignor stated that he would check with the Diocese of San Diego and with the Conferencia del Episcopado Mexicano (CEM), the bishops' conference in Mexico again to see if any new information had come to light about Fr. C.

D. Various Cases Rocio Rodriguez is Overseeing

Rocio presented new information about [REDACTED] a woman alleging abuse who has requested reimbursement for past therapy expenses. The Board will remember that [REDACTED] presented her case years ago for consideration, but to date has not been granted reimbursement for therapy she had arranged for on her own. Rocio informed the Board that some receipts have now been provided by her therapists. [REDACTED] sent a letter to the Diocese of San Jose asking for copies of receipts that had allegedly been delivered there by [REDACTED] years ago, along with her original request for reimbursement. San Jose is checking its archives. There may be approximately \$49,000 in receipts, and Rocio will review all that are in her possession, and all that may still come in. Renee Duffey reminded her to connect only receipts related to the actual abuse.

Rocio then updated the Board on the allegation that came to light from a mother who has a 9th grade daughter in the Sunday religious education program at Star of the Sea in San Francisco. The family now lives in [REDACTED] though the parents were married at the parish. The mother had called Rocio, upset that Fr. I had allegedly asked the daughter about her experience with masturbation, and had asked the daughter what she looks at online. Rocio stated that she has not heard from the family lately, and would check on them. She had offered to arrange several sessions of therapy for the daughter.

The next update involved Fr. P at Saint Martin of Tours. The man raising the allegation against Fr. P has been upset by the process between the Archdiocese of San Francisco and the Diocese of San Jose, where he had initially gone to discuss his allegation many years ago. Rocio has realized that from now on, she will prepare her own intake forms. The man has sent an email alluding to the possibility of hiring legal representation. He has been accepting assistance from a diocese in [REDACTED] where he moved some time ago. At the time this arose, many years ago, his wife and sister had reported the alleged abuse to the Diocese of San Jose, but he had denied that it had occurred. He now evidently confirms the report.

Rocio mentioned the case involving an alleged victim, [REDACTED] who had stated that she had been abused in Hawaii. The case was settled there, and involved a Fr. VH.

A man, [REDACTED] has reached out in writing to Rocio regarding an allegation of misconduct involving a seminarian now ordained for the Archdiocese of San Francisco. The alleged victim, a woman, was between the ages of 19 and 21 at the time of the incident. [REDACTED] expressed concern that the alleged perpetrator is "a golden boy" and somehow protected by his perceived status in the

Archdiocese. Rocio sent an email to [REDACTED] asking if the woman would step forward. The priest has not been identified.

An alleged victim, [REDACTED] has asked to meet with the current Archbishop about her allegation of sexual abuse against Fr. C. She has met with past Archbishops. Rocio asked her to meet with her first. The IRB and its predecessor the Fact Finding Commission each reviewed the allegation when it was first raised in 2002, and it was not sustained. [REDACTED] later sued the Archdiocese. The lawsuit was settled years ago with [REDACTED] has continued to write to the Archdiocese, though, and has indicated that she will not rest until Father is removed from ministry. Archbishop Cordileone asked Rocio to repeat to [REDACTED] that she should meet first with Rocio, and then a decision about a next step will be forthcoming.

Rocio then spoke about a letter written to Bishop P.J. McGrath in San Jose. The letter outlined abuse a woman was alleging against a Fr. D when the woman was 19 years of age and 3 months pregnant. Researching the matter, Rocio learned that Fr. D was deceased. Rocio has written to the woman offering support.

Rocio received an email from “a 4th party” accusing a man of abuse at Presentation High School in 2002. Presentation High is an independent high school operated by the Presentation Sisters in the Diocese of San Jose. The man is currently a counsellor at Junipero Serra High School. The two issues seem to be: 1) Did sexual abuse of a minor occur; and/or 2) did he misrepresent his prior employment history in his job application or when this allegation came to light? He has been placed on leave until this matter is resolved to our satisfaction and an outside investigator has been retained to ascertain the facts. Rocio has contacted law enforcement both in San Mateo and Santa Clara counties, as well, to ensure that they are aware of this report.

Rocio then discussed an email that she received in August regarding an allegation of sexual abuse decades ago, against a man, RT, who was a volunteer and the son of a janitor at Our Lady of Mount Carmel in Redwood City. The allegation was presented by someone who would have been in the 6th grade at the time. She was unable to find any records of the individuals involved.

Rocio returned to the issue of intakes. The Diocese of San Jose is transferring cases that relate to allegations before the dioceses split, and as noted earlier, the victims are sometimes frustrated about the process, after having first spent time and emotional energy divulging a difficult allegation to the Victims Assistance Coordinator (VAC) in San Jose, and then being asked to repeat much of the information again to the Archdiocese of San Francisco. The issue is complicated by the fact that when dioceses have split off from San Francisco, the “daughter” dioceses, and not San Francisco, have kept possession of the files relating to the priests now in the new diocese. Rocio has been reviewing the intakes with survivors. One victim, [REDACTED] had been going back to the VAC in San Jose for the name of the alleged priest-perpetrator. The VAC there does not know who the priest would be. The process is onerous for the victim. [REDACTED] is 51 now, and the allegation took place in December 1980 or January 1981 when he would have been 11 or 12 years of age. He is threatening to bring a lawsuit. Rocio reiterated to the IRB that she will manage the intake forms in the future to avoid the “triangle” between San Jose, victims, and San Francisco.

In another case, Rocio stated, another victim, [REDACTED] alleges abuse by an unnamed priest in what is now the Diocese of Santa Rosa. The case, which allegedly occurred at Saint Eugene Parish in 1953, has come to Rocio’s attention after the woman first approached Santa Rosa for assistance. Julie, the VAC there may have been delayed in her response, and Rocio is doing her best to support the process with the victim now.

307 Rocio then reviewed the case of a man allegedly abused between 1968 and 1972 at Saint
308 Justine Parish in Santa Clara. The wife of the man has called Rocio. The priest has not been
309 identified, and the husband is not ready to come forward. Rocio has been researching the priests
310 who were assigned to the parish during those years.

311
312 Rocio spoke about an incident involving a homebound senior within the boundaries of Saint
313 Brendan Parish. The Pastor spoke with the elderly woman after first hearing from Sr. Angela,
314 Director of Ministry and Member Care at the parish, that the woman's relative was troubled by the
315 "prolonged visits" of the parochial vicar, Fr. T, and the warmth he exhibited toward her. Fr. T was
316 said to have gone to see her five times to deliver last rites, and had kissed her. As a result of the
317 allegation, Sr. Angela had been advised to contact Adult Protective Services and Fr. T was asked to
318 step aside from ministry while it was investigated. When visited by the Pastor and Sr. Angela, the
319 woman assured them both that on reflection, she does not feel as though Fr. PT was acting sexually
320 or inappropriately. Fr. T was counseled to be careful about his interactions with impressionable
321 seniors. After a short discussion, IRB members agreed that in consideration of all the facts and
322 circumstances, including the subsequent statement of the woman involved and the preliminary
323 findings of an Adult Protective Services officer, there was no indication that any sexual or other
324 abuse occurred. Therefore, the Archbishop agreed that Fr. PT could return to ministry effective
325 immediately. Permission could be revisited in the event that final Adult Protective Services
326 conclusions are different from the preliminary results that were shared with us. The IRB also
327 recommended that Fr. PT be admonished to bear in mind how important it is to be scrupulously
328 careful in any form of physical contact, and to remind him of potential differences in cultural
329 understandings of such contact, as even an innocent kiss on the cheek can be misinterpreted.

330
331 Rocio concluded her update by noting that she is told sometimes by people reporting
332 allegations that she is "mean," or words to that effect. They do not want to file the police reports
333 that she advises. They would rather wait, pass the responsibility on to her, and not jump so quickly.
334 They don't want to take on the responsibility of interacting with the police. Monsignor Talesfore
335 reminded her that she should then make the call herself as a mandated reporter, and Rocio stated
336 that she has been doing this.

337
338 Fr. Reyes, Fr. Puthota and Annabelle will meet with Rocio to talk about her reporting
339 structure. Sometimes Rocio is not sure who she is responsible to.

340 341 342 V. REVIEW OF CATEGORIES

343
344 Monsignor Padazinski reminded the Board that it could anticipate one change to the confidential
345 Chart of Categories I through VI: Fr. B will be moved at the appropriate time from Category V,
346 "Charter Retirement; Memorandum Signed" to Category VI, "Laicization."

347 348 349 VI. MONITORING UPDATE

350
351 Fr. W is in regular contact with the Vicar for Clergy Office regarding his start at the monastery within
352 the boundaries of the Archdiocese of Santa Fe. Fr. T is feeling more isolated at the apartment
353 building they used to share, along with other Charter priests. The Board was reminded that Fr. W
354 will return in six months to share news of his possible assimilation into the monastery. Fr. Reyes is
355 visiting Fr. S for lunch in the coming days. The Vicar for Clergy Office has been in contact with Fr.
356 A, and he is doing well at his family home. Fr. Reyes is planning another visit over Christmas with

Fr. FM, who resides with family in the Philippines.

IX. ADJOURNMENT

There being no further business, Dan Lawson adjourned the meeting, at which time luncheon was served. The Board will meet again on Friday, February 2, 2019 at 9:30 a.m. Dan Lawson expressed his appreciation to all present.

Respectfully submitted,
Annabelle Groh

The Archdiocese of San Francisco Independent Review Board

as of 1/2018

Membership	Term	Work Phone	Home Phone	Cell Phone	Email
Dr. Renee Duffey	(1st) 12/31/2021	Redacted			
Dr. Esther Dunn	(1st) 12/31/2020				
Mr. Daniel Lawson, Chair	(2nd) 12/31/2020				
Mr. John McCord	(1st) 12/31/2017				
Sr. M. Gemma O'Keeffe, RSM	(2nd) 12/31/2018				
Msgr. C. Michael Padazinski	N/A				
OPEN					
OPEN					
Chancery attendees:					
Archbishop Salvatore Cordileone					
Fr. Ray Reyes					
Lawrence Jannuzzi, Esq					
Ms. Rocio Rodriguez					
Staff: Annabelle Groh					
Chancery support:					
Pam Lyons					
Fr. Charles Puthota					
Sr. Celeste Arbuckle, SSS					
IRB Investigators:					

ARCHDIOCESE OF SAN FRANCISCO INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

*4th Floor Conference Room, Chancery, 9:30 to 12:00 Noon
September 28, 2018*

- I. OPENING PRAYER *Reverend Monsignor C. Michael Padazinski*
- II. BUSINESS
 - A. Approval of Agenda
 - B. Approval of the Minutes from the meeting of April 20, 2018
- III. REVIEW OF OUR RESPONSIBILITIES TO PROTECT CHILDREN, YOUNG PEOPLE, AND VULNERABLE ADULTS IN VIEW OF RECENTLY REPORTED DEVELOPMENTS
- IV. UPDATE on Action Items from the April 29th Meeting
- V. REVIEW OF CATEGORIES
- VI. MONITORING UPDATE
- VII. NEW BUSINESS (*all members*)
- VIII. Set DATE FOR NEXT REGULAR MEETING (*all members*)

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

MEETING INFORMATION AND MEMBERSHIP

As of September 2018

Dr. Esther Dunn

Redacted

Mr. John D. McCord

Redacted

Rev. Msgr. John J. Talesfore
Saint Matthew Parish

Redacted

Dr. Renée Duffey

Redacted

Sr. Gemma O'Keeffe, RSM

Redacted

Dr. Kesook Lee

Redacted

Mr. Dan Lawson, Chair

Redacted

Rev. Msgr. C. Michael Padazinski

Redacted

Dear Members,

On behalf of Mr. Dan Lawson, Chair of the Independent Review Board, I provide you with the following:

1. The Board will meet again on **FRIDAY, SEPTEMBER 28, 2018 FROM 9:30 AM TO 12:00 NOON** in the 4th floor conference room at the Chancery, **Redacted**
2. A draft of the **MINUTES** from your last meeting (Friday, April 20, 2018) is attached.
3. The **AGENDA** for the meeting on September 28, 2018 is attached.
4. **LUNCH** will be delivered at the end of the meeting.
You will find an online [link](#) on the cover note sent today: click on the link to place your lunch order.
(If the link doesn't seem to be working, just forward the same email to yourself and try again.
Call me if you are having any trouble!)

PLEASE CALL WITH ANY QUESTIONS

Redacted

I look forward to seeing you.

-Annabelle Groh
Staff to the Board

c: Most Reverend Salvatore Cordileone
Mr. Larry Jannuzzi, Esq.
Reverend Raymund M. Reyes
Ms. Rocio Rodriguez

ARCHDIOCESE OF SAN FRANCISCO INDEPENDENT REVIEW BOARD

CONFIDENTIAL

AGENDA

*4th Floor Conference Room, Chancery, 9:30 to 12:00 Noon
January 19, 2018*

- I. OPENING PRAYER *Reverend Raymund M. Reyes*
- II. BUSINESS
 - A. Approval of Agenda
 - B. Approval of the Minutes from the meeting of October 6, 2017
- III. UPDATE on Action Items from the October 6th Meeting
- IV. REVIEW of Categories
- V. MONITORING UPDATE
- VI. NEW BUSINESS (*all members*)
- VII. Set DATE FOR NEXT REGULAR MEETING (*all members*)

ARCHDIOCESE OF SAN FRANCISCO

OFFICE OF THE VICAR FOR CLERGY

ONE PETER YORKE WAY, SAN FRANCISCO, CA 94109-6601 (415) 614-5611

CONFIDENTIAL

MINUTES: INDEPENDENT REVIEW BOARD ARCHDIOCESE OF SAN FRANCISCO

9:30 AM, Friday, April 20, 2018, 4th floor conference room, Chancery

Members: Dr. Renee Duffey, Psy.D., Marriage and Family Therapist
Chair: Mr. Dan L. Lawson, EdD, Retired Captain, San Francisco Police
Dr. Kesook Lee, Medical Consultant for the state of California,
Medical Director for California Children's Services in Santa Clara County, parishioner at Saint Brendan
Mr. John McCord, Survivor
Sr. Mary Gemma O'Keeffe, RSM, Attorney, Estate Planning Law
Reverend Monsignor C. Michael Padazinski, JCD, Chancellor
Reverend Monsignor John J. Talesfore, Pastor, Saint Matthew Parish, San Mateo

Chancery: Most Reverend Salvatore Cordileone, Archbishop of San Francisco
Larry Jannuzzi, Esq., Legal Counsel, Archdiocese of San Francisco
Reverend Raymond M. Reyes, Vicar for Clergy
Rocio Rodriguez, Victim's Assistance Coordinator
Annabelle Groh, Staff

Excused: Dr. Esther Dunn, DO, Emergency Medicine

I. Chair Dan Lawson introduced the newest member of the Independent Review Board (IRB), Dr. Kesook Lee, who succeeds Judge Claude Perasso on the Board at the invitation of Archbishop Cordileone. Dr. Lee's cell phone (415-672-1641) will be added to the membership chart and contact information. Fr. Reyes was then invited by Dan Lawson to begin the meeting with **A PRAYER**.

II. **THE AGENDA** was approved as submitted. Dan noted that Dr. Esther Dunn had sent word earlier that she was not able to attend the meeting.

III. **THE MINUTES** of January 19, 2018 were approved as submitted with the following changes:

Page 7: The name of the alleged victim was replace by her initials, [REDACTED]

Page 7: Rocio Rodriguez is not providing therapy, but makes the arrangements for therapy

ACTION ITEM: Monsignor Padazinski asked for a confidential "key" to the names of Charter priests who appear only with initials. This will be provided at the next meeting.

IV. Dan Lawson called for a review of the **ACTION ITEMS** from the January 19, 2018 meeting:

A. STUDY DAYS ON PORNOGRAPHY

Reverend Raymund M. Reyes

Fr. Reyes explained that Saint John Vianney Center (Downingtown, Pennsylvania) was the primary resource for Clergy Study Days for priests, scheduled for October 2018. Father provided a handout, which included references to the half-hour consultation opportunity for priests, being built into the days at Vallombrosa. Clergy will have the opportunity to schedule one-to-one talks with therapists, who will be present throughout the four-day program. There was a brief discussion about whether priests would take advantage of this opportunity. Fr. Reyes noted that the content of the talks will help attendees see the appointments as an occasion to talk with a professional about conflicts facing parishioners, friends and patients, and not solely for discussion of their own issues.

B. THE CASE OF FR. B

Reverend Raymund M. Reyes

Fr. Reyes had written to Fr. B on February 8, 2018, informing him that his name and photos had been discovered on four different websites. Fr. B was listed as a wedding minister and officiant. Fr. Reyes reminded Fr. B that these listings were in direct violation of his Memorandum of Understanding (MOU) under the USCCB Charter. Fr. Reyes met personally with Fr. B and together, they reviewed the MOU. Fr. B acknowledged the violation. Their meeting was very cordial. Fr. B stated that he wanted to increase his income beyond his pension and social security to cover his living expenses. More importantly to him, though, he had found meaning in his life through this type of ministry to couples, and he wanted to continue to be able to offer his services to those who asked for his help. Fr. Reyes explained that Fr. B currently receives an Archdiocesan pension of \$865, plus approximately \$850 in social security, and a non-taxable room & board allowance of \$350 each month.

Fr. B had told Fr. Reyes when they met that after prayerful discernment, he wished to be laicized. Fr. Reyes had then discussed this with the Archbishop, who asked Fr. Reyes to bring this to Monsignor Padazinski for his action. Fr. B is requesting this freely, and the Archbishop has given his support to the plan. Dan Lawson asked Monsignor Padazinski to explain the laicization process. Monsignor stated that a *votum* will be prepared for the Archbishop's signature. It will then be sent to the Congregation for the Doctrine of the Faith in Rome. All should go well with this process, and a rescript will then be issued, stating that the Holy Father has granted laicization. Dan Lawson asked how long the process would take, and Monsignor explained that the upcoming summer break in Rome would likely interfere with any quick turnaround. He believes that this may take about six months. The Archbishop agrees with this potential timeline.

A long discussion followed regarding the responsibility of the Archdiocese to control Fr. B's actions until his laicization. Monsignor Talesfore suggested a public disclaimer. Fr. Reyes noted that Fr. B is involved with the White Robed Monks of St. Benedict, which "...serves contemporary Catholics and all people..." according to its website. Archbishop Cordileone wondered whether prospective couples were being deceived into thinking that Fr. B was in good standing with the Roman Catholic Church.

Monsignor Talesfore suggested that Fr. B not present himself in any way during the next six months - longer or shorter, depending upon the timing of his laicization - so as to not confuse the public about his affiliation. Archbishop Cordileone wondered how this could be verified. Dr. Rene Duffey

noted that this was Fr. B's second infraction against his MOU. She wondered if the Memorandum needed to be more carefully reviewed, or the wording more carefully stated, before it is re-signed by Charter priests so that they understand better their responsibility to adhere to all it contains.

Fr. Reyes stated that Fr. B had indicated that he was not telling couples that he represented the Roman Catholic Church, so Fr. B thought that he was not in violation of the MOU. However, Fr. Reyes pointed out that he was wearing the chasuble and a stole of a Catholic priest. Fr. B was officiating weddings at wineries in northern California. The vendors serving the patrons of these wineries all seem to have lists of suppliers for various events. Fr. B's name is on these lists as an officiant. He also is known to families who live in the Bay Area because he taught for many years at Serra High School and Marin Catholic.

Archbishop Cordileone understands that Fr. B is guaranteed his pension under the provisions of the Priests' Qualified Pension Plan. However, the room and board allowance is a privilege that could be withdrawn if it is discovered that Fr. B allows himself to be referred to as, "Father" and makes other infractions against his MOU during this *interim* time. [Redacted]

[Redacted]

Redacted

[Redacted]

[Redacted]

Sr. Gemma

O'Keeffe asked what the risk to the public was, and Monsignor Talesfore reminded the Board that a priest holds the power in a relationship, and we are responsible for seeing that Fr. B doesn't exploit their vulnerability by misleading unsuspecting or uninformed Catholics who like the idea of a wedding at a winery. Fr. Reyes recommended writing to the Diocese of Santa Rosa to remind Monsignor Whelton of Fr. B's status. Monsignor Talesfore expressed concern that this would not be enough. He suggested that the situation was somewhat like the exchange of *Letters of Good Standing*. Fr. B's diocese of origin is responsible for clarifying Fr. B's background wherever he goes. Dan Lawson wondered what the wedding vendors were using as criteria for accepting an officiant on their lists. Fr. Reyes noted that one of the categories listed on a website was, "all faiths and lifestyles." If they state that they are not concerned, the wineries could be told that an allegation of sexual abuse of a minor was sustained by the Independent Review Board of the Archdiocese, and was the reason that Fr. B was removed from ministry in the Archdiocese of San Francisco. **ACTION ITEM** Fr. Reyes will contact Msgr. Whelton of the Diocese of Santa Rosa about the laicization process underway for Fr. B, and will inform Monsignor of our directive to Fr. B that he not refer to himself as Father or promote the idea of others doing this. [Redacted]

[Redacted]

Fr. Reyes will then contact Fr. B, who will also be told that he must remove his name for now from the wedding websites while waiting for the rescript to be issued by Rome, and that in any event, he is not to wear Catholic clerical garb or vestments. The websites themselves should then be advised. Fr. B will receive a letter signed by Archbishop Cordileone to this effect. It was noted that the White Robed Monks are likely providing Fr. B with most of his income, and that it is this association that leads so many to confuse Fr. B with a Roman Catholic priest.

C. CHARTER PRIESTS CONVERSATIONS

Reverend Raymund M. Reyes

Fr. Reyes confirmed that his relationship with priests out of ministry under the Charter continues to develop. He reported:

Fr. R is now 80 years of age and no longer drives or goes out by himself. He walks with a cane. His Parkinson's disease is advanced. He takes delight in visits from friends who still support him emotionally.

Fr. N is now 81 years of age and is living in the Philippines. His family has built him a small home in what was formerly the garage of their ancestral property, and he is surrounded by relatives who are grateful to have their eldest sibling living with them.

Fr. S is now 75 years of age, and now free from cancer. However, he has recently been diagnosed with aortic stenosis, which will require open heart surgery within a year or two.

Fr. T is now 71 years of age and has been recently struggling with severe back pain. He continues to suffer from depression, and meets with a therapist regularly. The Archdiocese underwrites the cost of this therapy. Fr. T wonders about his future when Fr. W leaves the apartment complex they share. Fr. T will be on his own and alone in the apartment building at that point.

Fr. W is a relatively young 66. He has authored several well-received books on faith and on men of great faith. He is leaving, as reported at the last meeting, for the Archdiocese of Santa Fe where he will live at the Monastery of Christ in the Desert for six months while discerning with the Benedictine monks whether to relocate permanently and canonically.

Fr. A is 80 years of age. He inherited his home from his parents, and is the only original resident on his block, in College Hill near the neighborhood of Glen Park in San Francisco. He occasionally attends clergy gatherings. He has some informal volunteer responsibilities in the neighborhood. He is known in the diocese for his skill as a composer, which he has developed more since his Charter status went into effect, and he plays the organ with considerable proficiency.

Fr. Reyes stated that he increasingly appreciates the never-ending enforced seclusion and loneliness faced by Charter priests. He feels their pain as a brother priest. Some are aging with considerable bitterness in their hearts. Fr. Reyes would like to be able to offer them more; to make their lives more meaningful.

D. UPDATE ON THE CHURCH'S ROLE

John McCord

John McCord asked the Board whether there were any new opportunities that could be explored for Chartered priests in the Archdiocese. He realizes that this discussion has not yielded much fruit yet. The issues facing the Catholic Church in Australia and Chile were mentioned. John McCord said that in his interaction with the Franciscans, he had come to realize that most people are not ready as he is to step into active reconciliation, so he will try to give his ideas "a rest" at this time, even though many of the priests under the Charter are now, "...hobbling around; barely able to leave home." He lamented the "power and control and law and order" in the hands of the Church to maintain the strict interpretation limiting Charter priests' futures.

Dr. Kesook Lee noted that even though the sexual abuse crisis has brought great anger, shame and sorrow for all involved, it can also be seen as a blessing in disguise. When we are stripped of everything we can no longer hide behind the trappings of our lives. We stand more transparently before God with our flaws acknowledged and in our humanness; just as we truly are. She noted that victims have pain that is still vivid to them. If the Church doesn't hold Charter priests to their committed MOUs, there would likely be a perception that we don't care. John McCord acknowledged that he does understand this.

V. REVIEW OF CATEGORIES

Monsignor Padazinski explained that we could anticipate one change to the confidential Chart of Categories I through VI: Fr. B will be moved within the year from Category V, “Charter Retirement; Memorandum Signed” to Category VI, “Laicization.” **ACTION ITEM** Monsignor stated that he would check with the Diocese of San Diego and with the Conferencia del Episcopado Mexicano (CEM), the bishops’ conference in Mexico again to see if any new information had come to light about Fr. C.

VI. MONITORING UPDATE

Fr. Reyes mentioned that a new bed had recently been purchased for Fr. T at the recommendation of his doctor, in the hopes of alleviating some of his back pain. Fr. Reyes reminded the Board that Fr. W will be going in early June to Abiquiu, NM to join the Benedictine monastery there on a provisional basis.

VII. OLD BUSINESS

Rocio returned to the matter of PM, the victim mentioned at the last IRB meeting. Rocio has been able to offer resources for therapy. As discussed at the last meeting, ■ does not have treatment records available to her from the past: some of her former therapists are no longer working, and others have only kept records for the prescribed seven-year period. ■ is not choosing to receive any therapy that might be arranged by Rocio at this time. Rocio and she have been in regular contact. ■ has also been back in contact with the Diocese of San Jose to find out whether the receipts she remembers sending there in 1982 were archived. San Jose has indicated that nothing has been found. **ACTION ITEM** Rocio will try to see if any receipts might be found in our archives, though this is doubtful.

Redacted

Redacted

Redacted

Redacted

Rocio has been

providing resources for therapy to the individual.

Redacted

Redacted

Redacted

Redacted

Dr. Kesook Lee asked whether the allegation had merit. Archbishop Cordileone stated that it cannot be proven, but that it does match the *modus operandi* of Fr. JP. The allegant wrote to the Archbishop, and the Archbishop responded. The allegant wanted to meet. The Archbishop and Rocio met with him. Dan clarified that when a priest is still alive, the case is brought before the IRB for its review and recommendation to the Archbishop.

Redacted

Redacted

VIII. NEW BUSINESS

John McCord had shared an article he had written, “Have We Thrown Away the Key,” about the healing he has experienced through his continued connections to the Franciscan Friars, despite his past abuse at the hands of a Friar. The Board thanked him for his frank and honest outlook, and the positive message his words conveyed.

Rocio Rodriguez mentioned two new issues: She recently received a call from a mother who has a 9th grade daughter in a Sunday religious education program at Star of the Sea in San Francisco. The [REDACTED] They have been choosing to return to Star of the Sea. The mother relayed to Rocio that Fr. I had met with the daughter for the sacrament of reconciliation on March 18. Fr. I had allegedly asked the daughter about her experience with masturbation, and had allegedly asked her what she looks at on the internet. On April 8, the daughter met another priest for reconciliation, and had found the second experience to be positive. After “sitting” with the matter for several weeks, the daughter had decided to share her discomfort over the first occurrence with her mother. The daughter is now having dreams that are disturbing her. Rocio is offering to arrange several sessions of therapy.

The Board briefly revisited the examination of conscience flyer that had been distributed to second graders in the catechism class at Star of the Sea. Parents had been upset by the content of the flyer. A child had been pulled out of the program.

Fr. I has stated that he has tried to be helpful to students seeking the sacrament of reconciliation by mentioning specific sins to them, and thus, guiding them. Some are accepting of this approach and some are not. He has apparently been accused of violating the safe environment of the confessional. Fr. I has indicated that he would be willing to accept direction on this from the Archdiocese. Dr. Kesook Lee mentioned that she has been in practice for twenty years. Some patients are younger emotionally despite their older physical age, and some patients are older emotionally despite their younger physical age. Her approach is to provide information gently, following their lead. If discomfort is evident, then she knows to pull back. She wondered how Fr. I perceived his delivery to young people coming to him for this sacrament. [REDACTED]

[REDACTED]

Monsignor Talesfore mentioned that when he meets someone a second time or more in confession, he asks them to repeat all that is on their mind, and not presume that he remembers anything or has a personal context in mind already. Sr. Gemma O’Keeffe noted that she would not have found herself going back to a priest who asked a lot of questions along the lines described by Rocio. Monsignor Talesfore stated that if the mother continued to press Rocio for more assistance, Rocio could ask the mother more about the daughter’s experience: “What were the effects on your daughter? How did this negatively impact her?” [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] John McCord stated that it is a good sign, in general, that the daughter raised the issue of her discomfort with her mother in the first place. [ACTION ITEM] Archbishop Cordileone suggested to Rocio that she tell the mother that the matter was discussed by the Independent Review Board so that the family understands that this has been taken seriously. Archbishop Cordileone will speak with Fr. I to understand better the approach he was taking. Fr. I will be advised on how to be pastorally responsive, and to discuss with him more pastorally sensitive ways to prepare young people for confession in the area of sexual sins. Monsignor Talesfore added that it is a sign of affective maturity in priests to be able to read the subtle indicators of effective communication on such matters. John McCord asked whether Star of the Sea School has such discussions with students, and Dr. Duffey

stated that it would more likely take place in the 10th grade. Sr. Gemma said that the issue is primarily about the intimacy of the one-on-one setting.

The Board then discussed Fr. JP again. A partial intake had been taken in the Diocese of San Jose 2006 from [REDACTED], an alleged victim from the 1970s who indicated initially that he saw boys at Saint Martin of Tours Parish massaging Fr. JP's back. Therapeutic references were offered to MM by the victims' assistance coordinator in San Jose. [REDACTED] After 25 sessions were completed, [REDACTED] was told that San Jose was transferring the case to the Archdiocese of San Francisco. The alleged victim has been having a hard time talking about his case. His therapist informed him that the Archdiocese of San Francisco required a written form, though Rocio had not in fact said this. Now [REDACTED] has indicated that he may want to be represented by an attorney. Apparently, over time, to his sister and his wife, his story has evolved. It is not that he was a witness to the inappropriate behavior of Fr. JP, he alleges that he was sexually abused himself by Fr. JP multiple times. The alleged victim and his family have been devout Catholics. [REDACTED]

ACTION ITEM: Dan Lawson asked Rocio if she would provide an update on this matter at the September IRB meeting.

Fr. Ray Reyes introduced an incident that had occurred at Saint James Parish. On two occasions, a young boy had shared a room at the rectory with his father. The boy's mother had reported the incident to Monsignor Talesfore, who had brought this to Fr. Reyes. She is estranged from the father. The father had consumed alcohol during a visit with Fr. SP, pastor of the parish, and Fr. SP had invited him to stay overnight rather than drive home. Board members agreed that it would be prudent for Fr. SP to be very careful, especially in the presence of alcohol. Monsignor Talesfore added that the child attends [REDACTED] Monsignor has spoken with both parents and with Fr. SP. Monsignor Talesfore is grateful to Fr. Reyes for bringing this matter up to the IRB. Monsignor believes that everyone had the best intentions. Given where we are in this current climate, however, this is a risk that should not be taken. John McCord stated that the father could have left his car at the parish that night and taken Uber or a taxi. [REDACTED]

[REDACTED] But in this instance, the young boy was with his father. The extenuating circumstance: alcohol. Fr. Reyes added that Fr. SP has written a letter to him stating that he understands and will not do this again. Monsignor Talesfore asked if there was anything the Board would want to recommend to him: Should he have handled this matter differently? He was praised for his responsiveness to the family and to Fr. SP. Fr. Reyes added that it was very helpful that Fr. SP had agreed to step forward and meet with Monsignor. Monsignor acknowledged that he has received a copy of the letter Fr. SP wrote. The outer envelope had been addressed to Rocio; the letter had been addressed to Fr. Reyes.

IX. ADJOURNMENT

The meeting ended with a short exchange between members about the increasing value of the confidential discussions at each meeting, and the evolving understanding of the issues facing this Archdiocese. The meeting concluded just before noon, at which time luncheon was served. The Board will meet again on Friday, September 28, 2018 at 9:30 a.m. Dan Lawson expressed his appreciation to all present.

Respectfully submitted,
Annabelle Groh

ARCHDIOCESE OF SAN FRANCISCO

ONE PETER YORKE WAY, SAN FRANCISCO, CA 94109-6601 (415) 614-5500

CONFIDENTIAL

MINUTES: INDEPENDENT REVIEW BOARD ARCHDIOCESE OF SAN FRANCISCO

9:30 AM, Friday, October 6, 2017, 4th floor conference room, Chancery

Members: Dr. Renee Duffey, Psy.D., Marriage and Family Therapist, 1st term ending 12/31/2021
Dr. Esther Dunn, DO, Emergency Medicine, 1st term ending 12/31/2020
Chair: Mr. Dan L. Lawson, EdD, retired Captain, San Francisco Police, 2nd term ending 12/31/2020
Mr. John McCord, survivor, 1st term ending 12/31/2017
Sr. Mary Gemma O'Keeffe, RSM, attorney, estate planning law, 3rd term ending 12/31/2018
Reverend Monsignor C. Michael Padazinski, JCD, Chancellor, no term
Reverend John A. Ryan, pastor, 2nd term ending 12/31/2017

Chancery: Most Reverend Salvatore Cordileone, Archbishop of San Francisco
Larry Jannuzzi, Esq., legal counsel, Archdiocese of San Francisco
Reverend Raymund M. Reyes, Vicar for Clergy
Rocio Rodriguez, Victim's Assistance Coordinator
Pamela Lyons, Superintendent of Catholic Schools, GUEST
Annabelle Grob, Staff

Excused: Honorable Claude D. Perasso, retired Trial Judge, Superior Court of California,
2nd term ending 12/31/2017

- I. Monsignor Padazinski was invited by the Chair, Dan Lawson, to begin the meeting with **A PRAYER**.
- II. **THE AGENDA** was approved as submitted, with the following additions:
John McCord has something to add to the discussion on Charter priests
[this was taken up on page 3, beginning with paragraph 4]
- III. **THE MINUTES** from the last meeting were approved as submitted, with the following correction: Fr. B should be identified only by his initial [page 3, Minutes of 5-19-2017].

After a short discussion, Members agreed that in order to keep some discussions off the record, they will make a request as meetings are in progress. John McCord, Dan Lawson and Monsignor Padazinski suggested that attribution remain, in general, in the Minutes.

Fr. John Ryan, Larry Jannuzzi and Monsignor Padazinski informed Dan Lawson that they would be leaving the meeting at 11:30 AM for other commitments.

IV. ACTION ITEMS

A. PORNOGRAPHY – a pilot program for Archdiocesan schools; and a program for Clergy Study Days

Fr. Reyes noted that Archbishop Cordileone has reminded School Superintendent Pam Lyons of her commitment to a school program on pornography, following the discussion with this Board last May. Pam will update the Independent Review Board when she has more news about the pilot program she hopes to test.

Fr. Reyes is working with Ongoing Formation Director Fr. Bill McCain on CLERGY STUDY DAYS content for the annual meeting with priests, scheduled in October, 2018. Two leading resources on pornography are being considered. The first is a program called INTEGRITY RESTORED, moderated by Most Reverend John Gaynor, Bishop of Harrisburg and President of the Pennsylvania Catholic Conference. The second is a working model developed by Saint John Vianney Center. Fr. Reyes has spoken with Archbishop Cordileone about both, and will be bringing the discussion next to the Clergy Ongoing Formation Board, on which he sits. Fr. McCain, Bishop Justice, Fr. Tom Hamilton and Diaconate Director Michael Ghiorso are also members of that Board.

John McCord asked for clarification: Is the Clergy Study Days program intended for priests? Fr. Reyes stated that priests would be attending to learn more about this issue that had rarely been dealt with in seminary formation. It will be of value to them personally, and to their many parishioners who struggle with this issue. For most it will likely be the first time they'll be discussing research on the issue as a group. They will be able to reflect collectively on its impact on each member of the presbyterate and on his pastoral ministry in parishes, hospitals and prisons. Counselors will be onsite. The one-week CLERGY STUDY DAYS format is hardly enough, but it is a starting point. Dan Lawson asked whether there was any planned collaboration with the American Medical Association. The most updated research would be available, and information on the affect of pornography on people. **ACTION ITEM** Fr. Reyes will bring this suggestion to the Ongoing Formation Board. The team attending CLERGY STUDY DAYS will be composed of counselors and therapists.

B. CONFIDENTIAL CLERGY FORM FOR CHARTER PRIESTS

Fr. Reyes reviewed the updated clergy form for Charter priests. As noted earlier, this is now being sent to Charter priests as a fillable form, and includes sections that are more pastoral. Charter priests are also required now to submit a copy of any police reports that have been filed against them. There has been a positive response to the more pastoral tone of the form, and an acknowledgement from two of the Charter priests of the logic behind requesting copies of legal violations. **ACTION ITEM** Following a suggestion from Fr. Reyes, it was agreed that the form would be improved if more space was added to the section requesting a health update.

C. MEMORANDUMS OF UNDERSTANDING FOR CHARTER PRIESTS

Fr. Reyes has been able to visit all seven Charter priests. They have each signed the Memorandums of Understanding again. The process was far less painful on both sides this time. The

memorandums will now be in place for another three years and must be renewed the summer of 2020. There have been a few changes in address, but very little needed to be updated. One, **Fr. B**, has moved from Petaluma to Brisbane, where he now lives on a boat near the home of a relative. The move took place approximately three months ago. **ACTION ITEM** Fr. Reyes and Archbishop Cordileone will be visiting Fr. B at his new home in Brisbane this coming spring. Fr. B has already extended an invitation to them both. Fr. B faithfully attends an AA meeting each week. He will be joining the San Francisco Charter priests who meet regularly each month. Fr. B has offered to introduce Fr. Reyes to his two sponsors – one from AA, and one from SA. This support has been located in Petaluma, and Fr. B is now looking for local help so he doesn't have to make weekly trips north. He reduced his expenses by moving to Brisbane.

Fr. Reyes informed the Board that he had traveled to Bohol in the Philippines to see the one Charter priest who lives overseas, **Fr. N**. Fr. N's family has built him a bachelor's home on their property, complete with facilities for this aging and somewhat frail priest. He is now 80 and uses a cane. He is surrounded by siblings and first cousins. Fr. Reyes took him to meet his new bishop, with whom Fr. Reyes had recently communicated. The bishop had not known very much about Fr. N. The Archdiocese of San Francisco had been transparent about the background of this priest in a mailing to the bishop's predecessor. The new bishop will be reviewing the file. Fr. N does not have faculties in his home diocese.

Fr. Reyes reflected on his own relationship to our Charter priests. Three years ago, when he became Vicar for Clergy, he did not know these men well. This time, reviewing each Memorandum of Understanding with each priest, he felt more personally connected. The re-signing process had been grueling in the past - for himself and his predecessors and for the Charter priests - but it went more smoothly and was more comfortable this year.

Fr. Reyes had connected with John McCord over the summer and they had arranged to meet with one of the Charter priests, **Fr. W**. The meeting gave everyone present an opportunity for clarity and honesty. They look forward now to building on that conversation. Fr. W stated that that he appreciated the safe space given to talk with a member of the Review Board, especially someone who had been abused himself. Fr. W had noted that he hoped one day distinctions could be made between levels of abuse so that some Charter priests could undertake ministry on some level again.

John McCord spoke about his support for this as well. He mentioned that the abuser in his case is now elderly. The abuse took place 25 years ago. In fact, John realizes that most of the alleged abusers are 75 years of age or older. They participated in counseling and other self-help regimens. They have submitted to years of isolation, and have agreed to lives of prayer and penance. USCCB policies do not make allowances for this, and the men are left with no path forward. Some Charter priests have done everything asked of them with humility and have admitted to their wrongdoing, which has allowed victims to release anger as they've been validated. John McCord mentioned a priest he knows at San Damiano who would have loved to work at Saint Anthony Foundation in the dining room or in other social services. But he can't. He is now 80 years of age. Another would love to serve at the Carmelite Mission in Carmel.

Dan Lawson stated that he felt enriched by the discussion. He asked that the Board stay vigilant to the realities on both sides. Archbishop Cordileone voiced his deep appreciation for this exchange as well. He noted, though, that obstacles were often revealed when options for Charter priests were examined. For instance, it would seem that there would be no better ministry for a Charter priest than being assigned to a monastery. But would the priest be able to celebrate Mass for the Community? What would happen if children were present in the church. Could consideration be given on a case-by-case basis? What about those who have suffered such egregious harm in the past

at the hands of priests. Would they feel further harmed? He wondered about the auditors charged with assuring annual compliance with all aspects of the Charter, including adherence to the zero-tolerance policy still in place. Dr. Esther Dunn expressed her sorrow that little growth was evident since the Charter was created. She noted that the Church has also found healing in its no-tolerance policy – even on actions from 50 years ago. This has been reassuring to parishioners, and to the vulnerable groups directly affected. There is a sense now that a priest, elderly or otherwise, who is acting in any capacity in and around our churches and schools is “safe.” If there was a limited return to service for some, Dr. Dunn noted, she would have the tendency as a parent to steer clear – even while thinking the best of the person and of the power of the grace extended in forgiveness.

Archbishop Cordileone thanked the Board for its perspective. He mentioned the need for volunteers and support staff at Saint Anthony Foundation. But it is connected to Saint Boniface, which is connected to De Marillac Academy. In the example of a monastery placement, the Charter priest could partake in the life of the Community. He would not be admitted to vows, but could participate as an extern – sharing meals and prayer. In a monastery of women religious, on the other hand, there would be an expectation of ministry as a chaplain or a spiritual guide for the Community.

John McCord noted that his own abuse happened in 1972. Now, in 2017, we are no longer dealing with young priest-abusers. The evil seems to be staunch to a considerable degree, given current statistics. He again asked whether the Board could take a proactive position to contribute in a positive way to healing not just on the side of victims, but possibly on the side of the perpetrators.

Rocio Rodriguez asked whether the Charter priests themselves were being asked for their input. She wondered whether they could be asked for their goals. Fr. John Ryan wondered if they could simply be asked, “What gives meaning to your lives?” Monsignor Padazinski counseled that it might do more harm than good, however, to give a Charter priest the sense that things were going to change. Dr. Renee Duffey asked whether the survivor might have some role in a Chartered priest’s rehabilitation. Such a connection might allow for the further healing for the survivor. Board members noted, however, that this could re-victimize him or her. John McCord noted that in the cases he knew most about, survivors be supportive. Dan Lawson reiterated the sentiment expressed earlier: any steps forward would need to be undertaken carefully and no doubt reviewed with the bishops’ conference.

Monsignor Padazinski noted that John McCain holds a unique position, with “inside knowledge.” Others might not necessarily have the same perspective. When thinking of a placement at a monastery, there might be the impression that the Charter priest would be living in an enclosed space. However, considerable interaction often takes place with lay people at monasteries on weekends. Any placement would always need the approval of the bishop responsible for that monastery, and full disclosure. A discussion followed about how it might be possible that the nuns at a monastery would be open to being served by a Charter priest because of their deep sense of compassion and forgiveness. On the other hand, many women religious would be conscious of possible effects on the most vulnerable members of the Church. Dan Lawson added that transparent vetting, approval and acceptance would all be required for a positive result. Sr. Gemma noted the importance of monitoring, which can be very difficult to sustain.

Archbishop Cordileone mentioned the difference between a remote monastery of Benedictine nuns in Colorado versus the Christo Rey monastery next to USF with a regular lay community that attends Mass. Fr. John Ryan asked for clarification on the Action Item. Is research being suggested? A review? Some Board members agreed that considerable time is given to discussions of protections for alleged victims and potential victims of abuse. Can parameters around the Charter be widened? If it is a question of support, in this Archdiocese, Charter priests now regularly join their brother

priests in the presbyterate for clergy gatherings. They attend funerals, sitting in the pews and not on the altar. It might seem logical that a Charter priest also be considered for service at a facility like Saint Anne's Home: leading bingo, serving meals. But what will happen when he is asked to hear confession or undertake other sacramental ministry. Residents will wonder why he can't be present to them in that way if needed. And we open up the door to scandal, or perceived scandal, if he slowly moves back into priestly service.

Sr. Gemma agreed that for now, we are bound by the Charter. John McCord stated that if the Charter is "stuck" where it is, then perhaps it is time that this be questioned and challenged. Monsignor Padazinski noted that there will be a sense of "backsliding." He asked Archbishop Cordileone whether the bishops are discussing this at USCCB meetings. The Archbishop responded that the subject is aired every few years. But at this time, there is very little "grey" area. On one end of the spectrum is public ministry; on the other is a life of prayer and penance. Sr. Gemma asked if he felt there was any room at all for movement. Does the Charter allow any leeway at all? She asked that the Board consider what the victim might say. It would be important to understand the resulting exposure for the Archbishop. Archbishop Cordileone noted that helping at Saint Anthony would not require engaging in public ministry. [REDACTED]

[REDACTED] Fr. John Ryan noted that if dioceses were to take a step, there will be priests and laity that will feel that bishops have sold them out. There will be public anger. Fr. Ryan added that this would make for a great discussion among the priests in the right forum. Monsignor Padazinski suggested that it would be premature, though, to bring this to group discussion. [ACTION] [ITEM] Fr. Reyes was asked to bring the question, "What gives your life meaning?" to Charter priests, in an effort to learn more about the current thinking of these men without leading them toward any false hope. Dan Lawson asked that this remain on the IRB agenda in the future for more discussion. Fr. Reyes mentioned that the Charter priests see spiritual directors, noting, "They would never survive without this." They also have mentors and friends among the active and retired clergy. And they meet monthly as a group for support. Fr. Reyes feels his own growing connection to the individual Charter priests, and their reciprocal connection to him.

John McCord suggested that Fr. Reyes talk directly with Charter priests about the question above, rather than adding it to their form. His interest alone will bring some new light in their lives, and the resulting conversations may indeed be enriching. Fr. Reyes will do this. He has already accepted their invitation to join them more often for their monthly Mass and the meal that follows. He will make himself more present to each of them. It was clarified for members of the Board by Archbishop Cordileone that a Chartered priest could administer absolution only if a person was in danger of death. The Church provides for this.

V. REVIEW OF CATEGORIES

Monsignor Padazinski indicated that K's entry should read, "Laicization imposed," rather than, "Requested return to lay state."

In addition, he noted that Fr. L and Fr. C were deceased. There were no other changes to the chart.

VI. NEW BUSINESS

Rocio Rodriguez introduced a new case of alleged abuse against a minor:

A. Incident in which [REDACTED] was an alleged victim at Holy Name of Jesus Parish eight years

ago at the age of 17; and a separate incident in which [REDACTED] was the perpetrator while on a GGRC bus seven years ago

On September 13, 2017, the following intake was taken by Rocio:

A male volunteering in the music department at Holy Name of Jesus Parish, [REDACTED] now 25 years of age, reported that he had been touched inappropriately when he was 17 years of age by a male member of the faculty at Holy Name, Mr. A. The teacher is active as a music teacher at both Holy Name and at Saint Stephen, and has worked at a number of Archdiocesan parishes and their schools over the years [REDACTED]

[REDACTED]

[REDACTED] reported that eight years ago, the alleged perpetrator, Mr. A, took him to the music room at Holy Name after Mass, and while there, touched his thigh. [REDACTED] was upset and reported the incident to his mother and sister. When contacted by Dan Doherty, they both corroborated that he had indeed given them that report. The type of touching was ambiguous, i.e., hard to categorize as sexual or otherwise, though it had upset [REDACTED]. Dan Doherty has interviewed the pastor and principal at Holy Name. He is scheduling an interview with Mr. A that will take place at the Chancery. The general outlines of the story are fairly consistent after some early confusion. Originally, [REDACTED] said he was younger when the incident in the music room happened; then he corrected this to 17. Initially he stated that the room was dark; then indicated that it was brightly lit. First he said that he had been touched in his crotch; then stated that it was his thigh. A key component, as described by the principal: the alleged victim is mentally challenged. [REDACTED]

[REDACTED] and might be considered a vulnerable adult. He informed Rocio that when he was 18, he himself was the perpetrator in an unrelated event. He admitted to an instance of abuse (exact nature not specified) against a 12-year-old male while they were both riding on a Golden Gate Regional Center bus, which led to some police involvement at the time. He has also therefore been asked not to involve himself in public ministry at the parish, although given all the factors he will be allowed to participate in the choir in a limited way, with supervision.

Dan Lawson asked whether the [REDACTED] self-disclosed incident on the bus should also be included in the private investigator's work. Board members felt certain that the police report would not be shared by the police directly with the private investigator. The incident did not take place on Archdiocesan property and there is no connection to the parish. The 12-year-old is now 19, and according to [REDACTED] is [REDACTED]. [REDACTED] reported that the FBI supposedly came to [REDACTED] home after the incident was reported, although Dr. Lawson stated that according to his experience with such matters, that is unlikely.

Dan Lawson asked whether the young man should be kept from his volunteering responsibilities for the duration of the investigation. Dr. Renee Duffey noted that he is an independent adult despite his mental handicap and that when he is at the parish, he is supervised. Rocio mentioned that he participates at the 9:30 a.m. Mass where many children are present. It was asked whether as a volunteer in the music department, he had met any necessary criteria for compliance with the Charter.

ACTION ITEM The circumstances of [REDACTED] participation in the self-reported abuse allegation will need to be better understood. [REDACTED]

[REDACTED] Dr. Duffey agreed that the conservator at Golden Gate Regional Center, or whomever is responsible for him, be involved. The principal has noticed that [REDACTED]

swings his hands even when not singing. He has the cognitive ability of a 6th grader with an I.Q. of 70-85. [REDACTED]

John McCord suggested that [REDACTED] be kept from children at Mass until the investigative report regarding Mr. A is completed, and any other research is uncovered regarding the incident on the bus. **ACTION ITEM** Rocio will contact [REDACTED] mom to find out whether [REDACTED] is under conservatorship. Once that is known, Rocio will be able to contact that person to offer counseling for [REDACTED]. Rocio will also ask the conservator or guardian for insight into the incident on the bus. Fr. Ryan then suggested that Rocio contact Fr. Zamora who will reach out to the conservator to inform him or her that [REDACTED] volunteer duties at the parish are entirely suspended until the matter is resolved to the satisfaction of the Archdiocese.

The Board was informed that in the meantime the music teacher, Mr. A, has been removed from all ministry at both Holy Name and Saint Stephen Parishes until the investigation into his actions eight years ago reaches its conclusion and a recommendation made. **Redacted**

Redacted

Sr. Gemma stated that she is more concerned about [REDACTED] behavior than about the behavior of the teacher, Mr. A. Board members noted that [REDACTED] should not feel punished for coming forward and volunteering information about his own incident on the bus with the 12-year-old boy. It was noted that at the initial intake meeting, three practitioners were present with Rocio and [REDACTED]. The practitioners were part of the Holy Name choir. [REDACTED] said he was more comfortable with them there.

B. A request for reimbursement from a parishioner, reported by Rocio Rodriguez

Rocio reported that a 77-year-old woman, [REDACTED], has requested reimbursement of \$30,000 of the \$67,445 she says she has spent for therapeutic services underwritten between 1992 to 2016. She wrote about her request for reimbursement to the pope, and copied a number of other bishops and priests in several dioceses. She had alleged abuse by a Fr. C. In 1982, she wrote to Fr. C about the abuse. She states that in 1992, she wrote to the Archdiocese and [REDACTED]. She survived, and recently wrote to Archbishop Cordileone. She has indicated that she sent documentation about her alleged abuse in 1992, and apparently believed that she was given a promise of reimbursement. The Diocese of San Jose has been looking through its archives to find any information about her, but has found nothing. The Archdiocese of San Francisco has nothing either. She states that the receipts she had collected have been lost. She does have a list of therapists she has seen. A short discussion followed and it was agreed that without documentation of any kind from 1992, there would be no responsibility on the part of the Archdiocese to send payment. John McCord expressed concern that she had not been in a relationship with any diocese from 1992 until 2016 about how the therapy would be handled. There was no review or oversight. She was acting independently. Rocio noted that her therapist has recommended that she write, which was apparently very hard for [REDACTED] to do. Rocio was asked for more specifics of the case and stated that [REDACTED] wrote a very detailed letter that included allegations of abuse by her first husband. It was noted that another case of alleged abuse by a Fr. C (first initial J) surfaced in the Archdiocese of Los Angeles. **ACTION ITEM** Rocio noted that one of the four therapists [REDACTED] was seeing is now deceased, but Dr. Renee Duffey stated that there should still be a custodian of records. It was suggested that Rocio try to get a release of information for the records. Dr. Esther Dunn and Sr. Gemma O'Keeffe both stated they believed it might be reasonable to assist with therapy costs at an appropriate level going forward, based on what is known so far.

Redacted

Archbishop Cordileone wondered whether it was possible to substantiate whether she was attending therapy because of alleged abuse by Fr. C, or whether it was for other issues in her past. John McCord reiterated his concern that she was coming forward after 25 years, without have contacted the Archdiocese since 1992.

There being no further business, the meeting adjourned at 11:30 a.m.

The Board will meet again on **Friday, January 19 2018 at 9:30 a.m.** Fr. John Ryan thanked Archbishop Cordileone and members of the Board for the work that had been undertaken during his two terms. He has finished his final meeting after ten years of service, and expressed his believe that he had witnessed nothing by faith and compassion from the Board. **ACTION ITEM** Archbishop Cordileone thanked Fr. Ryan for his exemplary service. The Archbishop will be thinking about potential Board members to take Fr. Ryan's place, and also Judge Claude Perasso's place. Judge Perasso is also completing his term this December 31, 2017.

Respectfully submitted,
Annabelle Groh, staff

FILE 6317

Revised (p.3)
at the 10/1/2017
meeting

Minutes:

INDEPENDENT REVIEW BOARD

ARCHDIOCESE OF SAN FRANCISCO

9:30 AM, Friday, May 19, 2017, 4th floor conference room, Chancery

Members: Dr. Renee Duffey, Psy.D., Marriage and Family Therapist
Dr. Esther Dunn, DO, Emergency Medicine
Chair: Mr. Dan L. Lawson, EdD, retired Captain, San Francisco Police
Mr. John McCord, survivor
Sr. Mary Gemma O'Keeffe, RSM, attorney, estate planning law
Reverend Monsignor C. Michael Padazinski, JCD, Chancellor
Honorable Claude D. Perasso, retired Trial Judge, Superior Court of California
Reverend John A. Ryan, pastor

Chancery: Most Reverend Salvatore Cordileone, Archbishop of San Francisco
Larry Jannuzzi, Esq., legal counsel, Archdiocese of San Francisco
Reverend Raymund M. Reyes, Vicar for Clergy
Rocio Rodriguez, Victim's Assistance Coordinator
Pamela Lyons, Superintendent of Catholic Schools, GUEST
Annabelle Groh, Staff

- I. Dan Lawson welcomed everyone. All members were present. He invited Fr. John Ryan to open the meeting with a **prayer**.
- II. Archbishop Cordileone requested time on **the Agenda** to present an item under New Business. With that noted, the Agenda was unanimously approved as submitted.
- III. **The Minutes** of the meeting of February 10, 2017 were unanimously approved following a suggestion from Renee Duffey that victims be identified by their last name initial only, as is done for those accused. The names of any victims in the Minutes of February 10 will be redacted to reflect this change. An identifier, e.g., Mr. S "from Hawai'i" will be used.
- IV. **Membership and Terms**
Board members updated contact information, and confirmed term dates. Three Board members will conclude their terms this December 31, 2017: Judge Claude Perasso (2nd term), Fr. John Ryan (2nd term), and Mr. John McCord (1st term). Members are appointed by Archbishop Cordileone, though he expressed his openness to names surfaced by the Board. St. Gemma O'Keeffe noted that during her interview at the last USCCB Charter audit, the importance of term limits had been stressed by auditors. Members serve a maximum of two terms with the exception of Monsignor Padazinski who serves as Chancellor without a term.
- V. **Addressing the Issue of Pornography in our Catholic Schools**
Dan Lawson welcomed Pam Lyons, Superintendent of Catholic Schools. Pam has been a Catholic school educator for over 23 years. She joined the Archdiocese in 2013 and after an extensive search, was named Superintendent this spring.

Pam stated that teachers are "teaching to the materials," by using the approved safe environment programs in which they themselves also participate. Pam is not aware of any materials available in our elementary schools specifically regarding pornography. It is

addressed in our high schools, but not through any broadly formalized program. Fr. Reyes mentioned a recent workshop at Marin Catholic, moderated by a priest from Chicago. Fr. Cameron Faller, Chaplain at Archbishop Riordan, had told Fr. Ray that 15 Riordan students also attended. Fr. Faller mentioned the awkwardness of the gathering, noting that the format wasn't ideal for the large group of juniors and seniors present. The same format was used for freshmen and sophomores, who met in a separate setting.

Fr. Reyes stated that the Presbyteral Council will consider the issue of pornography at its June meeting. Archbishop Cordileone has also recommended that the Clergy Ongoing Formation Board include this in an upcoming workshop. Because the priests will be holding their Convocation in place of Clergy Study Days this October, that workshop will not be scheduled until October 2018, when the three and a half days will be given to this subject. Materials and resources provided by the USCCB will be utilized, including the Integrity Restored Program, which offers workshops, symposiums and school conferences for teachers and parents. Fr. Reyes shared the list of dioceses and Catholic organizations that have worked with the Integrity Restored team over the past seven years. Priests, doctors and psychologists on the team can be found on its website. The only diocese in the west currently listed: Fresno.

Dr. Dunn asked whether the program was for students in elementary grades. Fr. Ray is aware of the sessions for teens that take place during the school day. Parents are invited to evening sessions. Programs are tailored to the needs of dioceses. Pam is sure that principals would be very interested. **Action Item** Pam will call her counterpart in the Diocese of Fresno for information. In general, she would be interested in having a few schools participate in a pilot program. Then, if the results warranted: moving forward into other schools throughout the Archdiocese. John McCord asked how the effectiveness for safe environment programs is measured. Pam stated that the programs are several years old now, and are informational without any testing. Fr. John Ryan mentioned that there is anecdotal evidence that children now are much more aware of the need to run to an adult once they perceive a problem.

John McCord noted that the issue of pornography "blows up" in high school. Students as young as 6, 7, or 8 years of age should be considered for some form of awareness training these days. Pam mentioned the program, "Family Life." She said most Catholic educators don't want to use the program because it does not have USCCB approval. Dr. Dunn mentioned a good program in Cupertino. It is a children's version of THEOLOGY OF THE BODY taught at the 3rd and 4th grade level by the Legionaries of Christ. Parents learn how to introduce the topic at home. Cultural differences are covered. Sexting is discussed. Archbishop Cordileone was aware of THEOLOGY OF THE BODY FOR TEENS, an in-school curriculum for middle school with materials published by Ascension Press. The discussion continued. Members mentioned that the average age of exposure is 8. Dr. Dunn noted that it is helpful to introduce the concept before they come of age, without going into details. Otherwise, young people are caught off-guard and don't know how to manage their feelings when they are confronted with images that are shared between themselves or on social media.

Pam Lyons stated that she would consider a program successful if teachers simply had the necessary tools to respond when the issue comes up — especially junior high school teachers. Ten years ago, this would not have been necessary. Now it is. The main goal is to create awareness, and provide ongoing tools. The Legionaries program includes a session with moms and dads participating together with their children. John McCord noted that he believes this to be a critical component.

Dan Lawson mentioned that some cultures have a stigma about addressing this subject. This creates a true challenge for schools, especially those with Catholic values. He mentioned the need for balance for young people: not being ashamed of their own bodies, but seeing themselves as children of God. Fr. Ryan expressed concern for those parents who “opt out” of training. Archbishop Cordileone noted that there are resources for those who wish to educate their children directly.

Sr. Gemma asked for clarification: is the IRB being asked for its recommendation regarding a program on pornography, or is the exchange with the school department informational. Fr. Reyes noted Suzanne Giraudo’s encouragement of preventative measures, with an emphasis on priests’ awareness. The Board agreed that its role was informational, and Pam stated that she is looking into a program. **Action Item:** Archbishop Cordileone will discuss this matter with Pam separately. Pam will come back to a future IRB meeting when she has something significant to report, such as the timing of a pilot program. The Board expressed its appreciation to her, and Pam left the meeting at 10:10 AM.

VI. **Action Items from the Meeting of February 10, 2017**

Redacted

Redacted

B. The updated monthly report form for Charter priests was distributed. In addition to the new IRB additions, Fr. Reyes has added a several questions of pastoral significance about the health and welfare of each Charter priest. It has been difficult to get meaningful responses from the priests. Questions are included now about their living conditions, their experience with their Archdiocesan benefits, and their relatives for IRB review. Fr. Reyes mentioned his recent visit with Fr. T at his residence, where it was revealed that the apartment was falling into disrepair. The condition of the property is being evaluated by Archdiocesan building supervisors.

A discussion ensued regarding specific wording for the phrase regarding alcohol and addictions. **Action Item:** The Board expressed its approval for the form with the following improvement: *Are you suffering from any kind of substance abuse, or experiencing an attachment to or an addiction to alcohol, prescription medication,....? If so, are the addictions/attachments treated or untreated?*

In addition, following a suggestion from Sr. Gemma, wording will be added to the form indicating that a copy of any police report or complaint be attached.

John McCord asked whether the Charter priests are healthy or infirm. Fr. Reyes stated that they are retired but most are living independently. John asked whether they receive any therapy for mental health issues, and was informed that one priest sees a therapist for depression. Fr. Reyes receives subsequent arrest notifications from the Department of Justice and the FBI. We have not had any arrests surface during the time Fr. Reyes has served as Vicar for Clergy. One priest, Fr. N, lives in the Philippines. He has experienced difficulties in securing his necessary medications. His family is building a house without stairs for him. He is now 80 years of age.

Fr. Reyes mentioned that Charter priests will be able to either mail back their responses to this updated form, or submit the form online.

C. Update Regarding Star of the Sea Preschool Teacher

Redacted

D. Case in San Bruno

Redacted

VII. Review of Categories

Reverend Monsignor C. Michael Padazinski

Monsignor Padazinski stated that the only change was the listing in Category VI. Fr. K was returned to the lay state in 2016. Fr. K signed the rescript from Rome in recent months.

VIII. Memorandums of Understanding and other Charter Monitoring documents

Action Item: Fr. Reyes is planning his visits with the eight Charter priests whose monitoring documents are expiring in 2017. All visits will take place this summer. The priests: Frs. A, B, L, M, N, O, S, and W. Fr. T does not have an MOU on file because of the adjudication of his case in Rome, but he will also be visited by Fr. Reyes to review the other necessary documents. At the June meetings, Fr. Reyes will see that the MOUs are resigned with Archbishop Cordileone's name now in place instead of Archbishop Niederauer's. The three-year monitoring form will be reviewed and resigned as well, and will now fall more closely in line with the monthly form's wording. Fr. Reyes will also provide health assessment forms, and authorization for release of information forms, along with end-of-life forms. Meetings will be scheduled with the men twice each year (envisioned as each December and June) during each three-year period. In addition, Fr. Reyes will continue to

see the men as he can, to ensure that their physical, spiritual, personal needs are being met, and that their monitoring is appropriately in place and understood.

Action Item: The Board reviewed the eight documents that have been compiled for the Charter priests, and the previous request was reiterated, i.e., that language regarding publications be included. The MOU cover page, point #4, will be revised to include the following restriction, "...may not present himself as a priest in publications."

Dr. Dunn asked whether any punitive measures are taken if a Charter priest doesn't return his monitoring document. **Redacted** pensions cannot be withheld. The priests have known that non-compliance could result in their laicization, or the publication of their names. John McCord asked whether the negative reaction of Charter priests to the monthly monitoring form was a result of their anger or their shame, and was told that it is likely both.

An extended discussion followed regarding the value of Charter priests meeting their accusers. John McCord noted that in his experience, those who have had the opportunity to get together have experienced monumental healing. Fr. Ryan noted that our Charter priests are generally well known, and by-and-large have had very few allegations brought against them. The idea of initiating a process of healing would be valuable. Fr. Reyes added that they have spent more than ten years each in their present state of prayer and penance, and that most of the incidents took place more than 30-40 years ago. Rocio mentioned that he has discussed with Renee the planning of survivor meetings, and the extensive planning that is necessary. Survivors have been asking for a healing Mass. Renee noted that planning a meeting between a survivor and a Charter priest would take very specific skills from the moderator. John mentioned his own experience: he had demanded a meeting, and met with the priest and another friar almost right away. This allowed him to release a great deal of his anger and the meeting ended well. He stayed in contact with the priest through the end of the priest's life. If a survivor is not willing to participate in such a meeting, the priest may carry the shame for the rest of his life, hiding this part of his life away and wondering what other priests and people are thinking of him. Of course, it would not work if the priest is in deep denial. John mentioned one case in which a healing meeting took place that included the school principal. The principal didn't understand how the abuse had happened on his watch, and believed that the abuse would not have taken place, "...if he had had more control over the kids." His response revealed that he believed the children were out of control. He was reminded at that meeting: It wasn't that the children were out of control, it was the adults; the priests. "The light went on," for the principal. The meeting was very helpful to him, and good for the survivor. **Action Item:** Dan Lawson asked that the issue of Charter priest/survivor meetings be discussed again at the next IRB meeting.

IX. New Business

A. Archbishop Cordileone stated that his priest-secretary, Fr. Paul Coleman, is returning to the Diocese of Oakland after three years of service. The Archbishop has arranged for a group of MCs to support him with his liturgies, but he also needs **assistance with responses to letters he receives, and with speeches he gives**. Fr. W is very gifted in this area. He is been out of ministry under the Charter for the past 15 years. Archbishop Cordileone has been wondering about the possibility of asking him to assist him remotely with responses to materials that would be scanned and emailed to him at his home. He would respond via email and would not come to the Chancery, and in exchange would

receive some remuneration.

The Archbishop has spoken about this matter with Bernie Nojadera, Director of the Office of Child and Youth Protection for the USCCB. Bernie stated that this might be acceptable, as long as Fr. W did not come to the office. It presents a possible opportunity to enlist Fr. W's talents for the service of the Archdiocese. The Archbishop is now bringing this to the IRB for its input.

A long discussion ensued regarding the employment of a Charter priest in such a position. Dan Lawson stated that his concern in this instance was the protection of the Archbishop. He appreciated the possibility that a talented Charter priest could provide a great service in this area, but he was bothered by the possible fallout. He envisioned a front-page story in the event the assignment became known. The result could be worse if the assignment had been purposely hidden. Archbishop Cordileone noted that the work would never relate to victims of abuse, but would primarily involve general acknowledgements to the multitude of letters received weekly in his office, and behind-the-scenes work on speeches the Archbishop needed to deliver. Fr. Ryan informed the Board of Fr. W's positive reputation in the presbyterate. Fr. Ryan then reflected on the story that had appeared in the local press with Fr. W's photo when he was arrested at Saint Patrick's Seminary & University for sexual abuse of a minor. Though this happened over 15 years ago, the image is still fresh in Fr. John's mind, and he could envision the same "deer-in-the-headlights" photo being re-circulated if and when this new arrangement came to light. Members agreed that going onto the Archdiocesan payroll would formalize the position and open up room for discussion in the building and elsewhere. Transparency has become essential to our commitment under the Charter. Board members expressed their belief that it would be better not to enter into such an arrangement so that it would not have to be defended.

It was briefly noted that other Charter priests have had considerable gifts to offer. Fr. A is a gifted composer and pianist, but has been restricted in his ability to share his talents. Fr. T had asked to be considered for a position in the Archdiocesan archives at the seminary, but had been told this was not possible.

Redacted

Redacted

Redacted The Archbishop was asked by Board members if he wanted to take the risk. Monsignor Padazinski expressed his fear for the Archbishop's credibility. John McCord envisioned the possibility of protests outside the Chancery front door. Dr. Dunn noted that the Church has come a long way since 2001. Much effort has gone into the work of the Church in this area. Public acknowledgment that the Archbishop is delivering speeches written by a Charter priest seems problematic. Fr. Ryan stated that despite his appreciation for Fr. W, and his long personal connection, his first reaction would be conflicted. He thought other priests might feel the same. Fr. Ryan wondered how other Chartered priests would react if (or likely, when) it became public knowledge that Fr. W had been employed in some capacity by the Archdiocese. He envisions damage to Fr. W's reputation, and damage to the Archbishop's.

Dan Lawson expressed his appreciation to the Archbishop for bringing the issue forward for discussion. In response, the Archbishop mentioned his own appreciation for the levels of complexity that were mentioned. He does not want to see the Archdiocese moving backward on its response to the USCCB Charter. He thanked the Board for its input.

B. Update on Fr. O in Half Moon Bay

Rocio stated that she had received a call since the last IRB meeting from a grief counselor in Half Moon Bay about Fr. O, who had been joining a water aerobics class at a pool near his new home in a gated community in Half Moon Bay. The counselor stated that Fr. O was at the pool, taking photographs. She added that he was celebrating internet Masses. After being informed that Fr. O had a caretaker who was with him most of the time, the counselor called back to say that this was not so. The caretaker didn't appear to be with him at the pool. Rocio called the pool manager who declined to talk with her. Redacted

Redacted

Fr. Reyes stated that he has gone to see Fr. O at his new home. He confirmed that a Tongan man is assisting with Fr. O's care, and spends most of the day with him. The pool is enclosed down the hill from Fr. O's residence, in a clear glass enclosure with a guard always present. After hearing from Fr. Reyes about the concerns expressed, Fr. O has resigned from membership in the pool.

C. Allegation forwarded by Therapist in Vacaville from [REDACTED]

Rocio informed the Board that she had conducted an intake interview after receiving a reference from a therapist in Vacaville. The therapist had encouraged [REDACTED] to make an allegation of abuse against a Fr. M or a Fr. M (last name unclear), who was at Saint Anne Parish in San Francisco. The allegation allegedly took place in 1961. There is no record of a priest with the specific names provided by the allegant. A priest with a similar name who served at the parish at the time of the allegation died in 1969. No other allegations were ever made against him according to Archdiocesan records. The victim was a minor at the time of the alleged abuse, and first reported the abuse in April, 2017.

D. Case from San Jose in the 1970s

Rocio informed the Board of an allegation that took place in San Jose in the 1970s at St. John Vianney Parish, when the allegant was five years of age, and when the Archdiocese included that parish within its boundaries. No priest was identified. The allegant, a male, now lives in [REDACTED] where the intake interview was taken by that diocese. He was offered services by the Archdiocese as a result of the intake, and has identified a therapist this week.

Rocio mentioned that she was coordinating a Victims' Assistance Coordinators (VAC) meeting in the Archdiocese. Bernie Nojadera was hosting the meeting for VACs from Fresno, Los Angeles, Sacramento, and San Francisco. The discussion will focus on transfer cases, i.e., cases where the victim lives in one diocese, the abuse took place in another diocese, and a diocesan split make have taken place in the decades since the abuse. Board members mentioned the joint meeting for both Safe Environment Coordinators and Victims' Assistance Coordinators that had been held at Mercy Center in Burlingame in 2009 or 2010. Fr. Ryan noted that he had attended then-Bishop Cupich's talk. The bishop had chaired the USCCB Committee for the Protection of Children & Young People at that time.

John McCord commended Rocio for her work in coordinating the upcoming VAC meeting. Rocio mentioned the difficulty she has when working on a shared case. For instance, in the case mentioned earlier, [REDACTED] jumped in to help; San Jose pushed the case back to San Francisco.

A discussion ensued about the therapy that is offered to allegants. Rocio noted that the protocol is in place to offer 12 sessions initially, to be reviewed for additional therapy in 12-session increments. This seems to be the best approach when very is known about a case. The counselor is chosen by the allegant. Hourly rates have been set by the Archdiocese to distinguish mental health providers with different degrees. This hasn't always been appreciated by the providers, but is a condition for the therapy. The providers are also asked to send information to the VAC about their insurance, license, and treatment plan. In addition, Rocio attempts to discern whether a therapist is dealing with any of his or her own problems related to the Church.

X. Calendaring and Adjournment

Dan Lawson thanked the Board for its service at the meeting. **The IRB will meet again on Friday, October 6, 2017.** It was noted that Judge Perasso will be out of town. (Monsignor Padazinski and Larry Jannuzzi may also have a conflict, but this is not definitive.)

There being no further business, the meeting was adjourned at 12:10 PM, and was followed by a luncheon in the conference room.

Respectfully submitted,
Annabelle Groh, Staff

CONFIDENTIAL MINUTES

**Independent Review Board
Archdiocese of San Francisco
Friday, July 22, 2016
9:30 AM to 12:00 Noon**

Members Present: Dr. Suzanne McDonnell Giraudo
Dr. Esther Dunn
Sr. Gemma O'Keeffe
Mr. John D. McCord
Rev. John A. Ryan
Rev. Monsignor C. Michael Padazinski

Guests: Most Reverend Salvatore J. Cordileone
Rev. Raymund M. Reyes
Lawrence R. Jannuzzi, Esq.
Ms. Rocio Rodriguez

Excused: Dan Lawson
Judge Claude Perasso

I. Opening Prayer – Dr. Esther Dunn read the prayer of St. Francis.

II. Introduction of Ms. Rocio Rodriguez

New Victim's Assistance Coordinator (VAC), was introduced by Fr. Ray Reyes, Vicar for Clergy. Individual members introduced themselves and indicated their special expertise to the Board.

III. Opening Business

a. Agenda Review

i. The Agenda was approved as presented.

b. Approval of Minutes

i. The Minutes of the March 4, 2016 meeting were approved as corrected; Judge Perasso was present at the last meeting and should be added to the list of members present on page 1; on page 2 under Fr. Reyes' report, the actual signing date for the next round of MOU's is 2017, instead of 2018.

IV. Update on Items from March 4, 2016 meeting

Archbishop Cordileone reported he has a verbal update from the CDF on the case of [Redacted] Recently he was informed by an American official of the CDF that the case is concluded. The Archbishop has yet to receive written notification; he will designate Msgr. Padazinski to inform Fr. K. once the written notification arrives.

Fr. Reyes distributed a copy of the list of "Priests and Deacons with Faculties in the ADSF" totaling 381 names; the yellow pages are posted on the ADSF website. The pink pages provide additional information including age, years of ordination, and current assignment. The list is updated in January and July. The Board suggests the title be changed to "Priests and Deacons with Faculties (authorization to minister) in the ADSF". The website list is updated each time a priest or deacon comes into or goes out of the Archdiocese, or changes assignment, and each time there is an update, the date of the update is printed at the bottom of the page. After discussion, it was determined the footnote at the bottom of the page should be changed to: "This is a list of priest and deacons with faculties, and includes: 1) Incardinated priests and deacons whose faculties have not been restricted; 2) Extern diocesan priests and deacons in assignment, **residing in ADSF**, or supplying here..." Names of priests missing from the list but with faculties were then surfaced, specifically some of the retired priests, and priests at Nazareth House. Fr. Reyes will revise the list to include missing names. The list is under the Vicar for Clergy tab on the website. If a credible allegation is made against someone on the list who presently has faculties, the list is immediately updated, and the person removed, as their faculties would have been suspended. The website will contain a link for "any questions" that sends an email to the Vicar for Clergy office. Dr. Giraudo requested that Fr. Ryan and Monsignor Padazinski carefully review the list for missing name(s) which should be on the list. Fr. Reyes will send the list by email one time to the pastors and request any comments within 5 days.

Redacted

Ms. Rodriguez reported Dr. Duffey is still following up with the man from [REDACTED] who called regarding an allegation. The man is very ill. Ms. Rodriguez is also in contact with the VAC for ADLA who will meet with him.

Attempts to contact the son of the woman who made an allegation regarding a deacon she saw at the funeral of [REDACTED] have had no results. The son has not contacted ADSF as the mother said he would.

The Archbishop reported he had sent the conciliatory letter to the man in [REDACTED] who alleged he was abused in the 1970's by Fr. P. Fr. P. has been dead for more than 20 years.

Archbishop Cordileone was reminded of the request by the IRB that in October at the meeting with the other bishops of the Province he discuss the proposal to publicize the list from the ADSF of those with

credible allegations, those in categories III, V, and VI, and the impact publication of the list would have on nearby dioceses.

V. Review of Categories – Monsignor Padazinski

Msgr. Padazinski reported there have been no changes to the list since the last meeting. Mr. Jannuzzi has attached the dates for the final action, notification, laicization or deceased date.

VI. Monitoring Report – Father Reyes

Fr. Reyes reported all priests listed in Category V last signed the MOU 2014 and will be due to sign again in 2017, except for Redacted who signed in 2015, and will be due to re-sign in 2018. Fr. Reyes is also in contact with the provincials of orders ministering in ADSF focusing on the Charter, and seeking ways to share monitoring practices for chartered priests.

Redacted

In October, the director of on-going clergy formation has scheduled a workshop on pornography and its pastoral implications for one day of Clergy Study Week. Dr. Giraudo referenced the article quoting Deacon Bernie Nojadera, Executive Director of the USCCB Secretariat for Child and Youth Protection, speaking at Rome's Pontifical Gregorian University June 20-23 at the annual Anglophone Conference on the Safeguarding of Children, Young People and Vulnerable Adults. The article was sent to members of the Board by email at the end of June, and copies circulated at the meeting. The article details how the protocol for high-risk industries can be adapted for child-protection programs for the Catholic Church.

VII. New Business

Ms. Rodriguez reported Fr. John Jimenez from St. Charles called to report a volunteer disclosed that four years ago a sophomore had been inappropriately touched by an adult male volunteer. Ms.

Rodriguez filed a report with police and CPS. The child and mother are currently in therapy. Ms. Rodriguez also offered services of support and healing for the family, and recommended family therapy, which they are considering. The girl is now 16 years old. The volunteer is probably in his late 30's. An inquiry was made as to whether the Archdiocese has a volunteer database into which this information could be entered, and who would be responsible for ensuring volunteers don't show up in other parishes if they are on this list. Redacted

Redacted

Redacted This particular volunteer had been living in a room in a home of a family in the parish. Fr. Jimenez called the family to inform them, and Ms. Rodriguez visited the family in their home. Ms. Rodriguez was complimentary of Fr. Jimenez for the manner in which he handled the situation. A letter was prepared informing the volunteer that he is removed from any form of ministry in the Archdiocese until the matter is resolved, but it cannot be mailed at this time because his whereabouts are unknown. He has seemingly left the country.

Fr. Charles Puthota received a call from Fr. Brillantes in San Bruno in regard to a report that a 13 year old was abusing his 3 year old brother. The abuse did not take place on parish grounds, and had nothing to do with the parish; the alleged abuser is not related to the parish. Fr. Brillantes filed a report with CPS, and Ms. Rodriguez followed up. The family is allegedly undocumented, and had nowhere else to go but to the church. Fr. Brillantes did not know the family previously.

Ms. Jan Potts, Communications Director, sent Ms. Rodriguez some Facebook postings about the Stockton case; there are no new claims. The Stockton VAC was already aware of these postings and emails.

Redacted

Redacted Redacted was not accused of abuse, and the lawsuit had nothing to do with San Francisco.

Redacted

with the first name of [Redacted] none with the last name [Redacted] two were Franciscans, neither was in the Archdiocese during the relevant years. Neither of those Franciscan priests is listed in the Kenedy Directory as priests anywhere in the United States. It was then determined that [Redacted] might have been a religious brother, who later became a priest. There was a Franciscan brother who was accused several years later, according to the provincial; however, he was not at St. Anthony during that time period. The Franciscan records show that [Redacted] was in the Archdiocese later and died in 1981. The provincial is trying to discover if the prior allegation against [Redacted] was made by the sister who doesn't want to talk about the incident. Without the name of the victim and details from her, not much more can be done. Ms. Rodriguez will meet with the reporting sister next month when she comes to San Francisco. The services of ADSF wellness program and support have been offered to both women. Detroit has similar services and which have also been offered to both women. Documentation is kept by the VAC office of this and any other report when the person chooses not to talk about the incident, and nothing further can be done at the present time.

Fr. Goode of East Palo Alto contacted Ms. Annabelle Groh in the Vicar for Clergy office while Ms. Rodriguez was on vacation. He provided information regarding a volunteer who had molested his child at home, again not related to the parish. Fr. Goode called CPS. A letter was prepared stating the man is removed from all ministry until this can be resolved, but before it could be delivered, he had fled the country. It does not look as though the man had gone through the "proper channels" to be vetted as a minister. Regular volunteers are checked through the Department of Justice, and *ad hoc* volunteers always work under the direct supervision of someone who has been authorized and had a background check according to the standards of ADSF policy. The other standard is that an adult is never with minors alone; there must always be at least two or three people in the room or at the activity.

Redacted

Dr. Giraudo requested an update on the accusations in *Court House News* regarding a lawsuit filed by three teachers at Riordan High School. [Redacted]

[Redacted] Three teachers complained the principal had a couple of times shown them "racy" pictures on his cell phone; this is not an abuse situation and there was no child pornography involved. The allegation is that the school retaliated against the teachers for making the complaint. Very thorough

investigations have been done. A subsequent report was procured from a different former employee who did state that the principal had showed him child pornography (although he never made a complaint and did not report the supposed incident to the authorities). The principal was suspended, the police investigated, and their conclusion was "this is a false charge." The principal was re-instated, and the teachers are now suing the Archdiocese and the school with the retaliation claim. Dr. Giraudo questioned the statement in the article that the "archdiocese's investigator, who 'openly proclaimed her admiration for Riordan, conducted the entire inquiry by telephone from her home in Louisiana...' "

Redacted

Redacted

Redacted

Rita Gleason, a well-regarded former principal not employed by ADSF, currently living in Louisiana, was asked to review the investigation done by Superintendent Huntington to determine if it was complete, fair and inclusive. There is no distinction made in the article between the Archdiocese, the Archdiocese Corporation Sole, and the Archbishop; the Archbishop, in fact, did none of the things alleged in this article.

Mr. McCord reported on his effort regarding publication of the names of those accused of sexual abuse of minors in the Archdiocese of Seattle. He spoke about the development of the process with Seattle IRB member, Lucy Berliner. He also spoke with the Chancellor of the Archdiocese of Seattle, Mary Santi, JCL, regarding the reaction of the priests being publicly named and what advice was offered to them prior to publication. Ms. Santi reports all those publicly reported had already been publicly reported in some form or another. The Archdiocese of Seattle voluntarily published the list in the interest of transparency, whereas the Archdiocese of Los Angeles was ordered by a judge to publish their list. Those on the Seattle list were all approached prior to publication, and offered services, support, coaching and therapy. Many were already deceased, so next of kin were contacted with these same offers of support. Religious priests also were already known for the most part; their individual provincials were asked to convey the information the list would be published, and to offer the same services and support. The Archdiocese of Seattle took two years to devise the process and make the decision to release the names; they hired two retired FBI agents to advise the Board on the veracity of the accusations, and they did not publish any names where the allegation was not sustained. Seven months after initial publication, Archbishop Sartain is pleased with the results. There has not been any negative feedback, there have been two new allegations reported as a result of releasing the list. Mr. McCord recommends the Archdiocese of San Francisco publish its list, using the model developed by the Archdiocese of Seattle. He believes it will enable healing among survivors. Mary Santi has offered to meet with this IRB in order to discuss motives and process. Minor obstacles to the Archdiocese of Seattle were from SNAP who says "enough

wasn't done," and two former members of the original IRB have filed a petition with the USCCB to demand all priest personnel files be publicly disclosed. Mr. McCord will request a copy of the article with the information about the lawsuit from Mary Santi, and provide it to Archbishop Cordileone for his reference at the meeting of the bishops of the Province in October. Dr. Giraudo thanked Mr. McCord for his research, and reminded the Board that in the past this Board had decided not to recommend the ADSF list be made public. She stated that if at this time any Board member would like to revisit the issue, they should contact her about placing it on the agenda for the next meeting.

VIII. Set Date for Next Regular Meeting

The next regular meeting of the IRB will be on Friday, November 18, 2016 from 9:30 AM until 12:00 noon in the 4th Floor Conference Room. Judge Perasso will lead the opening prayer.

Whereupon, the meeting was adjourned at 11:35 AM.
July 22, 2016.

CONFIDENTIAL MINUTES

**Independent Review Board
Archdiocese of San Francisco
Friday, March 4, 2016
9:30 AM to 12:00 Noon**

Members Present: Dr. Suzanne McDonnell Giraudo
Mr. Dan Lawson
Dr. Esther Dunn
Sr. Gemma O’Keeffe
Mr. John D. McCord
Judge Claude Perasso
Rev. John A. Ryan
Rev. Monsignor C. Michael Padazinski

Guests: Most Reverend Salvatore J. Cordileone
Rev. Raymund M. Reyes
Lawrence R. Jannuzzi, Esq.
Dr. Renee Duffey

I. **Opening Prayer** – Mr. Dan Lawson read an opening prayer of St. Ignatius.

II. **Introduction of Dr. Esther Dunn**

New Board member, Dr. Esther Dunn, was introduced by Board Chair, Dr. Suzanne Giraudo. The individual members introduced themselves and indicated their special expertise to the Board.

III. **Opening Business**

a. **Agenda Review**

1. The Agenda was approved as presented.

b. **Approval of Minutes**

1. The Minutes of the November 6, 2015 meeting were approved as presented.

IV. **Update on Items from November 6, 2015 meeting**

Msgr. Padazinski reported the Archbishop is still waiting on a response from the CDF on the case of **Redacted**. In response to Monsignor’s recent inquiry, the CDF states they are aware of the time involved, and believe something will be forthcoming in the “near future.” The question of where and how often the list of clergy with faculties in the ADSF is published was discussed, reviewing how the decision was reached to publish in this manner for the benefit of Dr. Dunn. The Board recalls choosing not to follow the process of Los Angeles which published a list of all those accused, but rather chose to make available publicly a list of those who have

faculties, and that the list was to be made available (public) on the Archdiocesan website. At the present time, it is not on the Archdiocesan website, but there is a "Directory of Priests" who have faculties. It was suggested that two times a year (June and January) would be appropriate for an updated list to be published in an alphabetical format by name with the assignment of the individual, and it should be on the Archdiocesan website. Fr. Reyes will follow up for the next meeting. Dr. Duffey reported that numerous attempts have been made to contact the 14 year old girl about the incident which resulted in her mother wanting to change her Confirmation class to a different parish; no contact has ever been made, and no one has returned calls from ADSF. Fr. Reyes noted that the priest concerned was an administrator at St. Kevin's at the time, and several other complaints, not sexual in nature, had risen, and the priest has been removed by his order. Coaching has been recommended for him by ADSF. He is no longer in the ADSF, and future assignments and any coaching or training is in the hands of his provincial for the SVDs. The Board asks that clear notes be placed both in his personnel file and in Dr. Duffey's files about the incident, and the lack of response from the girl or her family. Redacted

Redacted

V. Review of Categories – Monsignor Padazinski

Msgr. Padazinski briefly reviewed the overall categories for the benefit of Dr. Dunn, and reported there have been no changes from the last meeting. Mr. John McCord requested that the date of the last action taken be inserted in the report, using the entry for Msgr. O'C as an example. Redacted

Redacted

VI. Monitoring Report – Father Reyes

Fr. Reyes reported that the monitoring reports for all the individuals currently living under the Memorandum of Understanding, Category V on the chart, are up to date and the next round of signing of the MOU is 2017. The monthly updates are tracked as they are submitted, and when necessary, Fr. Ray meets with the individual. There has been another allegation made against Fr. M. O'B R. of an incident that occurred in 1976 at Mission Dolores when the girl was 17. A handwritten letter dated April 8, 2015, referring to a psychotic episode at age 17 a few days after the alleged incident, was sent to the Holy Father. The letter provided details, the name of the priest, location, date, and what

prompted her to speak up at this time. In December, the letter was forwarded to the Archbishop by the office of the Papal Nuncio. [Redacted]

Redacted

[Redacted] It will be necessary for Fr. Reyes to meet with Fr. M O'B R to inform him of this newest allegation. Fr. M O'B R's is undergoing cranial radiation, and his health, both mental and physical, is declining. At this time, an investigation on the part of the ADSF is not possible as there is not enough information.

VII. New Business

Dr. Duffey reported a man had called from [Redacted] alleging he had been abused by [Redacted] in 1965 when he was 7. He intended to come in person to meet with Dr. Duffey, but has had three suicide attempts in the last 90 days; Dr. Duffey has arranged for her counterpart in LA to meet in person in Los Angeles with the man. Dr. Duffey has sent the ADSF forms to the woman who will meet with him. An initial offer of therapy has been made, and the allegation seems credible. The man did not remember the abuse until the last suicide attempt.

Dr. Duffey also reported that after [Redacted]'s funeral, a woman told Fr. Warren that a deacon she saw at the funeral had abused her son when both boys were in the 6th grade. Dr. Duffey has met with the deacon, and he remembers the boy. At this point, Dr. Duffey is waiting for the son to come forward with the specifics, noting that both were boys of the same age at the time.

Dr. Duffey reported a man has contacted Bishop Silva and the VAC in the Diocese of [Redacted] alleging in a letter that he was abused by a priest in the ADSF in the 1970's, Fr. P. Fr. P. was assigned to ADSF, then went to the Diocese of San Jose when the diocese was split. The man wants a letters of apology. Counseling has been offered, and the Archbishop has composed a conciliatory letter, but more details would be helpful prior to sending the letter. Fr. P. has been dead for more than 20 years.

Redacted

He has repeatedly requested support payments from the ADSF, which requests have been denied with one exception. He has now approached both the pastor and Bishop McElroy in

San Diego, alleging that he is destitute because the ADSF has "cut off his pension" and he wants money. Fr. K never qualified for a pension, and when he was laicized, the sustenance payments were discontinued. The canonical advisor for Fr. K., Michael Higgins, calls both Fr. Reyes and Msgr. Padazinski regularly.

Mr. John McCord led a discussion on the statement of the US bishops, *"Create in Me a Clean Heart: a Pastoral Response to Pornography."* The statement itself is 27 pages; page 20 contains a message specifically for clergy. The link for the statement about the USCCB's approval of the document on pornography is: <http://www.usccb.org/news/2015/15-159.cfm>

The link for the complete document is:

<http://www.usccb.org/issues-and-action/human-life-and-dignity/pornography/upload/Create-in-Me-a-Clean-Heart-Statement-on-Pornography.pdf>

Mr. McCord considers it essential for all to have an awareness of the dangers of pornography and for the ADSF to formulate a policy dealing specifically with pornography. Dr. Duffey added that while there are references in current policies, they do not specifically use the word "pornography", and the references are not clear. It is an item specifically addressed each year in the annual audit, and she considers a specific policy a necessity. Fr. Reyes said that the Director of Ongoing Formation for priests considers the issue of pornography one of his biggest concerns, and has recommended it be a topic for clergy days in the near future. Mr. McCord recommends there be a specific statement added to the policies and procedures of the ADSF, and list available resources for people. Dr. Duffey spoke in favor of a policy on pornography and suggests that "vulnerable adults" be added to those the Charter protects, and that the policies and procedures be translated into Spanish. Lengthy discussion followed on the need to carefully define "vulnerable adults" (suggested: a person who does not have the mental capacity of an 18 year old), and the reality that our categories do not "track" to the charter and what the audit tracks. ADSF uses "sustained/not sustained" and the charter uses "credible/not credible" and "credible by IRB standards is not the same as "credible" as SNAP uses the term. The Archbishop recommends that we always proceed carefully to determine if there is cause for investigation, if there is "cause for trial," as opposed to "credible." Recognizing the need for consistency in order for ADSF to be compliant with the list of categories in the audit, it was recommended that a statement on pornography be added to ADSF policies and procedures, that a list of local resources concerning pornography be put on the website, in *CSF*, and be available, that the words "vulnerable adult" be included where

appropriate, and ensure that the language in ADSF policies and procedures and training is compliant with what is expected in the audit. After all this is accomplished, translation into Spanish should follow.

Fr. Reyes praised the work of VAC, Dr. Renee Duffey, who will retire April 1, 2016. The Archbishop and all the Board members paid tribute to Dr. Duffey and expressed gratitude for her patience, for being supportive and approachable, and acknowledged she came into the position at a difficult time following the unexpected death of the first VAC, Barbara Elordi, and in the transition time to a new Archbishop.

Mr. McCord then led the discussion regarding the decision by the Archbishop of Seattle to “publish the names of those clergy and religious brothers and sisters for whom allegations of sexual abuse of a minor have been admitted, established, or determined to be credible.” Bishop Mark Bartchak of Altoona-Johnstown, has also pledged to publish a list of abusive priests. Mr. McCord then recapped the history of the process involving ADSF survivors working with Bishops McElroy and Justice to develop the policy in 2013 for dealing with survivors (*CSF: April 17, 2013*). Mr. McCord believes it is worthwhile to revisit again the notion of publication of the names of those with credible allegations, those in categories III, V, and VI on ADSF chart. Discussion followed. About 22 Arch/Dioceses currently publish a list, and publication does give credence to being completely transparent. The question of the impact of those who might have “passed through ADSF” and ended up being listed on another list was raised, as well as the opinion that publication might be of help to survivors in healing. The Archbishop believes publishing the list will stir up controversy, and notes that controversy does not help heal, and states that he is opposed to publishing the list. Mr. McCord was asked to contact Seattle to gather more information about the process used in making the decision, what research was used to substantiate the list, and the direction or goal, as well as the struggles in reaching the decision. The Board would also like to know if the Archdiocese of Seattle alerted the people they were going to name prior to publication of the list, and if so, how this was done. The Archbishop will also discuss this with the other bishops in the Province at their next meeting (October) keeping in mind the impact publication of a list in San Francisco would have on nearby dioceses, and the fact that some of those named were also in dioceses in the Province. For the present, gathering information for a future discussion is all that will be done. Mr. McCord will report on his findings at the next meeting.

VIII. Set Date for Next Regular Meeting

The next regular meeting of the IRB will be on Friday, July 22, 2016 from 9:30 AM until 12:00 noon in the 4th Floor Conference Room. Dr. Esther Dunn will lead the opening prayer.

Whereupon, the meeting was adjourned at 11:35 AM.
March 4, 2016.

CONFIDENTIAL MINUTES

Independent Review Board
Archdiocese of San Francisco
Friday, November 6, 2015
9:30 AM to 12:00 Noon

Members Present: Dr. Suzanne McDonnell Giraudo
Mr. Dan Lawson
Dr. Eileen Aicardi
Sr. Gemma O'Keeffe
Mr. John D. McCord
Rev. John A. Ryan
Rev. Monsignor C. Michael Padazinski

Guests: Most Reverend Salvatore J. Cordileone
Lawrence R. Jannuzzi, Esq.
Dr. Renee Duffey

Excused: Rev. Raymund M. Reyes

- I. **Opening Prayer** – Dr. Eileen Aicardi read an opening prayer by Mother Teresa concerning the importance of taking time in life.

II. Opening Business

a. Agenda Review

1. The Agenda was approved as presented.

b. Approval of Minutes

1. The Minutes of the July 17, 2015 meeting were approved as presented.

II. Update on Items from July 24, 2015 meeting

Msgr. Padazinski reported the Archbishop is still waiting on a response from Rome on the case of [Redacted]. In response to a question regarding the status of [Redacted], he clarified that though Fr. T. has refused for many years to sign the MOU, he is aware that he is to live a life of prayer and penance as a result of the permanent penalty imposed on him by the sentence from Rome, and he is monitored regularly by the Vicar for Clergy Office. The issues at Riordan High School (p. 4) have been resolved; the police investigation has been concluded and they have determined that no charges should be filed. Dr. Nina Russo is serving as Interim Superintendent, and the principal, Mr. Anastasio, is back at work. [Redacted]

Redacted

[Redacted]

Dr. Giraudo requested that in the

future, IRB members be included in any email announcement such as this articulating the outcome of an investigation. Fr. Ryan noted that clergy also were not included in the email, which could have been helpful to them as well.

III. Review of Categories – Monsignor Padazinski

Monsignor Padazinski reported that in Category III, Archbishop Cordileone has sent a letter to the CDF as to the status of the case of [Redacted], and requesting a quick resolution. There is no change in Categories IV, V, and VI.

IV. Monitoring Report – Monsignor Padazinski

Monsignor Padazinski reported that Fr. Reyes is recuperating from emergency surgery earlier this week, and is expected to be able to return to work as scheduled, and will be able to provide the update report at the next meeting.

V. New Business

The major motion picture, "Spotlight", scheduled for limited release on Friday, November 6, 2015 and national release on November 20, 2015, was the first item of New Business. The movie is the story of how the Boston Globe newspaper's Spotlight Investigative Unit uncovered the child sex abuse scandal in the Archdiocese of Boston in 2002. The cast includes several noted actors and the movie is considered to be an Oscar contender. Distributed to the Board were copies of the memo to the clergy from Monsignor Padazinski, communications from the USCCB, as well as the *Op Ed* piece by Frank Bruni from the November 4, 2015 New York Times. It was suggested that the Director of Communication, Mr. Mike Brown, write a memo or communique of "talking points" for clergy and the IRB on how to respond to media requests regarding this movie. A discussion followed reviewing the early days of the scandal and the *Charter* as written at the bishop's meeting in Dallas in 2002, and the direction for each diocese to make its own decision as to how to handle the situation. The lack of published "best practices" has been a hardship to this Board in particular, which has many times requested such a resource from the National Board. The challenge of working within the parameters of the *Charter* while also trying to be as transparent as possible while protecting the right to privacy of individuals was one of the most difficult issues to be resolved. The Archdiocese of San Francisco made the decision to handle it in a positive manner, providing a list of the priests who have faculties to minister, as opposed to the practice in the Archdiocese of Los Angeles, where every priest who has ever had an allegation made against him is on a permanent list, no

matter whether or not the allegation was sustained. The ADSF list originally was published quarterly. Monsignor Padazinski believes it is now published two times a year, and will verify that for the next meeting, as well as whether it is on the Archdiocesan website or otherwise available to the public. Dr. Giraudo recommended that an article be placed in the Catholic San Francisco issue in April which focuses on protecting against child abuse that recounts the Child Abuse Policy of the Archdiocese, reviews the purpose and work of the IRB, and reiterates how to handle concerns about a priest. It was also recommended that the article be clear about what ADSF does as opposed to what the Archdioceses of Los Angeles and Boston do. Dr. Aicardi asked whether IRB members should take calls or questions from the media or refer them to an appropriate staff member of the Archdiocese of San Francisco. In the past, members have been directed to provide the name and telephone number for the Director of Communications for the Archdiocese. The Archbishop will provide direction on this to the Board.

Dr. Duffey received a telephone call from the Chancellor of the Diocese of [REDACTED] regarding an allegation from a woman who reported being abused for four years between 1979 – 1983 in San Jose by a priest who was originally with the Archdiocese of San Francisco, then a priest of the Diocese of San Jose when it split from ADSF in 1981. The priest was convicted on some charges in 1976, released in 1977, assigned to a parish, and then made a pastor by San Jose in 1981. He was removed from ministry in 2002, and died at the time a settlement was reached by San Francisco and San Jose. The woman is currently a prosecutor in Boise, and is not asking for anything. The Diocese of San Jose is reaching out to her at this time.

A man requesting absolute confidentiality met with Bishop McElroy recently and reported that he had been abused by Msgr. F. A. at St. Pius a number of years ago. His mother [REDACTED] he does not want her to know about this; he is not asking for anything. [REDACTED] Dr. Duffey states she has no reason to disbelieve the man, and Mr. Jannuzzi stated the pattern fit the previous patterns of Msgr.

Redacted

Redacted Mr. Lawson noted the parish remains in denial that anything happened concerning Msgr. A. The man signed a statement verifying the truth of his statement, and has been advised that he is free to contact the Archdiocese of San Francisco again or go to the police at a future date.

Dr. Duffey then reported that Sr. Graciela Martinez had met with [REDACTED] (as translator) concerning a 14-year old girl who reported a priest had touched her stomach, and she no longer wanted to go to the Confirmation class being taught by the priest for students [REDACTED]. The girl has completed two years of a three-year Confirmation program. The mother wants her daughter confirmed, so she called Annabelle Groh requesting the daughter be transferred to another class, which was done. The mother [REDACTED] and has not asked the daughter what happened. It is not clear at this time whether something sexual occurred. Dr. Duffey suggests a [REDACTED] therapist meet with them to determine what happened. [REDACTED]

[REDACTED] The priest is foreign-born and purportedly has had boundary issues in the past. More information is definitely required before anything can be done, and permission from the mother to speak to the daughter is also required. The Board requests follow up information at the next meeting.

The on-site audit of the Bishop's Charter will take place next week on November 12 and 13; Dr. Giraudo will meet with the auditors, and Sr. Gemma O'Keeffe will speak with them by phone. The audit is focused on policies and procedures, and Dr. Duffey expressed her concern that ADSF policies do not mention vulnerable adults specifically, and there is little explicit policy on pornography. Archbishop Cordileone noted that the USCCB at its annual meeting in two weeks will discuss and vote on a proposed formal statement, "Create in Me a Clean Heart: a Pastoral Response to Pornography." Following the vote by the bishops on the statement, the Archdiocese will then take up the issue along with recommendations from the audit. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

The Archbishop and Msgr. Padazinski reported that [REDACTED] Category IV, recently came to ADSF to celebrate a wedding and a funeral. On being told that he was not permitted to do so, it was reported that he attended, but did not celebrate. Fr. F. says his home Diocese of Fresno has lifted the ban on him. He has been assigned by the Diocese of Fresno to say Mass at a convent. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Last week a new allegation surfaced in Santa Rosa against Fr. F., and the Diocese of Santa Rosa is conducting an investigation. The person who made the allegation is currently in prison, but was in a group home at the time of the alleged abuse in the 1980's. Fr. F. will be informed of this new allegation within

the next two days. The Board requests the files be checked to ensure records of more than one allegation against Fr. F.

VI. Set Date for Next Regular Meeting

The next regular meeting of the IRB will be on Friday, March 4, 2016 from 9:30 AM until 12:00 noon in the 4th Floor Conference Room. Mr. Dan Lawson will lead the opening prayer.

Whereupon, the meeting was adjourned at 11:16 AM.
November 6, 2015.

CONFIDENTIAL MINUTES

**Independent Review Board
Archdiocese of San Francisco
Friday, July 17, 2015
9:30 AM to 12:00 Noon**

Members Present: Dr. Suzanne McDonnell Giraudo
Sr. Gemma O'Keeffe
Mr. John D. McCord
Rev. John A. Ryan
Rev. Monsignor C. Michael Padazinski

Via Telephone: Mr. Dan Lawson

Guests: Most Reverend Salvatore J. Cordileone
Lawrence R. Jannuzzi, Esq.
Dr. Renee Duffey

Excused: Dr. Eileen Aicardi
Hon. Claude Perasso
Rev. Raymund M. Reyes

- I. **Opening Prayer** – Monsignor Michael Padazinski led the opening prayer on behalf of Dr. Eileen Aicardi.

II. **Opening Business**

a. **Agenda Review**

1. The Agenda was approved as presented.

b. **Approval of Minutes**

1. The Minutes of the March 27, 2015 meeting were amended on page 3 under **Monitoring Report**. The reference to priests from Serra House and Serra High School will be stricken. The sentence will read: *"His bishop in the Philippines has been fully informed."*

II. **Update on Items from March 27, 2015 meeting**

Msgr. Padazinski reported that the Monthly Monitoring Reports are returned to the Vicar for Clergy office, and are tracked on an Excel spreadsheet, and kept up to date. To date, six priests have submitted their reports for this month; if necessary, Fr. Reyes pursues the issues of reports not submitted. The reports are filed in the individual priest's file. The issue of financial support for Fr. K. by the Archdiocese is reported by Monsignor to be Medical benefits only which will cease when he turns 65; he is 63-ish at present. Mary Schembri and Annabelle Groh are most helpful to the retired priests as they make the transition from ADSF covered health benefits to supplemental insurance.

Archbishop Cordileone reported on his latest meeting with Fr. MO'B wherein Fr. MO'B alleged he did not realize he was not supposed to make reference to himself in any way as a former priest, but he now has that understanding. He signed the MOU committing to 1) remove from his blog or website any reference to him as a priest; 2) make no reference in the future on either his blog or website to being a former priest; 3) ensure, as much as possible, the media does not refer to him as a priest or former priest. The website and blog have been reviewed by both Dr. Duffey and Annabelle Groh and he has done this. John McCord stated that the Facebook page for Fr. MO'B has already been "cleaned up".

Dr. Duffey reported that the pastor and parochial vicar at Star of the Sea Parish have been schooled by a professional as requested. USF referred her to an independent psychologist in the East Bay, and the training has taken place. Dr. Giraudo received an anonymous voice mail two weeks ago from a woman who identified herself only as a "Star of the Sea parent" who said: "I hope you have looked into [Redacted] arrest and his convictions."

Redacted

Redacted

[Redacted] He believes the woman may be referring to an incident about 15 years ago in Modesto where [Redacted] was accused of "infliction of emotional distress." In an allegation filed in the Stockton Diocese, a little girl (about 10 years old) accused another priest of sexually abusing her, but the police concluded that no abuse had occurred and the priest was never charged. There was a subsequent civil lawsuit in which a jury found that no abuse had occurred, but also found that [Redacted] as pastor, caused emotional distress. There was no criminal allegation and no conviction. The civil suit was filed by the mother and daughter against the Diocese of Stockton, [Redacted] and the other priest for actions reportedly occurring on September 11, 2001. [Redacted] did some counseling at the direction of the diocese. Dr. Giraudo is concerned that ADSF be aware of these allegations. The Archbishop added that Stockton did due diligence at the time, and [Redacted] remained as a priest in good standing for another twelve years, and was never taken out of ministry. After discussion regarding the Stockton incident in light of the dissemination of the brochure, *Examination of Conscience and Catholic Doctrine* to the children in grades 2 – 8 at Star of the Sea School in December, the Board voted that the minutes reflect the discussion regarding [Redacted] and these previous difficulties, and recommends the Archdiocese be cautious and aware of his history.

A letter was sent to the Fathers of Mercy by Dr. Duffey requesting they change the title of the brochure on the examination of conscience to an "Examination of Conscience for Adults." Dr. Duffey did not get a response to her letter, but John McCord reports the website now refers to this brochure as "An Examination of Conscience for Adults and Teens." Dr. Duffey is

asked to write to the Fathers of Mercy again, thank them for the changes to date, and suggest the brochure is not appropriate material for teens, and "Teens" be removed from the website reference to the brochure.

III. Review of Categories – Monsignor Padazinski

Monsignor Padazinski reported there are no changes in categories. He reported that a "response is forthcoming" from the Congregation for the Doctrine of the Faith (CDF) on Fr. D. K's case. In light of having the complete file, it was agreed at this time to change the notation on Msgr. J. O' to "Canonical process closed due to Msgr.'s death."

Dr. Duffey noted the audit forms have the following specific categories:

- 1) Substantiated – Investigation is complete and the allegation has been deemed credible/true based upon the evidence gathered through the investigation;
- 2) Unsubstantiated – Investigation is complete and the allegation has been deemed not credible/false based upon the evidence gathered through the investigation;
- 3) Unable to be proved – The diocese/eparchy was unable to complete the investigation due to lack of information;
- 4) Investigation ongoing – The diocese/eparchy has started an investigation, but has not yet completed it and has not yet determined credibility.

ADSF uses different categories; we combine "unsubstantiated" and "unable to be proven". In the future, the Board needs to be aware of the specifics of the audit form, and make an effort to comply more closely with their categories. In Category IV, a parenthetical notation will be added, going forward, stating that the allegation was either "unable to sustain" or "unsubstantiated".

Discussion then turned to Fr. T. who is unique as he refused to sign the MOU, and is very angry about the whole situation. Rome approved and the prohibitions are to remain, but he has not been laicized. He remains on the monitoring list, and has submitted his update report for July.

IV. Monitoring Report – Monsignor Padazinski

Msgr. Padazinski reported that Fr. Reyes has incorporated the suggestions of the Board for the Monthly Update Report at the last meeting. A copy of the new report is attached to these minutes.

V. New Business

Dr. Duffey reported that Superintendent of Schools, Maureen Huntington has received a statement alleging the principal at Archbishop Riordan High School, [Redacted] showed a video of a naked boy to another staff member in 2012. A police report was immediately filed, and the principal has been placed on Administrative Leave. The DA has yet to determine if there are charges to be filed, but early indications from the police are that they do not consider this a high priority issue. At the present time, nothing has been said to the community, but it will need to be resolved or addressed by the time school begins. There have been questions by the local media regarding the allegations and the Administrative Leave status of the principal. After discussion, the Board voted unanimously that should there be any evidence to support these allegations or any outcome other than a conclusive report that it did not happen, the Board recommends its own investigation.

Dr. Duffey then reported on an allegation sent directly to Pope Francis regarding incidents that allegedly occurred in the 1950's and 1960's at St. Anne of the Sunset and St. Gabriel's, where allegedly two priests assaulted a boy, born in 1946, over a period of three years. Dr. Duffey has been able to confirm the boy was baptized and confirmed at St. Gabriel, but can find no record of a priest of the name mentioned by the writer at either of these parishes in the years from 1955 – 1965. The man is inconsistent both in his story and the names of the priests; he contends it happened in preparation for the sacrament of Confirmation in 1959 (7th grade in those years). He lives [Redacted] and has stated that he wants money; he refused Dr. Duffey's offer of counseling, and made a tirade against Pope Francis. There is not enough information to file a report at time, and it is also impossible to name a priest; for the present time, the file remains open.

Fr. Greene of St. Robert Parish brought to the attention of Dr. Duffey a story of an allegation that on a Confirmation Retreat a young adult (21) began a relationship with a female candidate (14) and the relationship continued. The 21 year old was employed at the Cathedral at the time, and [Redacted]

[Redacted] A police report has been filed with the San Bruno police. When the police interviewed the girl, she denied the relationship. Fr. Greene says the couple is still seen together at church. Saying "everybody knows", a parishioner called Fr. Greene to tell him the story, believing Fr. Greene as pastor should know too. Since the young woman denies the story, there is nothing to be done at present, not even an investigation. Dr. Duffey will ask Fr. Greene for a copy of the police report for our records. Dr. Duffey should also ensure her records are clear that it was reported to the police, and the young woman now denies the story.

In another matter, Dr. Duffey informed the Board of a man who called Msgr. Padazinski reporting that as a boy he was sexually abused by another 5th grader at Nativity in Menlo Park. He claims he was expelled in the 1960's because he reported the sexual abuse. The principal is dead, the teacher is gone from the school, and school records do not indicate he was expelled, though there is notation of some emotional/behavioral issues. Dr. Duffey has talked to the man, who claims this is an "Archdiocesan cover-up". Since the allegation involves two minors, this incident does not fall under the purview of the IRB. The man seems to want money; he has refused the offer of counseling, and says he does not know the name of the other boy.

The onsite audit will be November 12 – 13, and the female auditors have indicated they would like to talk with two IRB members. Dr. Giraudo made a note of the dates in her calendar; she could be available by phone on November 13, and in person on November 12. Most of the people the auditors will be interviewing will be new to their job and/or the Archdiocese.

Msgr. Padazinski reported that Fr. F. N. has moved out of the Archdiocese, and returned to the Philippines. His bishop has been notified and has a copy of the MOU signed by Fr. N. The health of Fr. N. continues to decline, and his family will care for him in a set location. His bishop has been asked to ensure he doesn't do ministry, and Fr. N. recently re-signed the MOU.

Fr. W.'s name had been one of those revealed on The LA Archdiocese's website, although they never evidently completed their investigation since his religious order had removed him. Allegations later surfaced in Guam and his faculties were removed in San Francisco unless and until the matter was resolved to our satisfaction. The Archdiocese of Los Angeles has now declared Fr. W. to be in good standing. However, his status will not be changed in San Francisco until we have conclusive results.

Fr. G. F. is residing in Mexico, living with his father, and continuing counseling as he works in a parish. His bishop is aware of the situation.

There is still no word on Fr. J. C., and nothing from the Diocese of San Diego, though we still check occasionally.

Fr. D. F. has gone back to the Fresno Diocese, and been somewhat exonerated by his bishop. The lawsuit involving ADSF, The Diocese of San Jose and the Diocese of Fresno was settled.

Fr. K. is involved at a high level with the evaluation of adult refereeing for soccer at the professional level. The case is in Rome, and there is no timeframe for when a decision will be reached. He understands the implication of having the case in Rome, though he continues to deny all allegations. Rome

directed the administrative canonical process, and it is believed that Rome's response will either confirm the Archbishop's finding or direct another course of action.

Mr. McCord asked if revisions to the Charter are being considered by the Conference of Bishops after 12 years of implementation of the Charter. It is not believed that there will be anything significant that would affect ADSF. Mr. McCord recommended Board members read the article by Nancy Frazier O'Brien in the July 17, 2015 edition of Catholic San Francisco, page 5, about the ongoing challenges the Charter faces.

Archbishop Cordileone expressed his gratitude to the members of the Board for their service. Two members, Dr. Eileen Aicardi and Mr. Dan Lawson will "term-out" at the end of this calendar year. Mr. Lawson is eligible to be reappointed, and Mr. Lawson confirmed for the Archbishop his interest in another term. The Archbishop will speak with Dr. Aicardi in the near future regarding the completion of her second term of service to the Board. The Archbishop also asks that Board members provide suggestions for him before the next meeting for future members. Dr. Giraudo recommends a pediatrician be considered should Dr. Aicardi not be interested or available to continue, and recommends Tracy McMahan, MD, a pediatrician, be considered. The Archbishop indicated he would like names suggested to him as he likes the idea of turnover for Board members.

VI. Set Date for Next Regular Meeting

The next regular meeting of the IRB will be on Friday, November 6, 2015 from 9:30 AM until 12:00 noon in the 4th Floor Conference Room. Dr. Eileen Aicardi will lead the opening prayer.

Whereupon, the meeting was adjourned at 11:35 AM.
July 17, 2015.

ARCHDIOCESE OF SAN FRANCISCO

INDEPENDENT REVIEW BOARD

AGENDA

*4th Floor Conference Room, Chancery, 9:30 to 12:00 Noon
May 19, 2017*

- I. OPENING PRAYER *Sr. Gemma O'Keeffe, RSM*
- II. BUSINESS
 - A. Approval of Agenda
 - B. Approval of the Minutes from the meeting of February 10, 2017
- III. UPDATE on Items from February 10, 2017 Meeting
- IV. REVIEW of Categories
- V. MONITORING UPDATE
- VI. NEW BUSINESS (*all members*)
- VII. Set DATE FOR NEXT REGULAR MEETING (*all members*)

AGENDA

**INDEPENDENT REVIEW BOARD
ARCHDIOCESE OF SAN FRANCISCO**

**February 10, 2017
9:30 AM to 12:00 Noon
Fourth Floor Conference Room**

- I. Opening Prayer – Sr. Gemma O'Keeffe, RSM
- II. Business
 - a. Approval of Agenda
 - b. Approval of Minutes of November 18, 2016 Independent Review Board Meeting
- III. Update on Items from November 18, 2016 Meeting
- IV. Review of Categories
- V. Monitoring Update
- VI. New Business (all Members)
 - a. Publications – Fr. Ray Reyes
- VII. Set Date for Next Regular Meeting (all members)

AGENDA

INDEPENDENT REVIEW BOARD ARCHDIOCESE OF SAN FRANCISCO

**July 22, 2016
9:30 AM to 12:00 Noon
Fourth Floor Conference Room**

- I. Opening Prayer – Dr. Esther Dunn
- II. Introduction of Ms. Rocio Rodriguez – Fr. Ray Reyes
- III. Business
 - a. Approval of Agenda
 - b. Approval of Minutes of March 4, 2016 Independent Review Board Meeting
- IV. Update on Items from March 4, 2016 Meeting
- V. Review of Categories
- VI. Monitoring Update
- VII. New Business (all Members)
 - a. Update on Riordan accusations
 - b. Report on information gathered regarding Archdiocese of Seattle and release of names of sexual abusers – John McCord
- VIII. Set Date for Next Regular Meeting (all members)

Independent Review Board

July 6, 2016

Dr. Esther Dunn

Redacted

Sr. Mary Gemma O'Keeffe

Redacted

Dr. Suzanne McDonnell Giraudo

Redacted

Rev. Monsignor C. Michael Padazinski

Redacted

Mr. Dan Lawson

Redacted

Honorable Claude Perasso

Redacted

Mr. John D. McCord

Redacted

Reverend John A. Ryan

Redacted

Re: Reminder re. Regular Meeting of the Independent Review Board: July 22, 2016

Dear Members,

On behalf of our Chair, Suzanne McDonnell Giraudo, I am providing you with the following information:

1. There will be a regular meeting of the IRB on Friday, July 22, 2016 from 9:30 AM to 12:00 Noon in the Fourth Floor Conference Room at the Chancery.
2. The Draft Minutes of the March 4, 2016 meeting are attached.
3. The Agenda for the July 22, 2016 meeting is attached.
4. Lunch will be delivered at the end of the meeting. Lunches will be ordered from Boudin Bakery. Please return your preference sheet for lunch by next Thursday, July 14, by email: **Redacted**

If you have questions, please call me: direct line: **Redacted** or email: **Redacted** or cell phone: **Redacted**

//S//

JoAnn K. Norris
Secretary

C: Most Reverend Salvatore J. Cordileone
Reverend Ray Reyes
Mr. Larry Jannuzzi, Esq.
Ms. Rocio Rodriguez

CONFIDENTIAL MINUTES

Independent Review Board Archdiocese of San Francisco Friday, March 27, 2015 9:30 AM to 12:00 Noon

Members Present: Dr. Suzanne McDonnell Giraudo
Dr. Eileen Aicardi
Mr. Dan Lawson
Sr. Gemma O'Keeffe
Mr. John D. McCord
Hon. Claude Perasso
Rev. John A. Ryan
Rev. Monsignor C. Michael Padazinski

Guests: Most Reverend Salvatore J. Cordileone
Reverend Raymund M. Reyes
Lawrence R. Jannuzzi, Esq.
Dr. Renee Duffey

I. Opening Prayer – Reverend Ray Reyes and Mr. John McCord

II. Opening Business

a. Agenda Review

1. The Agenda was approved as presented.

b. Approval of Minutes

1. The Minutes of the December 12, 2014 meeting were amended on page 3 to read: A woman from St. Anthony of Padua Parish in Novato responded to the woman's email asking why she was doing this. On Page 4, the minutes were corrected to read: *The media consultant for the Archdiocese of San Francisco has learned that the senders have been copying SNAP on emails or Face book regarding this allegation, and SNAP could make demands.*

II. Update on Items from December 12, 2014 meeting

Fr. Reyes reported that files in the Vicar for Clergy Office which did not have written notification of the action taken by the IRB have now had said letters inserted into the files. The Provincial for Fr. T. has been contacted; Fr. T. is currently in therapy while remaining as Administrator at St. Kevin Church; Fr. T. has good support from the other SVD priests in the community. Reporting on the development of the process for checking to see if there are allegations against a priest who wishes to come into the Archdiocese of San Francisco, Fr. Reyes stated that there are

currently three steps: 1) Checking with the bishop of the diocese in which the priest is incardinated; 2) "Google" the priest; 3) Check the listing on the Bishop's Accountability website. Dr. Aicardi suggested the Megan's List website also be checked. Redacted

Redacted

Redacted The question was asked as to how far a diocese can go in requesting files on priests, and Monsignor Padazinski said that ordinarily the response from diocesan bishops is good, but that religious provincials are sometimes more reluctant, and the reality is that order priests have caused more difficulty for the Archdiocese of San Francisco. The Letter of Good Standing required for a single issue visit was then discussed as being good for that particular time of day/event/occasion. For any extended ministry, the file would be requested. Concerning the Monthly Update Report form used by the Vicar for Clergy Office, it was suggested that the questions be extended from three to four, and Question 3 inserted between #2 and #3 to read: 3. *Have you had any personal contact with minors under 18 in the past month without another adult present?* If the answer is yes, then "*Please describe*" needs to be added with space to provide details. Once completed, the form needs to be signed by the submitting priest and then signed and dated by the Vicar for Clergy on a line: *Reviewed by* _____. Monsignor Padazinski asked if there is follow up to ensure these monthly reports are returned by each of the priests. Bishop Justice had a system for tracking them, and the Board asks that this tracking be continued either on paper or electronically to ensure monitoring. Father Reyes meets with each of the men personally at least once each year.

III. Review of Categories – Monsignor Padazinski

In Category III, Monsignor Padazinski reported that to date no word has been received in regard to the packet sent to Rome in October regarding Fr. K. He will request a status update on behalf of the Archbishop in late April. We have the receipt and the tracking number for the packet, and Monsignor has confidence in the reliability of packets being forwarded to and from Rome by the office of the Nuncio. At last report, Fr. K. was living with his brother in Daly City; however, he is not very communicative with the Archdiocese. He is currently not in ministry, and not presenting himself as a priest. He is not being paid a salary by the Archdiocese; whatever he has in the pension plan is his. The question was asked as to whether he still receives health benefits paid by the Archdiocese. Monsignor Padazinski will check the status of this and report to the Board; he believes this is the responsibility of the Archdiocese. Once verified, Dr. Giraudo would like it documented whether the Archdiocese continues to support Fr. K. in this manner. The question was then asked whether the Archdiocese pays for counseling for a priest if he asks

for it. The reality is that counseling is covered by the insurance plan, but due to confidentiality issues, the Archdiocese may never know that a priest is receiving counseling which is being paid for by the Archdiocese.

IV. Monitoring Report – Rev. Ray Reyes

Fr. Reyes reported that there has been concern about Fr. N., one of the five men living at the California Street residence. Fr. N. was reported as being very thin, and begging for money. Upon investigation, it was learned that he has been the victim of a scam and all his money is gone. The case was reported to Adult Protective Services, and an immediate intervention was done. Fr. N. has been moved temporarily to Serra Clergy House. Mary Schembri has been most helpful to Fr. N., and his relatives are very grateful. Fr. N. is 78 and has limited mobility, and will have more supervision at Serra Clergy House than at California Street. He has gained weight (30 pounds) and his spirits have improved. The other priests at Serra have been told his situation and not to loan him any money. He is a US citizen, but plans to go to the Philippines and stay in a retirement house part of the year. It is not clear if he will return to Serra House. His bishop in the Philippines will be fully informed.

Father Reyes then reported he has visited with Fr. MO'B twice. Fr. MO'B reports the postcard with an invitation to visit his blog to download his vocation story was intended as a late Christmas message to his family. A transcript of the online audio (www.howmuchlove.com/items/lessons-in-love), taken from his blog, was distributed for the Board's review. Calls about Fr. MO'B referring to himself as a priest have been received. Fr. MO'B agreed to voluntary retirement from the Archdiocese of San Francisco, he is without faculties, and he has agreed not to represent himself as a priest or do public ministry. The repeated failures by Fr. MO'B to abide by the MOU raise the questions of what can be done with him, and the possibility of canonical sanctions. He is 78 years old, and has some health concerns. After considerable discussion, a motion was made, seconded, and unanimously approved recommending that: 1) the Archbishop meet with Fr. MO'B; 2) present the blog as unacceptable and in violation of the Memorandum of Understanding which he signed; 3) tell Fr. MO'B he needs to remove this audio from the blog; 4) have Fr. MO'B sign a statement acknowledging this audio goes "too far" and violates the MOU and that he will remove it from the blog; 5) tell Fr. MO'B that according to the MOU he is restricted from publishing anything similar that refers to him as a priest 6) if Fr. MO'B refuses to sign the statement, Fr. MO'B must write on the statement that he refuses to sign the document. The Board will be updated on this meeting at the July meeting.

V. New Business

Father Reyes reported that Fr. F. is currently in a clinic in Guadalajara on an outpatient basis, receiving therapy for AA and SA two days a week, and doing ministry in his home parish. An evaluation was done at the end of the first term of treatment and an adjustment was made in the medication for depression. There will be another evaluation at the end of the next three month period. He will return to the Archdiocese of San Francisco in mid-April to conduct some personal errands.

Dr. Duffey reported she was contacted by a woman who alleges that when she was a student at Star of the Sea School 25 years ago, a boy attempted to sexually assault her; she reports that she bit him, and she was suspended; she refers to the incident as "rape". Dr. Duffey states there is nothing in the school records about this woman being suspended; the priest who was pastor at the time is dead, and the then-principal has dementia. The woman was at Star of the Sea only one year. The school has sent a letter to the woman stating there is no indication of her suspension. Dr. Duffey has filed a report with CPS, and CPS has responded that the allegation does not meet the criteria for an investigation.

Dr. Duffey then reported on the many calls regarding the distribution of the brochure, *Examination of Conscience and Catholic Doctrine*, to the children in grades 2 – 8 at Star of the Sea prior to their going to confession. The brochure was given to the students by the parochial vicar at Star of the Sea without the knowledge of the pastor. Dr. Giraudo also received numerous calls from concerned parents and a parent sent a copy of the brochure to Dr. Giraudo. A copy of the brochure was distributed to the Board and discussion centered around the responsibility of the Board to protect children, the reality that the brochure is emotionally abusive, and concern that the priests at Star of the Sea Parish have no real sense about the social/emotional development of children. Dr. Giraudo and Dr. Aicardi consulted numerous pediatricians with whom they work for their viewpoint regarding the brochure, and each agreed that it is entirely inappropriate for children in grades 2 – 8. Dr. Giraudo recommended the pastor and parochial vicar at Star of the Sea be schooled/tutored by a professional at one of the universities in order to understand the social/emotional development of children. She recommends the Archbishop contact Dr. Judith F. Karshmer, Dean of the USF School of Nursing, as a resource to arrange private sessions or a course to facilitate this growth in understanding. The Archbishop did not realize the incident had gone beyond the parish boundaries. An apology has been issued to the parents, and one meeting with the parents has been held. A council for the school comprised of parents and parishioners has been formed. Mr. John McCord expressed his belief that the brochure also constituted spiritual abuse. After lengthy

discussion, a motion was made, seconded and unanimously approved recommending the Archbishop require that those responsible for the dissemination of this material to the children be required to be educated on the social/emotional development of children by a professional before returning to any teaching of children. The Board also requests the Archbishop write to The Fathers of Mercy who distribute this pamphlet and tell them this brochure is, in fact, an **adult** examination of conscience and that in the hands of minors, can be construed as a violation of the Charter for the Protection of Children and Young People. The Board also asks the Archbishop recommend to The Fathers of Mercy that they include a letter that clearly states this is an adult examination of conscience with any supply of the brochures sent out. In light of the controversy provoked by the distribution of this brochure, the Archbishop wants to ensure that resources are available for those who want to do more for children, and offers his thanks for what is currently being done. April is Child Protection Month and *Catholic San Francisco* is a good means of providing links for parents on cyber safety, which is another concern of the Board.

VI. Set Date for Next Regular Meeting

The next regular meeting of the IRB will be on Friday, July 17, 2015 from 9:30 AM until 12:00 noon in the 4th Floor Conference Room. Dr. Eileen Aicardi will lead the opening prayer.

Whereupon, the meeting was adjourned at 11:55 AM.
March 27, 2015.

AGENDA

INDEPENDENT REVIEW BOARD ARCHDIOCESE OF SAN FRANCISCO

**November 6, 2015
9:30 AM to 12:00 Noon
Fourth Floor Conference Room**

- I. Opening Prayer – Dr. Eileen Aicardi
- II. Business
 - a. Approval of Agenda
 - b. Approval of Minutes of July 17, 2015 Independent Review Board Meeting
- III. Update on Items from July 17, 2015 Meeting
- IV. Review of Categories
- V. Monitoring Update
- VI. New Business (all Members)
- VII. Set Date for Next Regular Meeting (all members)