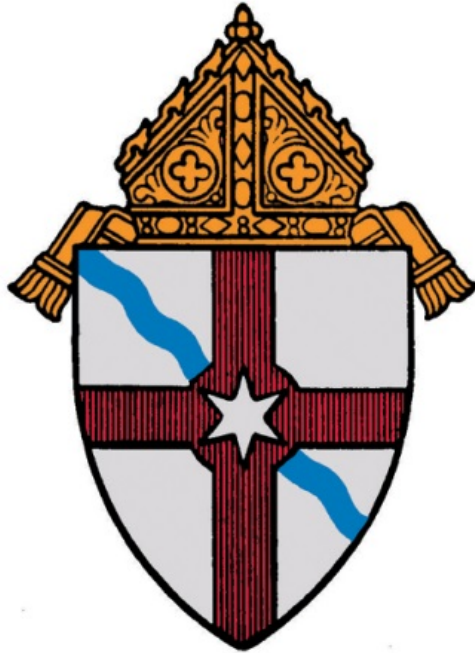
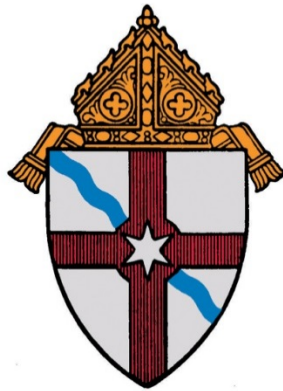


DIOCESE OF FALL RIVER



Policies and Procedures for the Protection of Minors and Vulnerable Adults

Revised July 2018



Diocese of Fall River

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Diocese of Fall River
Office of the Bishop
Most Reverend Edgar M. da Cunha, S.D.V., D.D.

July 24, 2018

Dear friends in Christ,

In November 2002, the United States Conference of Catholic Bishops (USCCB) made the following statement: "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." Fifteen years later, this promise remains the same. With this letter, I renew my commitment and that of the entire Diocese of Fall River to uphold this pledge to protect the children and young people of our local Church.

In 1993, our Diocese established an office dedicated to this concern. The Office for Child Protection, which was part of Catholic Social Services of Fall River, held that responsibility for ensuring the necessary safety and security for all children as they participate in church and religious activities. This year, the Office of Child Protection, has been relocated at the Chancery, to continue this important task of protecting children and young people, now under a new name - the Office of Safe Environment. Among other duties, this office ensures diocesan compliance with the USCCB Dallas Charter. It conducts abuse prevention training, performs background checks for all diocesan staff and volunteers who work with our children, and provides children with personal safety training programs.

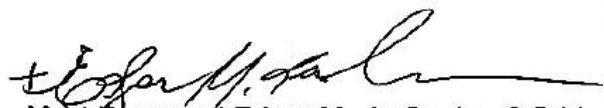
Furthermore, the Office of Safe Environment develops procedures in the case that a priest, deacon, employee, or volunteer in the Church may be accused of sexual abuse or misconduct with a minor. These procedures are currently in place in the Diocese of Fall River and are intended to ensure the protection of children and young people entrusted to our care and to prevent sexual abuse of minors within our Diocesan apostolates and agencies. The enclosed policies and procedures form part of the commitment that the Diocese of Fall River has made to protect our children.

Let us all work together to safeguard our young people and to eliminate the abuse of children in all forms and all places. Pray for our children that the Lord may watch over and protect them. May God use us as instruments of His peace.

With my sincerest gratitude for your efforts in sharing in this vital ministry in the Church, I remain



Sincerely yours in the Lord,


Most Reverend Edgar M. da Cunha, S.D.V.,
Bishop of Fall River

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This list of entities within the Church/Diocese is named as having a direct responsibility within this policy:

1. The Bishop
2. The Vicar General
3. The Moderator of the Curia
4. Diocese Vocations Office or Permanent Diaconate
5. Promoter of Justice
6. The Director of Office of Safe Environment
7. The Diocesan Victim Assistance Coordinator
8. The Review Board and its Delegate
9. Director of Human Resources
10. Director of Communications
11. School Administrators, Clergy, Employees, Volunteers, & Sub-Contractors

INTRODUCTION

This Safe Environment Policy of the Roman Catholic Diocese of Fall River (hereinafter, “the Diocese”) for the protection of children and young people and prevention of sexual misconduct is intended to summarize the Diocese’s current policy that:

- Children have the right to be safe and protected from harm in any and all environments; and
- Sexual misconduct by any Diocesan personnel while performing the work of, or any activities under the auspices of, the Diocese is outside any scope of any authority, duties and/or employment of such personnel; and
- To augment and/or clarify the current policy.

The Diocese embraces the rights of children and vulnerable adults to be safe from sexual misconduct and/or abuse. The Diocese is dedicated to promoting and ensuring the protection of all children and will do all in its power to create a safe environment for children and young people, to prevent their physical abuse and neglect, and to bring the healing ministry of the Diocese to bear wherever possible. This Policy is responsive to our concerns for children/young people and to the provisions of the revised *Charter for the Protection of Children and Young People* and *The Essential Norms for Diocesan/Eparchial Policies Dealing With Allegations of Sexual Abuse of Minors by Priests or Deacons* as approved by the United States Conference of Catholic Bishops at its November 2002 General Meeting and given the *recognitio* by the Apostolic See on December 8, 2002.

SECTION 1. POLICY

It is the policy of the Diocese that sexual misconduct and/or child abuse by Diocesan personnel while

- a. performing the work of the Diocese, or
- b. performing any activities under the auspices of the Diocese,

is contrary to Christian principles and is outside the scope of any authority, duties and/or employment of Diocesan personnel. In addition, all Diocesan personnel must and shall comply with applicable state and local laws with regard to reporting incidents of actual or suspected, and with the following requirements.

This Policy does not address sexual misconduct, child neglect, and/or child abuse in general, but only in the special circumstances described herein. It is intended to establish requirements and procedures in an effort to prevent possible sexual misconduct and/or child abuse by clergy, personnel, volunteers, and contractors of the Diocese and the resulting harm to others, while the work of the Diocese is being performed, and to provide guidance to all Diocesan personnel on how to respond to suspected and/or actual incidents of sexual misconduct and/or child abuse by clergy, personnel, volunteers, or contractors of the Diocese.

The Diocese reaffirms its commitment to report an allegation of sexual misconduct and/or child abuse of a person who is a minor to the public authorities, to comply with all applicable civil laws with respect to reporting of such allegations, to cooperate in their investigation in accord with the law of the jurisdiction in question, and to advise victims of their right to make a report to public authorities. Any priest or deacon who has committed even one act of sexual abuse of a minor or vulnerable adult as described herein shall not continue in active ministry nor be transferred for ministerial assignment to another diocese or religious province. Care will be taken to protect the rights of all parties involved in allegations of sexual misconduct and/or child abuse, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. When a charge has been proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

SECTION 2. DEFINITIONS

The following definitions are to be used in conjunction with and are restricted to, these guidelines and mandates.

2.1 Accused

A person charged with or alleged to have committed an act of abuse, a serious violation of these policies and procedures (or this “Policy”) or a crime.

2.2 Annual Audit

Dioceses and eparchies submit to a yearly assessment of their implementation of the *Charter for the Protection of Children and Young People*.

2.3 Administrative Leave

While on administrative leave pending an investigation of an allegation of sexual abuse of a minor or vulnerable adult, clergy are restricted from performing any public ministry.

2.4 Background Check

The verification of information provided on an Application for Employment or Volunteer Application Form, including reference contacts, and a computer criminal background check.

2.5 Charter

Refers to the *Charter for the Protection of Children and Young People* that was approved in Dallas in 2002 and by the Holy See (revised June 2018). It is a comprehensive set of procedures for addressing allegations of sexual abuse of minors by Catholic clergy as well as guidelines for reconciliation, healing, accountability, and prevention of future acts of abuse.

2.6 Child Abuse

Consists of any of the following:

- a. Sexual Abuse includes any act or interaction whether it involves genital or physical contact, with or without consent, even if initiated by the child, which involves sexual contact, molestation or sexual exploitation of a child by a parent or any other person who has permanent or temporary care or custody or responsibility for supervision of a child, whether physical injuries are sustained or not, to include:
 1. The intentional touching of the genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks of a child, or of a perpetrator by a child, for purposes of sexual arousal or gratification;
 2. Rape, sexual intercourse (vaginal or anal), oral/genital, oral/anal contact; including any definition as defined by Massachusetts General Laws, Chapter 265.
 3. The intentional touching and/or displaying of one’s own genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks in the presence and view of a child for purposes of sexual arousal or gratification;
 4. Permitting, causing, encouraging, or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic image of the partially or fully unclothed body of a child, displaying intimate parts, in motion or not in motion,

alone or with other persons, or the depiction of a child in apparent observation of sex acts by others in the child's presence;

5. Displaying or distributing to a child any picture, photograph, book, pamphlet, digital image, movie or magazine the cover or content of which is principally made up of descriptions or depictions of sexual acts or contact, or which consists of pictures of nude or partially nude figures posed or presented in a manner which the average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest.
 6. Sexual exploitation of any kind, which includes those instances in which there is no physical contact with a child but the child is encouraged, enticed, invited, solicited, or asked about sexual situations or information for the prurient interest of the adult.
- b. Physical Abuse includes any act which:
1. Willfully causes or inflicts physical injury on a child, or
 2. Willfully causes mental injury or psychological injury to a child by intentionally engendering fear of physical injury to that child.
 3. It is the policy of the Diocese of Fall River that corporal punishment of a child is prohibited in all entities under the auspices of the Diocese. Physical abuse does not include the appropriate physical restraint of a child who is attempting to injure another person or him/herself, or the appropriate physical direction of a child away from danger or the minimum restraint necessary to place a child in "time out" or other appropriate limitation of movement to promote the child's regaining of safety and emotional control.
- c. Neglect includes:
1. Abandonment of a child by a parent, custodian, or guardian;
 2. Lack of care by not providing appropriate and necessary food, shelter, clothing, and education;
 3. Not providing care or control with respect to physical or emotional health; the refusal or inability to discharge parental or custodial obligations; and expressions of intention by parent, guardian, or institution to discontinue care.

2.7 Credible Accusation

An allegation that, based on the facts of the case, meets one or more of the following thresholds:

- a. Believable and plausible;
- b. Natural, reasonable, and probable;
- c. Corroborated by other evidence or another source and/or;
- d. Acknowledged/admitted to by the accused.

In making this determination, consideration should be given to the trustworthiness of the source. Note that a mandated reporter must report any suspected information to the Massachusetts Department of Child and Family Services and not as outlined in this criteria.

2.8 Criminal History Record Check

The submission of a Criminal Offender Record Information (CORI) check is to be submitted to the state in order to provide information on a criminal history. In some instances, employees or volunteers may be required to submit fingerprints to the state and FBI to provide information on the existence and content of a National Criminal History Record Information (CHRI) listing.

2.9 Diocesan Personnel

- a. All clerics, whether Diocesan or members of religious communities, who are subject under civil law to the administration, authority and/or governance of the Diocese;
- b. All natural persons directly employed by the Diocese, or by any parish, mission or other Catholic institutions and organizations which are subject under civil law to the administration, authority and/or governance of the Diocese (hereinafter referred to as "Diocesan employees");
- c. All natural persons who provide any volunteer services to/for the Diocese, or to/for any parish, mission or other Catholic institutions and organizations which are subject under civil law to the administration, authority and/or governance of the Diocese (hereinafter sometimes referred to as "Diocesan volunteers");
- d. Contract workers who have contact with children who are subject to oversight by the Diocese.

2.10 Diocesan Review Board

A local board that functions as a confidential consultative body to the bishop. The board is to offer advice to the bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. The board is to regularly review diocesan policies and procedures dealing with sexual abuse of minors. The Bishop shall appoint a Delegate for Investigations (Delegate) from among the members of the Review Board to serve as his representative in cases involving an accusation of sexual misconduct by a cleric or religious brother or sister with a minor. The Delegate will chair the Review Board.

2.11 Mandated Reporters

The term, as used in M.G.L. Chapter 119, Section 51A, includes the following persons relevant to our discussion here:

- a. Nurse;
- b. Public or private school teacher, including religious education teacher and teacher aide;
- c. Educational administrator or principal;
- d. Guidance or family counselor;
- e. Daycare worker;
- f. Office for Children licensor;
- g. Social workers;
- h. Clergy member;
- i. A person employed by a church to supervise, educate, coach, train, or counsel a child.

2.12 Minor

Anyone under the age of 18; or, per the *Charter for the Protection of Children and Young People* (2018), “a person who habitually lacks the use of reason is to be considered equivalent to a minor.” A person who is at least 18 years old and a student who is in high school and has not reached their 19th birthday will be treated as a minor when participating in parish or diocesan activities.

2.13 Promoter of Justice

The promoter of justice is appointed by the bishop/eparch for individual cases or for all cases in which the public welfare is involved. The Promoter of Justice is to foster and “safeguard the public good, that is, for the protection of the rights of all concerned and for the good of the Church in general.” Norm 5 of the *Essential Norms* make it possible, even desirable, that the Promoter of Justice participate in the meetings of the diocesan/eparchial review board to help ensure and safeguard the integrity of the process followed by the review board in fulfilling its duties; specifically, with regard to matters related to canon law.

2.14 Sexual Assault

For the purposes of this policy, sexual assault will include any listed sex abuse acts committed by an adult as well as any of the delineated sexual crimes under M.G.L. Ch. 265.

2.15 Sexual Misconduct

Any sexual conduct which is unlawful, as defined by criminal statutes of the Commonwealth of Massachusetts for conduct inside the Commonwealth of Massachusetts, and the criminal statutes of the applicable jurisdiction for conduct outside the Commonwealth of Massachusetts, and/or by canons 277 and 1395 §2 of the Code of Canon Law.

2.16 Temporary Status

Priests, deacons, religious, lay volunteers, and/or visitors to the Diocese of Fall River who have short-term temporary assignments and perform duties that are of limited duration and scope in both time and exposure to children. In lieu of personnel clearances, appropriate monitoring is provided and individuals are not left alone in the presence of children.

2.17 Volunteer

A person who provides without compensation an ongoing service or activity that is officially sanctioned by the Diocese of Fall River and/or Diocesan personnel.

2.18 Vulnerable Adult

Any individual eighteen (18) or over is also covered by this policy to the same extent as a child — *mutatis mutandis* (with the necessary changes) — when such a person is unable or unlikely to report abuse without assistance because of impairment of physical or mental function or emotional status. This policy specifically includes those persons who “habitually lack the use of reason” as outlined by the Charter for the Protection of Children promulgated by the United States Conference of Catholic Bishops.

SECTION 3. DISTRIBUTION OF POLICY

- 3.1** A copy of this Policy shall be distributed as soon as reasonably possible to the directors, superintendents, and agency heads of all Diocesan offices and/or organizations within the Chancery. The copies of this Policy so distributed shall become part of the permanent files for each office and/or organization.

- 3.2** The Chancery for the Diocese of Fall River (hereinafter referred to as “the Chancery”) shall cause copies of this Policy to be prepared for distribution to all religious personnel, all Diocesan employees, and those Diocesan volunteers having contact with minors as a direct result of their services to/for the Diocese as soon as reasonably practical. Thereafter, a copy of this Policy shall be distributed to all such new Diocesan personnel prior to or concurrently with such new personnel assuming their positions and/or duties. The original signed receipt for the Policies and Procedures for the Protection of Minors and Vulnerable Adults for Personnel and Volunteers shall be kept at the site of origin (parish/school/agency) during the duration of the employment or volunteering position.
- 3.3** In addition to the foregoing, the Moderator of the Curia shall have the authority, subject only to the review of the Bishop, to distribute informational copies of this Policy to other persons, clubs, organizations, or societies within the Diocese as he may deem appropriate.
- 3.4** Any Diocesan personnel who know or who have reason to believe that a copy of this Policy has not been distributed in accordance with the above-referenced provisions shall immediately notify the Office of Safe Environment and identify (either by name or by class of Diocesan personnel) those Diocesan personnel who have not received a copy of this Policy.
- 3.5** It is always painful to address the issue of sexual abuse of children, especially when this abuse is inflicted by members of the clergy. This pain is caused in part by the growing realization of the long-term injury sexual abuse inflicts on a child and his/her family. The distress is also due to the injury inflicted on the community that is the Church. Ongoing developments in the psychological sciences underscore the real and long-term injury done to the children who are abused. It is also known that certain types of abuse are of a compulsive and perhaps incurable nature. Despite the pain this topic generates, or perhaps because of it, the situation should be addressed in a pastoral yet forthright manner. In keeping with the *Charter for the Protection of Children and Young People: Essential Norms*, to ensure the accountability of our procedures, and to protect the faithful in the future, the Diocese of Fall River continues to make public its written policy regarding the handling of accusations of sexual abuse by priests, deacons, and/or religious with a minor (person under age 18).

SECTION 4. STATE AND LOCAL LAWS

A summary of reporting requirements and related provisions of state laws of the Commonwealth of Massachusetts relating to incidents of sexual misconduct and child abuse, as set forth in Massachusetts General Law, is attached as Appendix C. Although compliance with Massachusetts state law should be adequate to initiate required reporting of sexual misconduct and/or child abuse, recipients of this Policy are hereby put on notice of possible supplemental local ordinances and are encouraged to make an appropriate inquiry on this subject.

SECTION 5. EDUCATION AND TRAINING (All Diocesan Personnel and any other person, so required)

- 5.1** The Diocese of Fall River is committed to prevent child abuse before it occurs and to identify and address child abuse once it has occurred. The whole church community must be aware of the causes and signs of child sexual abuse, the steps to take to protect children, and the procedures to follow if sexual abuse is suspected or observed. By raising the awareness and understanding of the issue of child abuse among priests, deacons, religious, staff members, volunteers, and other adults who work with or have substantial contact with children who are associated with the Diocese and by increasing their knowledge and ability to

address child abuse issues once they arise, risks to child safety can be greatly reduced. By educating children on how to be safe and stay safe, the Diocese will enhance the ability of children to protect them and encourage an environment that allows children to communicate any potential endangerment.

- 5.2** The Diocese shall cause to be developed an educational program(s) on methods of preventing, recognizing, and reporting child abuse and sexual misconduct involving children and others. “Safe Haven – It’s Up To You” (CMG Connect), educational online training on the prevention of child sexual abuse, will be required of all who have contact with children and young people in the Diocese of Fall River. The online training will include information concerning: signs and symptoms, dynamics of sexual abuse, the impact of sexual abuse, intervention strategies, reporting requirements, and community resources. The online training will be offered to all church personnel and new parish ministers/volunteers who regularly work with children. This training will be required every six (6) years and at the discretion of the Office of Safe Environment may be administered to Diocesan and non-Diocesan personnel when reasonably necessary.
- 5.3** All church personnel and/or volunteers shall read and understand the policies and procedures and be knowledgeable of its application to them in the position in which they serve in the diocese. They will electronically acknowledge that they have read and understood the Policy and the Code of Conduct as part of their CMG Connect training and agree to adhere to them. The following Diocesan personnel shall participate in CMG Connect training:

 - a. All priests, deacons, and religious;
 - b. All principals, assistant principals, teachers, guidance counselors, librarians, and staff of all Catholic elementary, middle, and high schools operated by the Diocese and/or any parish(es).
 - c. All ministers, directors and/or coordinators of religious education, and all teachers of religious education.
 - d. All Diocesan personnel providing child care services under the auspices of the Diocese, or any parish, mission, or other Catholic institutions and organizations which are subject under civil law to the administration, authority, and/or governance of the Diocese.
 - e. All youth ministers, directors/coaches of children’s activities (e.g., athletics, choir, etc.), and similar Diocesan personnel having contact with children, who provide such services under the auspices of the Diocese, or any parish, mission, or other Catholic institutions and organizations which are subject under civil law to the administration, authority and/or governance of the Diocese.
- 5.4** Thereafter, any persons not currently Diocesan personnel as identified in Section 5.3 may complete the educational program(s) as soon as reasonably practicable, but in no event later than thirty (30) calendar days.
- 5.5** In order to assist its priests, who as pastoral ministers must help the Church and the people of God to identify and to care for victims of sexual misconduct and child abuse within the Church, the Diocese will provide regular opportunities for its priests to be advised of new developments in the fields of scientific knowledge, church policy, and canon law, moral theology, professional ethics, the theology of sexuality, and the pastoral care of victims.
- 5.6** The Bishop shall designate a Diocesan Victim Assistance Coordinator and the Director of the Office of Safe Environment who will notify the Moderator of the Curia of all allegations of abuse, promptly inform the

alleged victim of his/her rights and obligations, and who will organize and direct timely and responsive pastoral care provided by the Diocese. The Diocese recognizes the Church's pastoral responsibility to reach out to victims of sexual misconduct and/or child abuse, including every person who has been the victim of abuse as a minor by anyone acting in the name of the Church, whether the abuse was recent or occurred in the more distant past. In order to repair harm and promote healing, the Diocese will offer, through the Diocesan Victim Assistance Coordinator, compassionate and timely pastoral care to victims of sexual misconduct and/or child abuse, the victims' immediate families and any affected faith communities.

- 5.7** To ensure a safe environment for children, the Diocesan Victim Assistance Coordinator and the Director of the Office of Safe Environment will coordinate the annual safe environment education program referenced in Section 5.1, to include (a) appropriate boundaries and established prohibitions in ministry; (b) the dynamic of child abuse or neglect, including child sexual abuse; (c) signs and symptoms of abuse in children and youth; (d) laws, policies and procedures to report abuse allegations; (e) policies and procedures to prevent child abuse by religious personnel or other Church personnel who come into contact with children or to prevent child abuse on Church-owned property or at Church-sponsored events and activities; (f) types of disclosures and how to respond appropriately; and, (g) as appropriate, ministering to victims and to adults and children about abuse and exploitation.

SECTION 6. PERSONNEL/VOLUNTEER APPLICATIONS, BACKGROUNDS, CORI, AND CODE OF CONDUCT

- 6.1** The Diocese of Fall River recognizes that criminal history record checks (CORI; Criminal Offender Record Information) are a critical element in ensuring the safety of minors and vulnerable adults and protecting them from inappropriate actions or behaviors of others. Therefore, all respective diocesan and parish/school or other paid personnel and volunteers whose duties include contact with minors will be required to undergo the relevant state Criminal History Record Checks.
- 6.2** Personnel and volunteers who have completed clearance information and are awaiting the return of a CORI can be granted provisional status by the Office of Safe Environment. Such individuals shall be appropriately monitored and not left unattended in the presence of children until clearances are received and approved by the Office of Safe Environment. The Office of Safe Environment will review all background check results. In the event of an adverse decision based on the results of a criminal history background check, the applicant will be notified in accordance with Department of Criminal Justice Information Services (DCJIS) regulations 803 CMR 2.18, 2.19, 5.14, and 11.12. The subject shall be provided with a copy of the Diocesan's CORI policy and a copy of the criminal history (unless a copy was provided previously). The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' Information Concerning the Process for Correcting a Criminal Record.
- 6.3** Personnel/clergy must renew CORI's every three years; volunteers must renew CORI's every 12 months as a condition of providing services to any minors in the Diocese. All CORI renewal forms must be completed as required by the Commonwealth of Massachusetts; must be accompanied by a newly signed Code of Conduct form; and must have a valid driver's license or valid photo identification of the person named on the CORI attached to the forms. Failure to comply will result in an inability to work or volunteer in the Diocese.
- 6.4** Computer Background checks shall be conducted on every current Diocesan subcontractor who may have contact with minors. A background check is also to be done on all new subcontractors who may have contact with minors, PRIOR to having such access. The check must be cleared by the Office of Safe Environment for the subcontractor to perform the requested work. All employees,

subcontractors, and volunteers are required to provide an updated address, contact, and emergency information to their employment/volunteer site as needed so that the information is current.

- 6.5 Prior to beginning work or volunteer activities with minors in the Diocese, any employee, subcontractor, volunteer, priest, deacon, or religious who has lived in the United States for less than five (5) years shall submit to a background check from their prior or home country, unless such checks are not feasible. In the latter instance, the individual shall provide a letter from the ordinary of individual's diocese, or shall provide a criminal background check from the prior country. Individuals may be denied the ability to work or volunteer in the Diocese should these requirements be unmet.
- 6.6 Prior to beginning work or volunteer activities with minors in the Diocese, all employees, priests, deacons, religious, subcontractors, and volunteers must read and willingly sign the appropriate and current Diocesan Code of Conduct. All such employees, priests, deacons, religious, subcontractors, and volunteers shall adhere to all terms of the Code of Conduct. The original signed receipt for the Code of Conduct for personnel and volunteers shall be given to the Office of Safe Environment and a copy shall be kept at the site of origin (parish/school/agency) during the duration of the employment or volunteering position. Each time an individual renews his/her CORI, the Code of Conduct must be renewed as well.

SECTION 7. CLERGY AND RELIGIOUS BACKGROUNDS, CORI, AND CODE OF CONDUCT

- 7.1 The Diocese of Fall River recognizes that background checks are a critical element in ensuring the safety of children or vulnerable adults and protecting them from inappropriate influences. Therefore, all clergy and religious who have contact with children while working for a Diocesan entity will undergo the Criminal Offender Record Information checks. It is the responsibility of the Vicar General to ensure that all clergy have completed the appropriate applications prior to beginning their work with children and to ensure they have completed the required safe environment training as outlined in Section 5. All clergy must renew CORI's every three years. All CORI renewal forms must be completed as required by the Commonwealth of Massachusetts; must be accompanied by a newly signed Code of Conduct form; and must have a valid photo identification of the clergy named on the CORI attached to the forms. Additionally, all religious are expected to abide by Diocesan policies and procedures as outlined in this document should allegations of sexual misconduct with minors be made against an individual religious while serving in a Diocesan parish or facility.
- 7.2 All superiors of religious communities proposing names of individual religious for ministry or residence in Diocesan parishes or other Diocesan facilities, as well as those simply requesting parochial faculties in the Diocese, are required to state clearly in writing to the Vicar General's Office that there is no history which would render the individual unsuitable to work with minors. A religious superior must state in writing that he/she has reviewed employment and Criminal History Records of the individual proposed. The Vicar General's Office will review all background check results. The Diocese of Fall River will maintain a list of all clergy and religious in the Diocese who have been refused employment or not allowed to provide volunteer services based upon a background investigation.
- 7.3 Bishops of diocesan priests from other dioceses ministering or residing in a Diocesan parish or facility, as well as those simply requesting priestly faculties in the Diocese, are required to present the same written assurances and background checks and their priests are required to adhere to the policies and procedures outlined in Section 3 and the guidelines for transfers outlined in the Essential Norms.

- 7.4** Individuals making application for the priesthood or the permanent diaconate, as well as priests seeking incardination in the Diocese, shall be required to submit to a CORI/background check from all states where the individuals lived or worked during at least the past five years. When necessary, clergy must submit a written letter from the respective Diocese that they have no history which would render them unsuitable to work with children. Additionally, all priests and whomever the Bishop or his designee deems necessary, shall receive psychological testing and background checks through the Diocese Vocations Office or the Office of the Permanent Diaconate in an effort to determine whether they are suitable to work with minors.
- 7.5** Prior to beginning work in the Diocese, priests, deacons, and religious must read and willingly sign the appropriate and current Diocesan Code of Conduct. All such priests, deacons, and religious shall adhere to all terms of the Code of Conduct. The original signed receipt for the Code of Conduct for priests, deacons, and religious shall be given to the Office of the Vicar General and a copy shall be kept at the site of origin (parish/school/agency) during the duration of the employment or volunteering position. Each time an individual renews his/her CORI, the Code of Conduct must be renewed as well.

Please refer to 2018 OSE CORI Parish Guidelines for more information regarding training and CORIs.

SECTION 8. REPORTING REQUIREMENTS BY MANDATED AND NON-MANDATED DIOCESAN INDIVIDUALS

- 8.1** The Diocese of Fall River recognizes that the protection of children and young people is a responsibility shared by the entire community, including the Church, parents, teachers, healthcare professionals, public safety officials, public and private social services agencies, and the general public. The Diocese is committed to working with civil authorities to protect children/young people by preventing child abuse and neglect, reporting alleged incidents of abuse or neglect, cooperating in investigations of allegations and any resultant judicial proceedings, as well as advising victims of their right to report independently and supporting their exercise of that right, as specified in the Charter for the Protection of Children. The Diocese shall act in accordance with standards that will at all times comply with those of civil law, and this policy will be reviewed periodically by the Office of Safe Environment to ensure consistency with changes in civil law.
- 8.2** Any Diocesan personnel, including anyone who is a volunteer, employee, subcontractor, or has any affiliation with the Diocesan, whether a mandated reporter or not, and has reason to suspect that any child/young person has been the victim of physical abuse, sexual abuse, sexual assault or neglect shall report that information immediately to the appropriate authorities (Section 8.3). This shall be reported regardless of the nature of the offense, the current age of the alleged victim, the position/role of the suspected/accused or when the offense allegedly occurred. The sole exception is that ordained priests shall not report any information subject to the priest-penitent privilege. When reporting suspected abuse or neglect, the following information, if available or known should be reported.
- a. Name, address and age of the child;
 - b. Name and address of the child's parent, guardian, or caretaker;
 - c. Whereabouts of the child;
 - d. Nature and extent of the alleged maltreatment and any past history of injury possibly occurring from abuse or neglect;
 - e. Name, address, and whereabouts of the person or persons suspected of perpetrating the abuse or neglect, if known
 - f. And any other information which might help to determine the cause of the suspected abuse or neglect or the identity of the person responsible.

Under statute, the Commonwealth of Massachusetts provides civil and criminal immunity to those who are mandated to report suspected child abuse and do so in good faith and not frivolously. This immunity extends to investigations and judicial proceedings arising from the reports. However, any mandated reporter who has knowledge of child abuse or neglect that resulted in serious bodily injury to or death of a child and willfully fails to report such abuse or neglect shall be punished by a fine of up to \$5,000 or imprisonment in the house of correction for not more than 2 1/2 years or by both, such fine and imprisonment; and upon a guilty finding or a continuance without finding, the court shall notify any appropriate professional licensing authority of the mandated reporter's violation of this paragraph.

- 8.3** Appropriate Authorities: A mandated reporter (see Appendix C) must verbally contact the Department of Children and Families (DCF) of the information and then file a written 51A report within 48 hours or if a mandated reporter is a member of the staff of a medical or other public or private institution, school, or facility, the mandated reporter may instead notify the person or designated agent in charge of such institution, school or facility who shall become responsible for notifying the DCF in the manner required by M.G.L., Chapter 119, Section 51A. The mandated reporter must also call the Diocesan Office of Safe Environment and the information provided to DCF must also be provided to that office, including any written 51A report. A non-mandated reporter should immediately advise his/her immediate Diocesan supervisor. The supervisor shall become responsible for notifying the DCF in the manner required by M.G.L., Chapter 119, Section 51A and also call the Diocesan Office of Safe Environment. (See Appendix D for DCF contact information.) The mandated reporter must also call the Diocesan Office of Safe Environment and the information provided to DCF must also be provided to that office, including any written 51A report. A mandated reporter or non-mandated reporter may, in addition to filing a report under the 51A guidelines, contact local law enforcement authorities about the suspected abuse or neglect.
- 8.4** Within 30 days of receiving a report from a mandated reporter, DCF shall notify the mandated reporter, in writing, of its determination of the nature, extent, and cause or causes of the injuries to the child and the services that the Department intends to provide to the child or the child's family. The mandated reporter shall provide that written determination to Office of Safe Environment.
- 8.5** If a victim is an adult at the time of the reporting, Diocesan personnel shall inform the adult alleged victim of his/her independent right to report to the appropriate civil authority. They shall support alleged victims in their exercise of this right.
- 8.6** Upon request of any civil authority, Diocesan personnel shall cooperate fully in any investigation of child abuse and/or neglect. This includes investigations of alleged sexual abuse of minors who are now adults. They shall also cooperate in any resulting judicial proceeding.

SECTION 9: DIOCESAN REPORTING REQUIREMENTS TO THE OFFICE OF SAFE ENVIRONMENT

- 9.1** If a person has stated that he/she has been a victim of past or present sexual, physical abuse or neglect at the hands of a clergy/religious, personnel, subcontractor, or volunteer in the Diocese of Fall River, the Office of Safe Environment (OSE) shall be notified. Upon notification, the Office of Safe Environment will confirm that the reporter has filed a written report as mandated by M.G.L., Chapter 119, S. 51A. The mandated reporter must also call the Diocesan Office of Safe Environment and the information provided to DCF must also be provided to that office, including any written 51A report. The OSE will, in turn, notify the Vicar General. Upon receipt of such notification, the allegation will be thoroughly investigated. Within 24 hours the person who suspects abuse or neglect shall file a written report and forward it to the Office of Safe Environment who will, in turn, forward it to the Moderator of the Curia. The Moderator of the Curia together with the Office of Safe Environment will determine and designate a case-specific contact person to

coordinate with civil authorities throughout the investigation. The investigation for the Diocese will include: a) thoroughly interviewing the reporting individual; b) meeting(s) with the alleged victim (with permission by a parent or guardian if a minor); c) interviews with any witness(es), and d) interview(s) with the accused employee or volunteer.

9.2 Any individual associated with the Diocese found to have violated the law will be subject to appropriate disciplinary action ranging from a written warning to termination of employment or of volunteer opportunities. When an allegation of sexual abuse of a minor or vulnerable adult by a priest or deacon is received, a preliminary investigation in accordance with canon law where applicable and will be initiated and conducted promptly and objectively (*Codex Iuris Canonici* (CIC), c. 1717; *Codex Canonum Ecclesiarum Orientalium* (CCEO), c. 1468). The personnel file of any clergy/religious, employee, or volunteer against whom an allegation has been supported by the Massachusetts Department of Children and Families and/or local authorities is to be properly noted, including offense(s) and action(s) taken. The CORI database shall also be properly noted, indicating those who are restricted in religious, employment/volunteer options and those who are no longer allowed to minister, work or volunteer in the Diocese in any capacity. Should the allegations against a clergy/religious, employee, or volunteer be unsupported after a thorough investigation, the individual may return to his/her regular activities.

9.3 Accurate records of reports received, whether supported or not, and all actions taken and notifications by the Diocese and/or other church authorities in response to such reports, and of evidence and relevant comment, shall be kept on file in strict and secure confidence. Copies of original statements provided to the police will be kept on file with the Office of Safe Environment and the Vicar General. For the protection of both the involved individuals and institutions, records shall be kept indefinitely. Continuity of information is essential and shall be assured.

SECTION 10. DIOCESAN PROCEDURES FOR EMPLOYEES, VOLUNTEERS, AND CLERGY - Allegations

The Diocese of Fall River will take all precautions necessary to ensure that children and young people are safe and protected from harm. Despite such preventive measures, allegations of suspected child abuse may occur. When allegations of suspected child abuse are made against any party, the Diocese will consider the rights and interests of all parties and adhere to procedures that: (1) minimize the potential for further injury, (2) maximize the potential for a speedy and just resolution, and (3) remain responsive to the tenets of canon and civil laws.

10.1 A priest, deacon, or religious suspected of abuse, immediately after civil authorities have been informed, will be:

1. Called for an immediate meeting with the Vicar General or by the Bishop's Designee within the Chancery, who will inform him or her of the nature of the allegation(s), unless the civil authorities deem otherwise. (It is important to note that civil authorities should be offered first contact with the accused, except when such procedure would put the alleged victim and/or others at risk of harm.);
2. Immediately directed to remain away from the school, agency, parish church, worship services, or other location(s) and have no contact with any children/young people in any manner until a resolution of the complaint is concluded;
3. Directed not to contact or attempt to contact the alleged victim or the victim's family personally, in any manner, including electronically, or through a third party;

4. Informed of the investigative process and the expectations for his/her cooperation and participation in said process;
5. Placed on administrative leave;
6. Advised of his or her right to obtain civil and canonical counsel; and
7. Requested to seek and voluntarily comply with a comprehensive psychological evaluation.

When an allegation of sexual abuse of a minor or vulnerable adult by a priest, deacon, or religious is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468). The preliminary investigation may be conducted by the Bishop himself or by another person he appoints to carry out this responsibility. 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 credible evidence that sexual abuse of a minor or vulnerable adult has occurred, the Office of the Vicar General shall be notified. The Bishop 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. 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 (*Sacramentorum sanctitatus tutela* (SST), Art. 6; CIC, c. 1395 §2; CCEO, c. 1453 §1).

10.2 The Diocesan personnel, religious volunteer, or sub-contractor suspected of abuse, after civil authorities have been informed, will be:

1. Immediately directed to remain away from the school, agency, parish church, worship services, or other location(s) which are the subject matter of the complaint until a resolution of the complaint is concluded;
2. Directed not to contact or attempt to contact the alleged victim or the victim's family, in any manner including electronically or by a third party;
3. Informed of the investigative process and the expectations for his/her cooperation and participation in said process;
4. Placed on administrative leave or relieved of their volunteer duties or no longer allowed on job site;
5. Advised of his or her right to obtain civil counsel.

10.3 The Diocese will ensure that the victim(s) be provided proper pastoral care. A Pastor will be designated and will establish the following:

1. Contact the Diocesan Victim's Assistance Coordinator of the Office of Safe Environment and coordinate treatment, support, and essential assistance for the victim and the family in a timely manner.

2. Contact the alleged victim directly (if an adult) or the alleged victim's parent or guardian (if a minor) and offer spiritual care and support.
3. Inform the alleged victim (if an adult) or the alleged victim's parents or legal guardians (if a minor) of the availability of assistance through the Diocesan Victim Assistance Coordinator and;
4. Function in a strict pastoral nature without regard to the truth of any accusation or to the circumstances surrounding the alleged incident.

10.4 Following an allegation of past or present child abuse, the Diocese of Fall River shall provide the alleged victim and the person accused a timely response to the investigation and the resolution of the allegation of abuse. There shall be an opportunity to provide comments to the Diocesan Review Board relevant to the nature of the allegations.

10.5 No priest or deacon who has allegedly committed an act of sexual abuse of a minor or vulnerable adult may be transferred for a ministerial assignment in another diocese. Every bishop 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 or vulnerable adult by the priest or deacon in question.

10.6 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.

SECTION 11. DIOCESAN REVIEW BOARD

11.1 To assist the Diocesan Bishop, the diocese will have a **Diocesan Review Board**, which will function as a confidential consultative body to the Bishop in discharging his responsibilities. The functions of this board may include:

- a. Advising the Diocesan Bishop in his assessment of allegations of sexual abuse of minors and the Bishop's determination of suitability for ministry for the accused;
- b. Reviewing diocesan policies for dealing with sexual abuse of minors/vulnerable adults; and
- c. Offering advice on all aspects of these cases, whether retrospectively or prospectively.

11.2 When a priest or deacon of the Diocese is suspected of past or recent child sexual abuse, the Bishop shall consult with the Diocesan Review Board within 24 hours of the revelation of such abuse. This Board may also be consulted in cases of other forms of child abuse or misconduct at the discretion of the Bishop. The Review Board is an advisory body to the Bishop that consists 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, but at least one member should be a priest who is an experienced and respected pastor of the Diocese 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. The Bishop shall appoint a Delegate from among the members of the Review Board to serve as his representative in cases involving an accusation of sexual misconduct by a cleric or religious brother or sister with a minor. The Delegate will chair the Review Board. The Bishop is free to appoint a substitute

Delegate as circumstances warrant. Beyond the mandates of the *Charter* and *Essential Norms* regarding membership on the review board, composition varies. It is suggested that review boards include representation from professions such as law enforcement, judiciary, healthcare providers, mental health practitioners, attorneys, teachers, parents of victims of sexual abuse, and victims of sexual abuse.

11.3 The Bishop will review the recommendations made to him by this Board. In each and every instance, if the Review Board makes a determination that the allegation is credible and falls within the definition of sexual abuse, the Bishop will make the decision as to whether the person suspected of abuse will continue on leave from any ecclesiastical ministry or function and referred to an appropriate residential facility for evaluation and/or treatment. The Vicar General, with the assistance of the Moderator of the Curia, will be responsible for making these arrangements. The priest or deacon 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 and to the accused. Where the Review Board determines that the allegations either are not credible or do not meet the definition of sexual abuse and the Board nonetheless concludes that there remains reason(s) for concern regarding continued ministry, the Bishop will determine the most appropriate course of action and the disposition of the accused.

SECTION 12. RESPONSE TO FALSE ALLEGATIONS

12.1 The Diocese of Fall River recognizes the harm that may occur from a false accusation. The Diocese will strive to minimize any personal or professional adverse consequences of unsupported allegations of abuse and to preserve the future ministry opportunities of persons falsely accused of child abuse, in accord with canon law.

12.2 The Diocese will provide the necessary mental health services to assist individuals wrongfully accused to address the consequences of accusations and to restore the effectiveness in their job duties and/or volunteer services.

12.3 The Diocese will work with the accused to restore his or her good name and reputation and to create a workable plan for the future.

12.4 The Diocese will, in consultation with and with the consent of the individual falsely accused, inform the faith community at large and the local parish of the outcome of the investigative process and of the need for spiritual support and restorative justice in the wake of unsupported allegations.

SECTION 13. COMMUNICATIONS

13.1 The Diocese of Fall River's policies and procedures governing its internal and external communications should promote the development of cooperative, responsive, and candid relationships. The Diocese should engage the community and the media in its efforts to prevent child abuse, protect children, support families, and inform the public. Within the confines of respect for the privacy of the individuals involved, the Diocese will communicate as openly as possible with the members of the media, the faith community, and the general public regarding allegations of child abuse and related issues.

13.2 The Director of Communications will work with the faith community and the general public to disseminate information in order to increase the awareness and understanding of the prevention, identification, and treatment of child abuse and neglect.

- 13.3** Communications with an affected parish and/or school, the media and the broader diocesan community are to be timely, open, and clear. All communications shall occur within the confines of respect for the privacy and reputation of those involved, as well as any applicable canon and civil laws.
- 13.4** The Director of Communications is to be responsible for coordinating all media contacts. All media inquiries made to schools, parishes, etc. should be referred to that office or responded to in consultation with that office. The Director of Communications will consult with, guide, and coordinate relevant persons in the handling of media inquiries.
- 13.5** The Director of Communications will provide guidance to pastors/parochial administrators, principals, and agency directors so that they can, when required to do so, competently respond to media inquiries and provide initial media response designed solely to reassure the community that abuse allegations are taken seriously and that the Diocese of Fall River will cooperate fully with civil authorities.
- 13.6** Recognizing the importance of supporting parishes and/or schools directly affected by misconduct involving the victimization of minors, the Director of Communications will coordinate with diocesan administration; relevant diocesan offices, such as the Office of Safe Environment or the Catholic Schools Office; and school and/or parish leadership to ensure parishioners and/or school families receive timely, factual, and pastorally appropriate communication from the Diocese, school, and/or parish.
- 13.7** The Diocese may communicate with priests at other parishes, particularly those where an accused person previously served; school principals; and/or pastoral center staff in order to assist them in reaching out pastorally to all parishioners and school families in the Diocese.

SECTION 14. TECHNOLOGY SAFETY

- 14.1** The Diocese of Fall River believes in the resource value of technology and recognizes its potential to support and enrich the mission of the Diocese. Our goal in providing computer systems, Internet access, cell phones, and other technology for clergy, employees, and volunteers is to promote resource sharing, innovation, and communication that is consistent with our mission and policies.
- 14.2** Use of Diocesan owned/sponsored technology is a privilege and access involves responsibility. The Diocese of Fall River cannot prevent the availability of inappropriate material on the Internet. Use of the Internet and all technology provided by the Diocese is subject to this acceptable use agreement and the rules, regulations, and policies of the Diocese of Fall River.
- 14.3** It is expressly prohibited for anyone using Diocesan technological equipment or services to access materials that are illegal or are inconsistent with Catholic values. This includes, but is not limited to: pornography, child pornography, sexually explicit materials, engaging in child abuse or human trafficking, or any other offenses against individuals, groups, or government.
- 14.4** All Diocesan employees and volunteers will adhere to the mission and values of the Church and the Diocese of Fall River by accessing and sharing only appropriate, legal information on the Internet. All those using Diocesan technological devices for any reason will refrain from using, accessing, or sharing any offensive language, nudity, or sexual or pornographic materials.
- 14.5** All those using Diocesan devices or Internet services will maintain appropriate boundaries with those to whom they are working or ministering. This includes professional-client and teacher-student relationships. An example would be therapists refraining from creating personal relationships with clients and sending

texts or posts of a personal or sexual nature to clients' devices.

14.6 All Diocesan employees and volunteers are to be aware that none of their Internet or technological use is assumed to be private and is subject to monitoring by the Diocese of Fall River. Employees and volunteers are expected to review and abide by any additional policies or procedures that are site-specific to the individual's particular ministry within the Diocese. Any violation of the terms of this section could result in the termination of one's services or employment.

APPENDIX A – DCF REPORT OF ABUSE/NEGLECT FORM



Report of Child(ren) Alleged to be Suffering from Serious Physical or Emotional Injury by Abuse or Neglect



Massachusetts law requires mandated reporters to immediately make a report to the Department of Children and Families (DCF) when they have reasonable cause to believe that a child under the age of 18 years is suffering from abuse and/or neglect by:

STEP 1: Immediately reporting by oral communication to the local DCF Area Office (see contact information at end of form); and
STEP 2: Completing and sending this written report to the local DCF Area Office within 48 hours of making the oral report.

For more information about requirements for mandated reporters and filing a report of alleged abuse and/or neglect please see A Guide for Mandated Reporters available on the DCF website at www.mass.gov/dcf.

Please complete all sections of this form. If some data is uncertain or unknown, please signify by placing a question mark ("?") after the entry.

0 CHILDREN REPORTED

Name	Current Location / Address	Sex	Age or Date of Birth
_____	_____	<input type="checkbox"/> Male <input type="checkbox"/> Female	_____
_____	_____	<input type="checkbox"/> Male <input type="checkbox"/> Female	_____
_____	_____	<input type="checkbox"/> Male <input type="checkbox"/> Female	_____
_____	_____	<input type="checkbox"/> Male <input type="checkbox"/> Female	_____
_____	_____	<input type="checkbox"/> Male <input type="checkbox"/> Female	_____

0 PARENT OR GUARDIAN 1

Name			
_____	_____	_____	_____
_____	_____	_____	_____
Address			
_____	_____	_____	_____
_____	_____	_____	_____
Phone #		Age/Date of Birth	
_____	_____	_____	_____

0 PARENT OR GUARDIAN 2

Name:			
_____	_____	_____	_____
_____	_____	_____	_____
Address:			
_____	_____	_____	_____
_____	_____	_____	_____
Phone #:		Age/Date of Birth	
_____	_____	_____	_____

0 REPORTER/ REPORT

Report Date:	<input type="checkbox"/> Mandatory Report	<input type="checkbox"/> Voluntary Report
Reporter's Name:		
_____	_____	_____
(If the reporter represents an institution, school or facility, please indicate)		
Reporter's Address:		
_____	_____	_____
_____	_____	_____
Phone #:		

Has reporter informed caretaker of report ? <input type="checkbox"/> Yes <input type="checkbox"/> No		

What is the nature and extent of injury, abuse, maltreatment or neglect? Please list any prior evidence of same and/or other worries regarding danger to the child(ren). (Please cite the source of this information if not observed firsthand.)

If known, please provide the name(s) and contact information of the person(s) responsible for the injury, abuse, maltreatment or neglect and/or any other information that you think might be helpful in establishing the cause of the injury, abuse, maltreatment or neglect:

What are the circumstances under which the reporter became aware of the injury, abuse, maltreatment or neglect? Please include information on dates and timeframes for when the injury, abuse, maltreatment or neglect occurred:

What action has been taken thus far to treat, shelter or otherwise assist the child(ren) to deal with the situation?

If report involved alleged domestic violence, please list any information that will help DCF make safe contact with the family (e.g., work schedule, place of employment, daily routines for the adult victim):

Please provide any information about the family's strengths and capacities that you think will be helpful to DCF in ensuring the child's safety and supporting the family to address the abuse and/or neglect concerns:

Signature of Reporter: _____

To report child abuse and/or neglect: Weekdays from 9:00 am to 5:00 pm call the local DCF Area Office.
Weekdays after 5:00 pm and 24 hours on weekends and holidays call the
Child-At-Risk-Hotline 1-800-792-5200

DCF AREA OFFICES

Western Region		Northern Region		Southern Region		Boston Region	
Greenfield	413-775-5000	Lowell	978-275-6800	Arlington	781-641-8500	Dimock Street, Roxbury	617-989-2800
Holyoke	413-493-2600	Framingham	508-424-0100	South Weymouth	781-794-4400	Hyde Park	617-363-5000
Springfield	413-452-3200	Haverhill	978-469-8800	Cape Cod & Islands	508-760-0200	Harbor, Chelsea	617-660-3400
Robert Van Wart Center	413-205-0500	Lawrence	978-557-2500	Plymouth	508-732-6200	Park Street, Dorchester	617-822-4700
East Springfield		Cambridge/Somerville	617-520-8700	Fall River	508-235-9800		
Worcester, East & West	508-929-2000	Malden	781-388-7100	New Bedford	508-910-1000		
Whitinsville	508-929-1000	Cape Ann, Salem	978-825-3800	Brockton	508-894-3700		
Leominster	978-353-3600	Lynn	781-477-1600	Taunton/Attleboro	508-821-7000		
Pittsfield	413-236-1800						



APPENDIX B – CRIMINAL OFFENDER RECORD INFORMATION FORM

DIOCESE OF FALL RIVER ~ Office of Safe Environment
450 Highland Avenue, P.O. Box 2577, Fall River, Massachusetts 02722
TEL. (508) - 675-1311 ~ FAX. (888) - 505-1605 ~ Email: osehancery@dioc-fr.org

CRIMINAL OFFENDER RECORD INFORMATION (CORI) ACKNOWLEDGEMENT FORM

The Diocese of Fall River is registered under the provisions of M.G.L., Ch.6, and Sec. 172 H to receive CORI for the purposes of screening current and otherwise qualified prospective employees, subcontractors, or volunteers. As a prospective or current employee, subcontractor, or volunteer for the position, please check one of the following:

- Chancery/Admin ~ Priest ~ Deacon ~ Paid Parish Staff ~ Parish Volunteer ~ Sub-Contractor ~
 Educator ~ School Staff ~ Seasonal Employee ~ Coach ~ School Volunteer ~ Other _____

I understand that a CORI check will be submitted for my personal information to the Department of Criminal Justice Information Services (DCJIS). I hereby acknowledge and provide permission to the Diocese of Fall River (DIOCFR) to submit a CORI check for my information to the DCJIS. This authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing the DIOCFR written notice of my intent to withdraw consent to a CORI check. The DIOCFR may conduct subsequent CORI checks within one year of the date this Form that was signed by me provided, however, that the DIOCFR must first provide me with written notice of this check. By signing below, I provide my consent to a CORI check and acknowledge that the information provided in this Acknowledgement Form is true and accurate.

Organization: _____ City or Town: _____
(Indicate name of Parish, School, or Organization)

Applicant Signature: _____ Date: _____

APPLICANT INFORMATION (Please print clearly)

_____	_____	_____	_____
*LAST NAME	*FIRST NAME	Middle Initial	ALIAS
_____	_____	_____	_____
MAIDEN NAME	MOTHER'S MAIDEN NAME	PLACE OF BIRTH	
*DOB: (MM/DD/YYYY) ____/____/____, *LAST SIX DIGITS OF SOCIAL SECURITY # _____ - _____			

Please provide address information for the past ten (10) years from the date of this request.

CURRENT ADDRESS: _____, Years lived: _____
Street, Town or City, State, and Zip Code

FORMER ADDRESSES: _____, Years lived: _____
Street, Town or City, State, and Zip Code
(If needed, please use a separate sheet of paper for additional addresses and submit with this request.)

THIS FORM MUST BE ACCOMPANIED BY A VALID DRIVER'S LICENSE OR VALID GOVERNMENT PHOTO I.D. (REQUIRED BY LAW)

To be completed by the *DIOCESAN REPRESENTATIVE* verifying identification of the applicant.

FORM OF ID PROVIDED: _____ ID# _____ ISSUING AUTHORITY: _____
(Must be a government-issued photographic form of ID) (i.e. State)

Printed Name and Position of Diocesan Representative Signature of Verifying Diocesan Employee Date

OSE 08.23.2018 *REQUIRED FIELDS BY DJCIS; REMAINING FIELDS ARE REQUIRED BY THE DIOCESE OF FALL RIVER

APPENDIX C – Mandatory Reporting

Massachusetts General Law, Title 17, Chapter 119

Section 51A: Reporting of suspected abuse or neglect; mandated reporters; collection of physical evidence; penalties; content of reports; liability; privileged communication

Section 51A. (a) A mandated reporter who, in his professional capacity, has reasonable cause to believe that a child is suffering physical or emotional injury resulting from (i) abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (ii) neglect, including malnutrition; (iii) physical dependence upon an addictive drug at birth, shall immediately communicate with the department orally and, within 48 hours, shall file a written report with the department detailing the suspected abuse or neglect; or (iv) being a sexually exploited child; or (v) being a human trafficking victim as defined by section 20M of chapter 233.

If a mandated reporter is a member of the staff of a medical or other public or private institution, school, or facility, the mandated reporter may instead notify the person or designated agent in charge of such institution, school, or facility who shall become responsible for notifying the department in the manner required by this section.

A mandated reporter may, in addition to filing a report under this section, contact local law enforcement authorities or the child Coordinator about the suspected abuse or neglect.

(b) For the purpose of reporting under this section, hospital personnel may have photographs taken of the areas of trauma visible on the child without the consent of the child's parents or guardians. These photographs or copies thereof shall be sent to the department with the report.

If hospital personnel collect physical evidence of abuse or neglect of the child, the local district attorney, local law enforcement authorities, and the department shall be immediately notified. The physical evidence shall be processed immediately so that the department may make an informed determination within the time limits in section 51B. If there is a delay in processing, the department shall seek a waiver under subsection (d) of section 51B.

(c) Notwithstanding subsection (g), whoever violates this section shall be punished by a fine of not more than \$1,000. Whoever knowingly and willfully files a frivolous report of child abuse or neglect under this section shall be punished by: (i) a fine of not more than \$2,000 for the first offense; (ii) imprisonment in a house of correction for not more than 6 months and a fine of not more than \$2,000 for the second offense; and (iii) imprisonment in a house of correction for not more than 2 1/2 years and a fine of not more than \$2,000 for the third and subsequent offenses.

Any mandated reporter who has knowledge of child abuse or neglect that resulted in serious bodily injury to or death of a child and willfully fails to report such abuse or neglect shall be punished by a fine of up to \$5,000 or imprisonment in the house of correction for not more than 2 1/2 years or by both such fine and imprisonment; and, upon a guilty finding or a continuance without a finding, the court shall notify any appropriate professional licensing authority of the mandated reporter's violation of this paragraph.

(d) A report filed under this section shall contain: (i) the names and addresses of the child and the child's parents or another person responsible for the child's care, if known; (ii) the child's age; (iii) the child's sex; (iv) the nature and extent of the child's injuries, abuse, maltreatment or neglect, including any evidence of prior injuries, abuse, maltreatment or neglect; (v) the circumstances under which the person required to report first became aware of the child's injuries, abuse, maltreatment or neglect; (vi) whatever action, if any, was taken to treat, shelter or otherwise assist the child; (vii) the name of the person or persons making the report; (viii) any other information that the person

reporting believes might be helpful in establishing the cause of the injuries; (ix) the identity of the person or persons responsible for the neglect or injuries; and (x) other information required by the department.

(e) A mandated reporter who has reasonable cause to believe that a child has died as a result of any of the conditions listed in subsection (a) shall report the death to the district attorney for the county in which the death occurred and the office of the chief medical examiner as required by clause (16) of section 3 of chapter 38. Any person who fails to file a report under this subsection shall be punished by a fine of not more than \$1,000.

(f) Any person may file a report under this section if that person has reasonable cause to believe that a child is suffering from or has died as a result of abuse or neglect.

(g) No mandated reporter shall be liable in any civil or criminal action for filing a report under this section or for contacting local law enforcement authorities or the DCF child advocate if the report or contact was made in good faith, was not frivolous, and the reporter did not cause the abuse or neglect. No other person filing a report under this section shall be liable in any civil or criminal action by reason of the report if it was made in good faith and if that person did not perpetrate or inflict the reported abuse or cause the reported neglect. Any person filing a report under this section may be liable in a civil or criminal action if the department or a district attorney determines that the person filing the report may have perpetrated or inflicted the abuse or caused the neglect.

(h) No employer shall discharge, discriminate or retaliate against a mandated reporter who, in good faith, files a report under this section, testifies or is about to testify in any proceeding involving child abuse or neglect. Any employer who discharges, discriminates, or retaliates against that mandated reporter shall be liable to the mandated reporter for treble damages, costs, and attorney's fees.

(i) Within 30 days of receiving a report from a mandated reporter, the department shall notify the mandated reporter, in writing, of its determination of the nature, extent, and cause or causes of the injuries to the child and the services that the department intends to provide to the child or the child's family.

(j) Any privilege relating to confidential communications, established by sections 135 to 135B, inclusive, of chapter 112 or by sections 20A and 20B of chapter 233, shall not prohibit the filing of a report under this section or a care and protection petition under section 24, except that a priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body or accredited Christian Science practitioner need not report information solely gained in a confession or similarly confidential communication in other religious faiths. Nothing in the general laws shall modify or limit the duty of a priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body or accredited Christian Science practitioner to report suspected child abuse or neglect under this section when the priest, rabbi, clergy member, ordained or licensed minister, leader of a church or religious body or accredited Christian Science practitioner is acting in some other capacity that would otherwise make him a mandated reporter.

(k) A mandated reporter who is professionally licensed by the commonwealth shall complete training to recognize and report suspected child abuse or neglect.

APPENDIX D – CONTACT INFORMATION

1. Reporting abuse by a priest, deacon, or religious, and/or
2. Reporting abuse by a non-clergy Diocesan employee, volunteer, or subcontractor or other abuse

(Deacon) Joseph E. Regali, Director, Office of Safe Environment

Phone: (508) 985-6508 Email: jregali@dioc-fr.org Fax: (888) 505-1605

MASSACHUSETTS DEPARTMENT OF CHILDREN AND FAMILIES

CITY AND TOWN DIRECTORY

To report child abuse and/or neglect:

- Weekdays from 9:00 a.m. to 5:00 p.m., call the local DCF Area Office.
- Weekdays after 5:00 p.m. and 24 hours on weekends and holidays, call the Child-At-Risk Hotline at (800) 792-5200.

ATTLEBORO/TAUNTON/NORWOOD AREA OFFICE: (P) (508) 821-7000/(F) (508) 821-1453

The following cities/towns report to this area office:

Attleboro	Mansfield	Raynham
Berkley	No. Attleboro	Rehoboth
Dighton	Norton	Taunton

FALL RIVER AREA OFFICE: (P) (508) 235-9800/(F) (508) 672-5404

The following cities/towns report to this area office:

Assonet	Seekonk	Swansea
Fall River	Somerset	Westport
Freetown		

NEW BEDFORD AREA OFFICE: (P) (508) 910-1000/(F) (508) 990-7321

The following cities/towns report to this area office:

Acushnet	Marion	No. Dartmouth
Dartmouth	Mattapoisett	So. Dartmouth
Fairhaven	New Bedford	Wareham

CAPE & ISLANDS AREA OFFICE: (P) (508) 760-0200/(F) (508) 790-3006

The following cities/towns report to this area office:

Barnstable	Edgartown	Osterville
Bourne	Falmouth	Provincetown
Buzzards Bay	Gay Head	Sandwich
Centerville	Hyannis	Yarmouth
Chatham	Mashpee	Vineyard Haven
Cotuit	Nantucket	Harwich
Dennis	Orleans	West Tisbury
Eastham	Oak Bluffs	Woods Hole

PLYMOUTH AREA OFFICE: (P) (508) 732-6200/(F) (508) 747-1239

The following cities/towns report to this area office: Gosnold, Pocasset

BROCKTON AREA OFFICE: (P) (508) 894-3700/(F) (508) 559-7695

The following cities/towns report to this area office: Easton