

USCCB discusses standards of conduct, independent commission

(CNA) - The U.S. bishops have formally begun discussion of a new set of standards of conduct and a special commission to investigate accusations made against bishops.

The bishops, meeting in Baltimore for the fall general assembly of United States Conference of Catholic Bishops, had hoped the two proposals would form the centerpiece of their response to the recent sexual abuse scandals.

After the Vatican intervened to prevent the measures being voted on, the bishops have chosen to proceed with discussion of the proposals even though they can no longer enact them.

Bishops have been invited to propose amendments to both documents for further discussion tomorrow but were given an initial opportunity to raise any questions or observations about the two draft documents.

Presenting the Standards of Accountability for Bishops, Cardinal Joseph Tobin of Newark told the conference Nov. 13 that a consensus among the conference members and the exercise of working through the provisions and amendments would be of definite assistance to the conference president, Cardinal Daniel DiNardo, when he travels to Rome in February to attend a meeting of the heads of world's bishops' conferences.

In what was perhaps an indication of the broad support for the Standards, no questions or observations were raised.

Many, including some familiar with the Vatican's decision to prevent a vote by American bishops, have expressed surprise and confusion that the draft Standards were included in the Congregation for Bishops' injunction against voting to adopt new measures since they appeared to contain no obvious conflicts with Church law or controversial provisions.

Archbishop Allen Vigneron of Detroit presented the draft proposal for the creation of a special commission to examine accusations against bishops.

In his introduction, Vigneron said that the initial goal had been to present the conference with a substantial outline for the new entity, though leaving some of the details unresolved to allow for collaborative discussions during the Baltimore meeting. The original aim was to arrive at a final plan by June 2019. Now, he conceded, it was "much harder to predict" what final results would now be possible.

Despite clear, if unelaborated, concerns by the Holy See about the plan, Vigneron said the commission was "designed to avoid infringing upon the jurisdiction of local bishops or the Holy See" and was intended to be a resource of "expertise and independence" available to both.

Spelling out how the new body would function, he told the conference that complaints would be received by the commission through a third-party reporting mechanism, with civil law enforcement being immediately informed if they regarded the abuse of minors.

The commission would look into each complaint, having first informed the apostolic nuncio in Washington. Following each complaint, there would be an investigation producing a

“substantial report” which would be given to the nuncio to “do with as he sees fit,” comparing it to the conclusions of a diocesan lay review board.

The nine-member commission would have six lay men and women and three clergy, including experts in law enforcement, civil and canon law, psychology and social work. It would also include a woman religious and a clerical abuse survivor as members. Further experts and consultants would be taken on as the case load demanded.

Vigeneron said that the independent body would be registered as an independent not-for-profit organization with a board of directors and produce an annual report detailing how many cases it investigated each year. He also explained that, as part of its independence from the bishops’ conference, the commission would be funded through contributions by dioceses directly, with an expected annual cost projected of \$500,000, plus expenses for individual investigations.

While being itself totally independent, Vigeneron underscored that the authority of local bishop would be respected, saying the work of the commission would not “over-ride the will of the bishop but rely on his consent” to work in the diocese of each complaint.

During an extended question and answer session, a number of bishops raised questions about the proposals as they were presented.

Archbishop Sample raised the case of Archbishop Theodore McCarrick, which he said appeared to show that the breakdown in the current system took place at the level of the nunciature, with allegations either not being forwarded to Rome, or not being acted upon when they arrived there.

Sample noted that “we can do whatever we want here but there needs to be a partnership with the Holy See” so that allegations were not “swept under the rug.”

Archbishop Wenski of Miami noted that the active support of the nuncio was crucial; otherwise the plan would be “an exercise in futility.”

Several bishops seemed to speak against creation of the commission all together.

Bishop Gerald Kicanas told the conference that “we already have a process” and that proposals were “adding something that doesn’t have a particular purpose.”

Cardinal Blase Cupich of Chicago suggested that the plan was unnecessary and separated the process from “the life of the Church.” “We already have a system [to handle accusations against bishops] through metropolitans,” he told the bishops. He called the proposed commission a way of “outsourcing” problems instead of “taking responsibility for ourselves.”

Archbishop Vigeneron responded to Cupich, saying that the commission was “a form of assistance” for bishops and “an act of communion, engaged in mutual communion to support one another.”

Vigeneron told Cupich it would function “in harmony with each of us as bishops exercising governance.”

Archbishop Charles Chaput of Philadelphia raised a similar point, noting that the existing structures organized around metropolitan archbishops could provide a more cost-effective

option but would simply not be feasible without a strengthened canonical authority for metropolitan bishops.

Chaput said it was the conclusion of the executive committee that it might be easier to get Roman approval for a whole new structure than a change in canon law to make this possible.

Bishop Anthony DiMarzio of Brooklyn offered the last observation of the discussion, noting that the confidentiality or publicity of the process was a serious concern. He said that the lesson to be drawn from the treatment of many priests publicly accused of abuse but later found innocent was that a person's good name often could not be recovered.

DiMarzio said that the proposed commission was bound to do everything possible to restore an innocent bishop's good name, this would likely prove an impossible task.

The discussion of both proposals will continue tomorrow, by which time bishops will have submitted proposed amendments to the plans.