



Episcopal Diocese  
*of San Diego*  
**FEARLESS LOVE**

# Sexual Abuse and Misconduct Prevention and Response Manual

The Office of the Bishop  
2083 Sunset Cliffs Blvd.  
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## **Prayer for the Care of Children**

Almighty God, you have blessed us with the joy and care of children: Give us calm strength and patient wisdom as we bring them up; that we may teach them to love whatever is just and true and good, following the example of our Savior Jesus Christ. Amen

*Book of Common Prayer, page 289*

## **Prayer for Guidance**

O God, by whom the meek are guided in judgment, and light rises up in darkness for the godly: Grant us, in all our doubts and uncertainties, the grace to ask what you would have us do, that the Spirit of wisdom may save us from all false choices, and that in your light we may see light, and in your straight path may not stumble; through Jesus Christ our Lord. Amen

*Book of Common Prayer, page 832*

## **Scripture Reading**

“People were bringing little children to him in order that he might touch them; and the disciples spoke sternly to them. But when Jesus saw this, he was indignant and said to them, ‘Let the little children come to me; do not stop them; for it is to such as these that the kingdom of God belongs. Truly I tell you, whoever does not receive the kingdom of God as a little child shall never enter it.’ And he took them up in his arms, laid his hands on them and blessed them.”

*Mark 10:13-16*

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# Introduction to Misconduct Prevention

## Responsibility

Sexuality is both a gift and a responsibility. It is central to our being and, used rightly, a source of joyous fulfillment. It is a gift susceptible to abuse, particularly in relationships of trust, such as between clergy and those they serve, or between adults and children.

Those who serve the church, whether as clergy or lay workers, paid or unpaid, maintain a powerful relationship of authority and trust with the people to whom they minister. Betrayal of that trust through violation of sexual boundaries causes great emotional and spiritual harm. Such misconduct is a denial of our identity as Christians. We must take every step to prevent it, and to respond with swift justice when misconduct does occur.

## History and Precedent

When a diocesan policy on the prevention of sexual misconduct was first developed in the Diocese of San Diego in the 1990s, it primarily responded to charges of sexual abuse and misconduct; the Diocese wanted to ensure that its response would be just and compassionate. The policy was also designed to meet the coverage conditions of church insurance companies, and to reduce the potential for litigation against the church. Therefore it also included guidelines for training church workers about child sexual abuse and adult sexual misconduct.

In addition, all volunteers regularly working with children in the church or church-related activities, other than Sunday morning only Sunday school teachers, must complete diocesan training in the prevention of child sexual abuse.

# Reasons for Prevention of Adult Sexual Misconduct

## Federal Government: Equal Employment Opportunity Commission (EEOC)

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

## General Convention Resolution 1991-B052

Resolved, the House of Deputies concurring, That the 70th General Convention of the Episcopal Church declares that sexual abuse, exploitation, coercion, and harassment of adults and minors by clergy and church employees are abuses of trust, a violation of the Baptismal Covenant, contrary to Christian Character, and are therefore wrong; [followed by establishment and tasking of Committee on Sexual Exploitation]

## General Convention Resolution 2006-A156

Resolved, That the 75th General Convention of The Episcopal Church affirm the work already occurring in many dioceses and at the same time recommit itself to the positions taken by previous General Conventions that sexual misconduct (encompassing both sexual harassment and sexual exploitation) of adults by clergy, church employees, and volunteer workers has been and continues to be of deep concern to this Church, is an abuse of trust, a violation of the Baptismal Covenant, contrary to Christian character and is, therefore, wrong; and be it further

Resolved, That each diocese adopt policies for the protection from sexual misconduct of those served by diocesan programs, those who volunteer in the work of the diocese or are employed by the diocese, and that dioceses assist congregations in the development of such procedures and policies, including using the many resources that already exist, that address the following:

1. the articulation of behavioral standards for all clergy, lay employees, and volunteers who work with adults or who provide pastoral counseling, pastoral care, spiritual direction, or the sacraments;
2. a screening process for all clergy, lay employees, and volunteers who provide pastoral counseling and care, spiritual direction, or the sacraments and who supervise clergy or lay volunteers;
3. education and training for all clergy, lay employees, and volunteers as listed above, with particular attention paid to what legally constitutes sexual harassment and to appropriate behavior and inappropriate sexual or sexualized behaviors towards adults, and with periodic refresher training encouraged;
4. guidelines for responding to concerns of sexual misconduct; and be it further

Resolved, That each diocese shall report to the House of Bishops Committee on Pastoral Development prior to the Spring 2009 House of Bishops meeting with a copy of its adopted and implemented policy and an evolution of the history of its use. A summary report shall be made to the House of Bishops Spring 2009 meeting and a full report made to the 76th General Convention.

## Diocesan Policy on Sexual Abuse and Misconduct

The Diocese of San Diego will not tolerate sexual misconduct involving its clergy, lay employees or volunteers. Every person who serves the church through congregational, educational, pastoral, recreational or other activities is expected to maintain the highest ethical standards in relationships with those to whom they minister. That commitment extends to sexual behavior.

The relationship between those who serve the church and children is particularly fragile. Therefore clergy and others in the employ and service of the church who have a civil or criminal record of child sexual abuse, who have admitted committing prior sexual abuse, or who are known to have a paraphiliac diagnosis (for example, pedophilia, exhibitionism, or voyeurism) as defined by the American Psychiatric Association, will not be permitted to interact with children or youth.

The Diocese of San Diego is also committed to providing pastoral care to all involved with or affected by instances of child sexual abuse or adult sexual misconduct. In essence, pastoral care grows out of faith based relationships and proceeds with an awareness of the spiritual and emotional needs of both the individual and the community. It may include providing guidance, support, consolation and even confrontation, in an effort to minister as we believe God would desire.

### Additional Specific Policies

**Prohibition against pornography:** No computer or other electronic device in church buildings or on church property may be used to access pornography.

**Mission Trip Policy:** For any diocesan or congregation mission trip, whether foreign or domestic, where missionaries will meet or work with anyone under the age of 18 or where the mission trip includes any participants under the age of 18, all adult participants are required to complete Safeguarding God's People before the trip begins. Adult leaders of all mission trips are also required to complete the Safeguarding God's People before the trip begins.

# Definitions

## Defining Child Sexual Abuse

**Sexual abuse of a child** is a criminal offense in the United States. San Diego law defines an abused child as a child less than 18 years of age whose parents or other persons responsible for his or her care: commit or allow to be committed any illegal sexual act, including rape, incest, indecent exposure, and prostitution, or allow a child to be used in any sexually explicit visual material. Child abuse that takes place within the family or where the child is in the care of another adult is the responsibility of Child Protective Services. In other situations where the child is abused by a non-caretaker, whether that person is known to the child or not, the police are responsible for the investigation.

The law also defines child neglect or abuse as:

- causing, or threatening to cause a non-accidental physical or mental injury, or creating a substantial risk of impairment of bodily or mental function;
- neglecting or refusing to provide adequate food, clothing, shelter, emotional nurturing or health care;
- neglecting or refusing to provide adequate supervision in relation to a child's age and level of development; and
- abandoning the child.

Sexual abuse encompasses acts of sexual assault and sexual exploitation by a parent or other caregiver. It includes a broad range of behaviors, such as fondling, oral vaginal or anal intercourse, indecent exposure, voyeurism and sexual exploitation. It may consist of a single incident or of many incidents over a long period of time. Victims range in age from infants to teenagers.

## Defining Adult Sexual Misconduct

**Sexual Exploitation** involves an imbalance of power, such as employer over employee, strong over weak, spiritual leader over church member, and so on. It can be overt, such as where favors are given in return for sexual favors. It can be more subtle, such as where a sexual relationship develops between a church worker and someone under him or her in a pastoral, mentoring or supervisory relationship.

Feelings of attraction can develop from unequal relationships, giving rise to exploitation even where there is apparent consent from both individuals. This is why a romantic relationship between a clergy member, whose role as a spiritual advisor places him or her in a position of power, and a church member is fraught with danger, whether or not it involves sexual relations.

Historically, romantic relationships between single clerics and other single persons with whom the cleric has a pastoral relationship have not been defined as sexual exploitation. However, such clergy dating could create feelings of resentment, competition or rejection for other members of the church. In some circumstances, it could lead to legal proceedings. A cleric cannot be both spiritual advisor and suitor at the same time. Therefore, in the event a romantic relationship develops, steps must be taken to address the facts that (a) when dating a cleric a church member loses their priest, and (b) secrecy surrounding such a relationship could harm the church. At the very least, the clergy member must arrange for alternate pastoral care for the involved church member.

One way to do that is to have either the cleric or the church member leave the church. For rectors, vicars and priests-in-charge, such relationships might be possible if there is ongoing consultation with the bishop. Additionally, in a multi-staffed congregation, a dating relationship might be possible where there is ongoing consultation between the priest and the rector. In a single clergy congregation, such a relationship might be possible if there is ongoing consultation with the bishop.

While dating is allowed between lay staff and church members generally, because of the imbalance, dating between a lay worker and those church members who participate in that worker's programs also is discouraged, and requires similar safeguards.

**Sexual Abuse:** Sexual abuse refers to any act committed with the intent to molest sexually, or to arouse or gratify, where the abuser touches or forces the abused to touch the genitalia, anus, groin, breast, buttocks, or the material touching such intimate parts. It also can include sexual contact with minors or legal incompetents, even where that contact seems consensual.

**Sexual Harassment:** The term sexual harassment comes from employment law and refers to behavior of a sexual nature that is experienced by an employee in the workplace. There are two broad categories:

- In *quid pro quo* harassment, an employee's hiring, pay, promotion or maintenance of a job is made contingent on their response to sexual advances.
- In hostile environment harassment, unwelcome sexual conduct unreasonably interferes with an individual's job performance or creates a hostile, intimidating or offensive work environment.

Harassment can take four forms:

1. **Physical Harassment** involves unwanted physical touching of the hair, body or clothing, or even purposefully brushing against someone. Prolonged hugs, especially front to front, or those with pelvic contact or rubbing the hands across the back, could constitute physical harassment, as could unwanted massage of the shoulders, back or neck. Even behavior that is intended to be playful could be considered physical harassment.
2. **Verbal Harassment** includes making explicit comments or innuendos about one's own sex life, or asking questions about another's sexual behavior. Verbal harassment can include comments about a person's anatomy or clothing that may be perceived as sexual, using nicknames with sexual connotations (such as "hunk" or "babe"), or making repeated requests for social engagements. It can also take the form of sexually oriented humor or language, or sending e-mails, telephone messages or other communications that contain such humor or language. It is important to note that appropriate conversational norms develop and evolve in every workplace or community over time. When in doubt about propriety, refrain from such conversations or seek counsel from an advisor.
3. **Non-verbal Harassment** can include displaying sexually suggestive visual materials, from cartoons to calendars, to displaying one's own body parts through lack of clothing or positioning of the body. It also includes making sexual gestures with hands or body movements, and making facial expressions that communicate sexual or romantic interest.
4. **Online Harassment** often referred to as cyber-bullying describes the use of the Internet to harass, threaten or maliciously embarrass. It can involve such behaviors as sending unsolicited and/or threatening email, encouraging others to send the victim unsolicited or threatening email, sending viruses by email (electronic sabotage), spreading rumors, making defamatory comments, sending negative messages, impersonating the victim by sending inflammatory, controversial or enticing

messages which can cause others to respond negatively to the victim, harassing the victim during a live chat, leaving abusive messages online, sending the victim pornography or graphic material that is knowingly offensive or sharing online content that depicts the victim in negative or intimate ways. We encourage healthy boundaries while using the Internet, including adhering to all Safeguarding God's People principles. Communicate during daytime hours, approximately 8 a.m. until 9 p.m. Be aware of power differences between individuals and do not abuse power (clergy and lay leaders are often perceived to have more power in the church than lay people). Remember that no digital communications are confidential. Everything you post online is public and part of your witness. Post responsibly.

The rector or priest-in-charge of a congregation is expected to take action to stop the harassing behavior, and to prevent any future behavior. If the rector or priest-in-charge is the accused, then the bishop will respond.

## **Preventing Child Sexual Abuse and Adult Sexual Misconduct**

### **Training**

Training is also a crucial deterrent to child sexual abuse and adult sexual misconduct. Training

1. educates clergy and lay people on what types of behavior can foster an environment where misconduct can take place;
2. equips ministers to recognize warning signs of misconduct;
3. sets out best practices for misconduct prevention;
4. provides a framework for response in the tragic event that misconduct does happen.

Diocesan training on the prevention of child sexual abuse and adult sexual misconduct is achieved by reading this manual and completing the appropriate online courses.

To show you've completed the requirement, you will be able to print your own certificate after completing online course. Please note:

1. Clergy are required to keep a copy of their certificate in their own files and submit copies to the diocese and to the congregation or other institution they serve.
2. Lay Persons are required to keep a copy of their certificate for their files and submit a copy to their congregation. The praesidium system saves a copy of the certificate in their program which is accessed by the diocese, therefore lay persons are not required to mail the certificate to the diocesan office.
3. Those unable to present documentation when requested must complete another online training. Participants are responsible for obtaining and keeping documentation of training completion.
4. Training must be renewed after five years by taking the appropriate online modules.

A waiver of the diocesan training requirement may be granted where a clergy or lay person documents completion of an equivalent training in another diocese. Those requesting a waiver should send a letter or e-mail to the registrar with such a request. Please note: We cannot accept training from other denominations or secular organizations, typically because their understanding of how power structures affect misconduct differs from ours.

## Screening and Recruiting/Hiring

Another effective means of reducing the incidence of child sexual abuse or adult sexual misconduct is to carefully screen clergy and all lay workers, paid and unpaid. Such screening includes:

- a. Carefully reviewing a signed job application
- b. Conducting a personal reference check
- c. Conducting a background check
- d. Within the first six months of attendance at your church, do not place volunteers in a position that puts them in one-to-one contact with children.

## Warning Signs and Prevention Strategies

### Personal Warning Signs for Leaders

1. Be aware of the power differential that exists between leaders and employees or church members and do not exploit their trust.
2. Be aware of the danger signs of sexual boundary breakdown: excessive self-disclosure by the minister/supervisor; excessive availability, including giving or receiving inappropriate gifts; excessive touch; undue anticipation of future visits, including rearrangement of one's schedule; excessive fretting about clothing or appearance; meeting at a secluded or private location; anything tying extra emotional energy to the meeting; continual fantasy about the person; and keeping secrets that go beyond the requirements of professional confidentiality.
3. If any of the above signs appear, do a self-examination by asking yourself the following questions:
  - a) What can I learn about myself through the experience of my attention being drawn to this other person?
  - b) What is lacking in my marriage, my love relationships, my spiritual life, or within me that I believe an involvement with this person might satisfy?
  - c) Why am I vulnerable at this time to falling in love outside of my commitments or to overstepping appropriate boundaries?
4. Be aware that sexual attraction and misconduct can cripple ministry. Develop appropriate staff relationships and office arrangements (such as windows in doors and visible computer monitors) that protect against misconduct.
5. Be aware that there are sexually aggressive, emotionally very needy, even predatory persons among church members who seek out leaders at church, conferences, and public places. Their purpose may be an inappropriate attachment and perhaps sexual misconduct. Always use prudence regarding times and places of meeting, especially until a person's motives are known. Understand that the person in power is responsible for keeping appropriate boundaries even if pursued.
6. Seek counsel and pastoral guidance from someone trained in the field of sexual misconduct if you find yourself at risk of acting on a romantic or sexual attraction to a church members or coworker.
7. All allegations of sexual misconduct will be taken seriously by the Bishop. If they involve a minor,

the allegations will be reported to authorities immediately.

8. If leaders learn of or suspect sexual misconduct by their clergy colleagues or other lay ministers, they are required by the canons to report to the appointed intake officers using the information found online: <http://www.edsd.org/reporting>. The intake officer will work with the reporter regarding appropriate next steps.

## Personal Precautions

1. No clergyperson shall meet a church member for more than six sessions in regard to a particular pastoral episode or life issue. After three to six sessions, a church member or counselee is to be referred to an appropriate professional.
2. No clergyperson shall provide spiritual direction to church members or others unless they are also under spiritual direction.
3. Clergy and other lay ministers should not visit the home of church members at times of day that might create an awkward appearance or signal a degree of privacy that is inappropriate. Exercise discretion and good judgment so as not to create occasions when misconduct might occur or might appear to be occurring. Clergy and lay ministers visiting the homes of single church members in the evening need to be accompanied. Schedule meetings during business hours when others are present.
4. Make sure to conduct meetings with individuals, to the extent possible and practicable, during normal business hours and when someone else is in the building.
5. Consult with a supervisor or a colleague when a meeting is needed that might appear to others as inappropriate. If married, speak with your spouse. While appropriate standards of confidentiality ought to be observed, being open about nonstandard meetings protects all involved. A person in a ministerial position should discuss any meeting or visit that could appear awkward with their spouse and with a colleague, supervisor, therapist or spiritual director.
6. Be cautious when traveling to conferences, retreats, and other out-of-town meetings with only one other person when that association might have the appearance of impropriety.
7. Be careful about social occasions with only one other person that can lead to sexual misconduct or the appearance of sexual misconduct. Be especially careful about the use of alcohol when in the company of only one other person.
8. Touch or hug appropriately. It may be appropriate, when one is comforting a grieving church member, for example, to embrace that church member in a reassuring manner that communicates acceptance or inclusion in the loving community of faith. However, an identical embrace might be inappropriate when a church member shares about their dysfunctional marriage and the embrace unintentionally conveys an alternate form of intimacy. Sensitivity and discretion are necessary. It is proper to ask first before offering a physical embrace. It is always safer to hug side-to-side, instead of face-to-face. (A pat on the shoulder may be most appropriate when you want to express concern and keep some emotional distance at the same time.)

None of these precautions are meant to inhibit appropriate pastoral intimacy. They are illustrations of the prudent limits mature clergy and lay leaders accept for effective ministry.

## **Institutional Warning Signs**

Abuse is more likely to occur when:

1. The boundaries in an organization are not clear. When, for example, work and personal/social situations are consistently blended.
2. When there is very rigid or closed communication so that what happens takes place in secret.
3. When there is poor or nonexistent supervision, particularly with new or junior staff.
4. When there is a controlling or charismatic leader and disagreement would be seen as a betrayal of that leader.
5. When the clergy/lay leader does not have friends outside the church

## **Institutional Precautions**

1. Appropriately screen staff when hiring.
2. Ensure that all staff, whether lay or ordained, receive training in the prevention of sexual misconduct.
3. Ensure that your congregation has adequate and appropriate insurance coverage.
4. While there are no rules about lay coworkers having mutually agreed upon romantic relationships, they ought to be entered into very carefully so as not to disrupt the congregation. Secrecy in a relationship can be particularly dangerous.
5. Complete criminal background checks before clergy members may be hired, and for lay professionals and some volunteers. To initiate a background check for clergy, email Keren Mondaca, Executive Assistant to the Bishop ([kmondaca@edsd.org](mailto:kmondaca@edsd.org)). For lay employees or volunteers please email the Registrar, Alyson Terry ([aterry@edsd.org](mailto:aterry@edsd.org)).
6. Interview all the references in the application process. Keep records at all stages of the screening process and make them easily accessible for future reference, and maintain their confidentiality
7. The Diocese of San Diego expressly prohibits viewing internet pornography on church computers.

## **Safe Practices for Congregations for Preventing Child Abuse**

1. The best way to prevent child sexual abuse in the church is to make sure that there are always two or more unrelated adults with one or more children at all times.
2. Watch for physical, behavioral, and emotional boundary violations.
3. These safe practices are not meant to protect children and not to inconvenience adult employees and volunteers. They can also help protect adults from unfounded accusations. Here are some behaviors that can lead to false allegations:
  - a) Meeting alone in isolated places
  - b) Wearing provocative or revealing attire

- c) Meeting in homes and in bedrooms without others present
  - d) Giving special or secret gifts
  - e) Keeping secrets about the relationship
  - f) Failing to adhere to uniform or accepted standards of affection
4. Team teaching and chaperoning
    - a) Make concerted effort to recruit sufficient volunteer teachers to permit two unrelated teachers in every class. At least two unrelated adults need to be present in the church nursery as well.
    - b) Youth activities both on and off the church grounds need two or more known and unrelated adult leaders. If there are both boys and girls participating in the activity then both male and female leaders need to be present.
    - c) Community organizations using the church facilities need to follow the same guidelines.
  5. Open Door - Parents of the children being served as well as the clergy, and professional staff of the church have the right to visit and observe the program at any time, unannounced
  6. Driving
    - a) Make sure drivers are never alone in a vehicle with a child other than their own.
    - b) Persons designated to drive to or from the church for a church activity are required to be at least 18 years old and have a valid state driver's license.
    - c) Drivers cannot have any record of convictions for the past five years for drunken driving, driving under the influence, driving with a suspended or revoked license, or reckless endangerment.
  7. Individual Pastoral Care
    - a) While one-on-one pastoral care is a fundamental part of ministry, take care to see that it is conducted in an environment that provides visibility by other adults.
    - b) Another adult needs to know the volunteer's or staff member's whereabouts and with whom he or she is meeting.
    - c) No one should engage in secretive and private relationships with children or young people.
    - d) As a general rule, there should be no more than 3 to 5 private meetings with any one child or young person per year.

Pornography - It is the policy of the Diocese of San Diego that no church computers or other technology may ever be used to access pornography.

## **Screening of Potential Employees and Volunteers**

Take the following steps in screening, recruiting/hiring and training of church workers, paid or unpaid.

1. Obtain Job Application. All clergy, lay employees and volunteer youth workers who regularly supervise children's or youth activities need to complete and sign the Diocese of San Diego Application for church workers, including the list of personal references and the certification and authorization for background checks. An application is not required for regularly scheduled "Sunday Morning Only" workers or for vestry members and wardens. If an employee does not have ministerial or educational functions, do not ask them to answer the questions about church attendance.

2. Check Application-related Documentation. For all applicants, the interviewer needs to check the following:
  - a. Volunteer/applicant's driver's license to verify identity; for employees an I-9 is required
  - b. Obtain authorization of a background check. For those applicants seeking a position that includes handling money, a credit check along with the background check is required.

Additionally, for applicants seeking a position which includes driving as one of the duties, the following documents are requested in the job application and need to be verified by the interviewer:

- a. A background check that includes a driving record check
  - b. Proof of the applicant's automobile insurance
3. Conduct Interview. Establish a list of questions to ask all workers, paid or volunteer, and keep notes on the responses.
  4. Obtain certification regarding no prior child sexual abuse conviction, paraphiliac diagnosis or act of abuse: A certification must be signed by all clergy and volunteer youth or child workers stating that they
    - a) have not been arrested for or convicted of any crime involving child abuse and/or neglect, nor had any such conviction expunged
    - b) have not been charged with child sexual abuse in a civil proceeding
    - c) were never committed an act of child sexual abuse, and
    - d) had not been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism or exhibitionism. (*Such certification is not required for vestry/wardens or for leaders of non-church groups using church facilities*).
  5. Obtain documentation of sexual misconduct prevention training.

## Screening of Non-Church Groups Using Church Facilities

1. Obtain certification regarding reading diocesan policy. The leadership of any non-church groups using the church facilities need to read this manual and certify that they have done so.

## Procedures for Conducting Background Checks

### Lay Employee/Volunteer

A Praesidium background check needs to be done for all lay employees and volunteers. Contact the Registrar at the diocesan office. The fee for a criminal history record check is \$23.

### Clergy

Clergy who wish to be licensed in the Diocese of San Diego or candidates that wish to become a deacon or priest will undergo a background check with Oxford Document Management Company. This includes a

credit report and reference checks from former employers and educational institutions.

- The Diocese of San Diego has an association with Oxford Document Management Company.
- Results will be sent to the diocese, then forwarded to the congregation.
- The initial fee is \$200, depending on the scope.
- Name and current mailing address of the person to be checked is required.

To initiate this background check, email the Executive Assistant to the Bishop, Keren Mondaca, [kmondaca@edsd.org](mailto:kmondaca@edsd.org).

## Conducting a Personal Reference Check

Each applicant for church work, paid or unpaid, is asked to list three personal references, excluding former employers or relatives. The Personal Reference Check Form may be used in contacting each person listed as a reference.

Since the form is in a letter format, it may be mailed or e-mailed to the applicant's references. More commonly, however, an interviewer will contact the references by telephone and use the form as a guide for questions, completing the form for each reference with the reference's answers.

Completed reference forms will be kept with the applicant's employment file.

## Reporting Sexual Misconduct or Suspected Sexual Misconduct

Reporting enables the diocese to protect the complainant, the respondent and the larger community. It also allows the diocese to assist with the spiritual, psychological and emotional needs of all concerned during and after the report of misconduct. All misconduct or suspected misconduct must be reported to the appropriate person (see below) as soon as possible. Learn more about that program: [www.edsd.org/safeguarding](http://www.edsd.org/safeguarding).

The Episcopal Diocese of San Diego considers the reporting and investigation of misconduct to be of critical importance and is committed to a fair, careful and thorough process in dealing with allegations.

The diocese deeply regrets abuse and recognizes its moral and ethical obligation to seek out the truth, deal appropriately with misconduct and strive for justice, healing and peace. The diocese intends for the potentially painful reporting process to realize those results for all involved, particularly for the victims.

### **To Report Misconduct Committed by a Clergy Person:**

The standing committee, ecclesiastical authority, asks that those who believe they are victims of misconduct or know of misconduct, sexual or otherwise, abuse of power by clergy, or child abuse to report incidents immediately and directly to our intake officers: Dr. Equilla Luke, [aequilla@icloud.com](mailto:aequilla@icloud.com).

Please note that the Title IV Canons address offences by clergy.

### **To Report Misconduct Committed by a Lay Person:**

The standing committee, ecclesiastical authority, asks those who believe they are victims of misconduct or know of misconduct, sexual or otherwise, abuse of power by lay ministers, or child abuse to report incidents

immediately and directly to the canon to the ordinary, the Rev. Canon Nancy R. Holland, [nholland@edsd.org](mailto:nholland@edsd.org), 619-481-5452.

## **Confidentiality**

The confidentiality of the complainant, the accused and all other parties will be observed, provided it does not impede the diocese's ability to investigate or take corrective action. All reports will be taken seriously and thoroughly investigated.

## **Bulletins and Newsletters**

Please use this text for your bulletins and newsletters on a quarterly basis:

Report Misconduct

As part of our ongoing commitment to creating a safe haven for everyone, our diocese trains people in the prevention of misconduct and encourages all to report misconduct. All reported incidences are taken seriously and investigated thoroughly and confidentially. If you believe you have experienced misconduct of any kind, please contact our intake officers Dr. Equilla Luke, [aequilla@icloud.com](mailto:aequilla@icloud.com).

# **Responding to Allegations of Sexual Abuse or Misconduct on the Church Level**

## **Church Level Response to Allegations of Misconduct by Clergy**

After a report is made to the intake officer, the process outlined in the Canons, Title IV: Ecclesiastical Discipline, is set in motion. The canon to the ordinary or an appointed advisor will speak with the wardens about the process and appropriate congregational responses.

## **Church Level Response to Allegations of Misconduct by a Layperson**

Report misconduct or suspected misconduct on the part of a lay person to the rector or other clergy person on staff of the layperson's church, or of the church of the offended person.

The clergy person who receives the report then:

1. calls the canon to the ordinary to receive guidance and develop and appropriate response.
2. fills out and submit a report form.

It is our practice in the Diocese of San Diego to empower clergy and wardens to respond to reports of sexual misconduct by a lay member of the congregation, with support and guidance from the bishop, canon to the ordinary and chancellor.

After filing the initial reports, additional appropriate responses by the clergy handling the report may include one or more of the following, determined in consultation with the bishop, canon to the ordinary r chancellor:

1. Suspend the person accused of abuse from church related duties. It is mandatory that when a lay

person who works with children or youth is accused or suspected of child abuse or child sexual abuse, that person be immediately removed from all contact with children or youth until the matter is resolved.

2. Provide pastoral care for those involved. In some cases, the canon to the ordinary will appoint a diocesan pastoral care team to provide such care.
3. Notify the wardens or other appropriate leaders of the congregation.
4. Protect identity. The identity of the person or persons who report the incident to the clergy need to be protected. The identity of all minors must be protected and disclosed only to those professionally involved.
5. Document all actions taken regarding the matter and retain the documentation in a confidential file at the church or institution. File a copy of the documentation with the canon to the ordinary.

**Other Notifications and Responses.** In the event of suspected misconduct by a bishop, report the matter to the intake officer appointed by the presiding bishop: The Rt. Rev. Todd Ousley

**Notification of Law Enforcement.** If the complaint may involve a violation of federal or state laws regarding sexual abuse of a minor or incompetent adult, law enforcement officials must be notified. Church officials or employees with knowledge of such alleged abuse shall cooperate fully with law enforcement authorities, insofar as canonical responsibilities permit.

#### **Notification of the Chancellor**

The bishop or other designated representative notifies the chancellor, as appropriate.

#### **Media Inquiries**

A diocesan spokesperson will be appointed by the bishop or another designated representative to respond to media inquiries and to advise the congregation on media relations. All statements will be made by the appointed spokesperson.

#### **Written Statement to the Congregation**

The Bishop or another designated person may prepare and present a written statement to the affected congregation, stating the relevant information while maintaining appropriate confidences. The bishop or canon to the ordinary may advise the clergy and wardens to prepare and present a written statement to the affected congregation. All written statements, no matter who prepares them, will be read and approved by the chancellor before being presented.

#### **Meeting with the Affected Congregation**

The bishop or another designated person may meet with the vestry or bishop's committee or the congregation to assist the congregation in responding to and dealing with the incident and its aftermath.

#### **Insurance Notification Requirements**

The congregation and diocese will meet all reporting and notification requirements as stipulated in the congregation, diocesan or other liability policies.