



# LEGIONARIES OF CHRIST

**Code of Conduct**

**And Other Directives Pertaining to  
Safe Environment Issues  
for the  
Legionaries of Christ**

**December 2017  
Territory of North America**

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## Definitions

**Adult:** a person who is at least 18 years of age.

**Age of consent:** the age at which a person can legally consent to sexual relations. In most states this is 18, in some it is 16 or 17.

**Allegation:** a first-person accusation of sexual abuse of a minor brought against a current Member, former Member, or deceased Member which is reported to the Institute through any form of communication, including any that are anonymous.

**Credible allegation:** an allegation that is not evidently false and so merits investigation.

**Established allegation:** (also used: “substantiated,” “founded”) based upon the facts and the circumstances, there is objective certainty that the accusation is true and that an incident of sexual abuse of a minor has occurred.

**Boundary violation:** an infraction of the Code of Conduct that is significant, but does not rise to the level of sexual abuse of a minor or sexual misconduct with an adult.

**Child pornography:** any activity which involves a graphic depiction of a minor that is sexually explicit.

**Former members:** includes both deceased members and living persons who no longer belong to the Legion.

**Member:** refers to a person currently belonging to the Legion of Christ as a novice or professed religious (both ordained and those still in formation).

**Minor:** a person who has not reached the age of 18. In this document, other terms for minors are “child,” “children,” “young people” and “youth.”

**Religious:** members of the Legion who have professed vows. This refers to both ordained and those still in formation.

**Safety Plan:** A formal, written supervision program for an individual who, it has been established, has sexually abused a minor.

**Sexual abuse of a minor:** contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. This occurs when an adult engages a minor in any sexual activity, including direct sexual contact as well as sexual non-contact, such as frottage, exhibitionism, and the distribution, downloading, and/or intentional viewing of child pornography.

**Underage:** this refers to a person who is not of sufficient age to legally engage in some activity. For instance, a person who is 18 is legally an adult but is underage with respect to drinking alcohol (the legal age is 21 in all states).

## Introduction

The Legionaries of Christ are committed to building up the Kingdom of Christ in every person and in society. “They should allow Christ’s love for mankind to imbue their very selves” (CLC 11). Ensuring a safe environment for young people and adults in the Legion’s ministries is fundamental to this purpose.

The Code of Conduct that follows is the fruit of the Legion and Regnum Christi’s many years in youth ministry and apostolate, as well as a policy review carried out in light of the current need of the Church to be a protagonist in the fight against the sexual abuse of minors. However, this focus is not exclusive. “Safe environment,” it is true, refers mainly to the protection of children and young people, but since it can also be understood in a broader sense, this edition of the Code carries an appendix on sexual misconduct with an adult.

## Dallas Charter and the Essential Norms

Over the years, the bishops of the United States have addressed the issue of sexual abuse. Meeting in Dallas in 2002, they issued the “Charter for the Protection of Children and Young People,” and based upon it, the “Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons,” documents which were ratified by the Holy See in 2006 and reaffirmed by the bishops in 2011. The Dallas Charter articulates the bishops’ position:

“We re-affirm our deep commitment to creating a safe environment within the Church for children and youth. We have listened to the profound pain and suffering of those victimized by sexual abuse and will continue to respond to

their cries. We have agonized over the sinfulness, the criminality, and the breach of trust perpetrated by some members of the clergy. ... Let there now be no doubt or confusion on anyone's part: For us, your bishops, our obligation to protect children and young people and to prevent sexual abuse flows from the mission and example given to us by Jesus Christ himself, in whose name we serve."

The Legion of Christ wholeheartedly supports the bishops' efforts and subscribes to the principles that animate the Dallas Charter and the Essential Norms.

## **CMSM and Accreditation with Praesidium**

The Conference of Major Superiors of Men led the response of Catholic male religious institutes. The major superiors adopted a comprehensive approach to the issue of safe environments with an accreditation program under the direction of Praesidium, Inc., a leading organization in the field of the protection of minors. The Legion of Christ has adopted this program; maintaining this accreditation will involve an ongoing effort to keep members well-trained and up to date in the area of child protection.

## Section One: Code of Conduct

Legionaries of Christ have given their lives to Christ with the ardent desire to be his instrument for the salvation of souls. Therefore, we are committed by our free assent to the vows or promises of poverty, chastity and obedience to live according to a higher standard, the imitation of Christ himself.

This code cannot be exhaustive. Rather, it seeks to focus on the effort to live Christ-like behavior in the realm of chastity and the need to promote environments safe for those we minister to, especially children. By upholding the code of conduct, members protect themselves and people from the possibility of sexual abuse or misconduct. Failure to uphold the code, even if no harm was intended, sends mixed signals and can tarnish a member's reputation.

### General Conduct

1. Members must always be aware of their state in life as priests and religious. They should seek to live up to their vocation to be an icon of Christ's purity and love in their dealings with people, especially children and young people. They should be open and trusting with their superiors, who will strive to be supportive and understanding, as together they work to deal with the struggles that can arise in the effort to remain chaste.
2. Legionaries should have a welcoming and friendly demeanor. As religious who "voluntarily embrace the obligation of perfect continence in celibacy" (see CLC 27.1), they forgo exclusive emotional relationships and assume responsibility for maintaining appropriate boundaries in all relationships.

3. They should be natural around others in a manner befitting their consecration. During personal interactions, physical touch with others should be culturally appropriate and show pastoral sensitivity. In the United States and Canada, typical expressions include handshakes, hugs and kisses on the cheek or forehead.
4. Touching and interactions considered inappropriate for members include, but are not limited to:
  - a. Touching another person's genitals, buttocks or chest (except in a medical emergency, as explained in n. 34)
  - b. Any type of massage, tickling, or rubbing of the shoulders
  - c. Prolonged pats on the back or shoulder
  - d. Putting a hand on another's knee or thigh, playing footsie
  - e. Kissing on the lips
5. Members should not change clothes in the presence of others, especially minors. As far as possible, they should do so in appropriate private places, such as a bathroom or changing room.
6. Members should not sleep in the same bed with another person.
7. They should not use foul language or tell risqué jokes to anyone.
8. They should not stare at others' bodies and they should avoid flirtatious comments or behavior.



9. In using alcohol, they should be moderate, cognizant both of others' safety and the importance of providing religious example.
  - a. When in Legionary houses, they should follow the norms of use established by community tradition and approved by the superior.
  - b. In social situations, a Legionary should not have more than two drinks (a drink is commonly understood to mean a 12-ounce beer, a glass of wine or a single 1.5-ounce shot of spirit). Individuals with a lower tolerance should adjust accordingly. Those regularly in social situations should be aware of the effects of more frequent consumption of alcohol.
10. The recreational use of marijuana is strictly prohibited.
11. Legionaries should use the Internet maturely. They should be conscientious in using it as a tool of apostolate and information and moderate in their use of entertainment media. They should speak about their internet use with their superior or spiritual director periodically.
12. Pornography is gravely immoral and should never be used. Moreover, the possession of child pornography is, for a cleric, punishable in the same fashion as sexual abuse of a minor. It is also a federal criminal offense and will be reported to the authorities.

## Conduct in Ministry and Apostolate

13. During camps and retreats for youth under the auspices of the Legionaries or Regnum Christi, the confessor and organizers should make sure that confessions are not taking place in isolated areas.
14. Members should ordinarily leave apostolic engagements by 10 pm. Exceptions that are anticipated (such as visits to families from cultures accustomed to dining at a later hour, attendance at banquets, parish activities...) must receive the prior authorization of the superior. When the necessity to stay longer arises unexpectedly, the superior should be informed.
15. When dealing with minors or adults, they should prefer environments that are open and transparent. They are to avoid situations that are isolated, such as rooms with a window-less door — in that instance, the door should be left open. Bedrooms must never be used for meeting with individuals. Individual spiritual direction or mentoring should be conducted in a well-trafficked area in the plain view of others or in a room with clear visibility inside. If that is impossible, then sessions with individuals should be suspended until a more appropriate setting can be secured.
16. Except in the case of a relative or an emergency, a member may not accompany an individual woman in an automobile. At least one other adult should be present.

## Interactions with Minors

17. If the diocesan norms go beyond what is indicated in this section, those norms are the ones to be followed.
18. Emotional boundaries:
  - a. The fundamental goal of ministry and apostolate is to bring people to Christ. Members must never seek to form their own “fan clubs” but always point youth to the Lord.
  - b. Minors must not be manipulated by threatening to withhold respect or affection.
  - c. Members must not give special gifts to a minor without the permission of their superiors and the minor’s parents.
  - d. They must respect boundaries and not disclose to minors their own problems, difficulties or sexual issues. They must not ask minors to keep secrets from their parents or superiors. Minors must be treated as the children or young people that they are and not invited into the adult’s life as a type of confidant.
  - e. Members must be balanced and fair in their approach to minors. Even as they seek to form the leadership or vocation potential of individuals, they must avoid giving any impression of favoritism.
  - f. Minors may seek to routinely spend time with, or express affection to, an adult whom they admire. Members should encourage them to be balanced in their associations with others and thereby avoid spending a disproportionate amount of time with certain minors in particular.
  - g. Minors’ emotional boundaries include the important role their parents play in setting rules. Members must never violate these behavioral boundaries by asking minors to do things their parents would find objectionable.

19. In group talks and in speaking individually with minors, the issues of purity and sexuality should be handled in an age-appropriate manner that focuses on general principles. In instances where it seems appropriate to deal with more specifics, this must be done in a careful manner that is respectful of parental responsibility in this area.
  
20. In Legion-sponsored youth activities, the expectation must be that a safe environment will be maintained for all. To that end, members must encourage minors under their supervision to immediately report to those in charge problems that arise, such as bullying, inappropriate touching by other children or adults, or other behaviors that make them uncomfortable.
  
21. When involved in organized activities with minors (see section 1.4 for apostolic schools and boarding schools, and groups that are visiting them):
  - a. The activity should be supervised by at least two adults who have had the required child protection training and background checks.
  - b. In choosing recreational activities, prudence must be employed: if a substantial number of parents would presumably object to the proposed activity as too risky, it should not be allowed.
  - c. Additionally, it should be noted that activities listed “High Risk” found in the Mission Network camp/retreat process are not covered by insurance and must be completely avoided.

- d. During activities that include overnights—such as camps, retreats and pilgrimages:
- i. Members must comply with the administrative guidelines of Mission Network for volunteer background checks and certification, collection of permission forms and waivers, online insurance application and census reporting, accident and incident reporting, etc., or of the appropriate sponsoring organization (such as parish or diocese).
  - ii. Late night activities with minors, including all night adoration, are to be discouraged. They may only take place if the entire group and supervising staff are participating.
  - iii. Members should have sleeping locations that are apart from minors.
  - iv. They should verify that at least one, preferably two adults (who have had the required child protection training and background checks) have sleeping locations separate from the minors, but in a place that allows them to monitor their activity. In venues that have dormitory sleeping arrangements, if it is impossible to arrange this, then at least two adults should be in the dormitory to provide for the minors' security.
  - v. Showers for the adults, or at least showering times, should always be separate from the minors.
  - vi. Members may provide this nighttime supervision mentioned in c. iii only during the ECYD Mission Corps volunteers' course and in cases of unexpected necessity.

22. Sports with minors:

- a. Participation in sports with minors is permitted only when other adults are present, such as in a father-son soccer game.
- b. To engage in this type of activity, a member should ask permission from his superior, who in turn should grant it only to those who have given a consistent example of self-control during sports in community.
- c. Swimming with minors, wrestling, “extreme sports”, martial arts and other sports that require intense physical contact are not permitted regardless of parental presence or participation. The superior may permit flag football on special occasions.
- d. Games (such as capture the flag, dodge ball, paintballing, laser tag) are governed by same principle of adult presence as stated above.
- e. Members should not participate in outdoor games played at night. They should verify that the adults running the activity have organized it to minimize safety risks.

23. When doing ministry or apostolate with minors, great care should be taken in the use of electronic and cell phone communication.

- a. Parental consent should be received in writing before engaging in the emailing, texting or calling of minors. As well, parents should be given the option of being copied in those communications.
- b. They may be called on their cell phones only if the parents have given prior written permission.
- c. Members should not use webcam internet communication with minors, except with relatives whose parents have given permission to the member.
- d. Members should not call or text minors after 9 pm.

- e. The principle of transparency with parents must be upheld when communicating with minors through internet social networks.
    - i. Preference should be given to communication carried out in fully public institutional situations which in principle can be viewed by parents (such as the school or ConQuest Facebook page).
    - ii. When using personal or institutional accounts, members should receive a parent's written permission before accepting or making a friend request of a minor.
  - f. Members must seek the written permission of a minor's parents before posting their pictures electronically.
24. Members must not take photos of minors or others in bathing suits.
25. Members must not engage minors in any roughhousing activities such as wrestling, tickling, arm wrestling, piggyback rides, etc.
26. A member may hold a baby if requested or allowed by its parent.
27. A member must not invite children to sit on his lap. However, if a child should climb onto his lap, he should be tactful and engaging but, after some moments, he should remove the child in a manner that is natural and not abrupt.
28. A member must not play games with children that involve physical contact (e.g., swinging a child, throwing him in the air, etc.), even if encouraged by the parents.

29. Regarding driving:
- a. During trips and pilgrimages, driving duties must be assigned to adults at least 21 years old.
  - b. A member may do so provided there are at least two other people in the vehicle. It is preferable, but not obligatory, that one of the other persons be an adult. A member may drive a single minor alone in an emergency, especially when it involves the health or safety of the minor. In such case, the minor's parents and his superior should be informed as soon as possible.
  - c. A member may drive a single minor alone if he or she is a relative, with the consent of his or her parent.
30. Minors may stay overnight in Legionary formation centers only if they have the appropriate written consent from their parents.
31. Regarding Legionary residences other than formation centers:
- a. An individual minor may not stay overnight in a Legionary residence other than a formation center.
  - b. A group of minors may stay overnight in a Legionary residence other than a formation center if it has its own two adult chaperones fully dedicated to the task of supervision.
32. Members must not allow minors to enter their bedroom or cloistered living areas.
33. When visiting homes, they may visit a minor's room only if a parent is accompanying them.



34. They must never offer alcohol to minors or underage drinkers. Regnum Christi Mission Corp volunteers who are underage should not be allowed to take alcohol, nor should they be asked to serve it to others.
35. At times, it is necessary to help a young person understand that inappropriate behavior has consequences and to obtain his compliance with the rules. However, this effort should never inflict physical or psychological harm. Therefore, corporal punishment is never allowed. Instead, reasonable physical exercise, service work, or the withdrawal of recreation time is to be employed for this purpose.
36. Unless specifically appointed to do so, no member, without the proper parental consent, may prescribe the use of medication, administer medication or provide medical attention to a minor, other than in an emergency. To the extent feasible, emergency medical attention should be administered in the presence of another adult.
37. No minor under a member's supervision may be unreasonably denied food, water, shelter or the opportunity to go to the bathroom.
38. No runaway minor may be given sanctuary without making a timely report concerning the minor's safety and whereabouts to the custodial parent (or to the authorities, if the parents are alleged to have abused the minor) as soon as possible.

## Apostolic Schools and Boarding Schools

The Legion's apostolic school and boarding schools follow the norms listed above. The following norms are variations because of their particular circumstances.

39. At apostolic schools, in dormitory sleeping arrangements, preferably two Legionaries (or at least one) should have their rooms located off the dormitory to provide for the safety and well-being of the students.
40. At apostolic schools, when students are getting ready in the morning, after sports and when they are retiring for the night, the Legionary who is present should stand in a place that makes him plainly visible. Being there helps to guarantee the students' discipline and is necessary for their safety. He should avoid carrying on any conversations with them and be fully dedicated to his task of supervision.
41. Minors doing housework and chores under the supervision of a member should not be allowed to do work that should be done by professionals, is for adults, overtaxing, or dangerous.
42. When one adult is supervising an activity (hikes included), he must be positioned in such a way that he can see and be seen at all times by a majority of the participants.

## Section Two: Boundary Violations

The Code of Conduct is a basic pillar of the Legion and Regnum Christi's efforts to maintain safe environments. Knowing the code and implementing it will help foster an atmosphere of Christian respect and dignity.

The code is particularly helpful because it defines boundaries. By striving to uphold and stay within those boundaries, members will be carrying out their apostolate in a way that will be effective, protect children, and protect themselves from misunderstanding or false accusation.

To prevent sexual misconduct, sexual abuse of minors and false allegations, early intervention is critical. These rarely happen suddenly. Abuse of a young person, for instance, is typically the end result of a grooming process that entails a series of boundary violations. False allegations also can result from successive boundary violations that were not addressed in a timely manner.

This section provides guidance for handling boundary violations towards minors and adults.

43. Fraternal correction is a Christian duty: when a member sees another member engaging in boundary violations, he should intervene to question and challenge the behavior. He should also inform the superior about the incident. In instances in which intervention is impossible, the member who witnessed the boundary violation should inform the superior.
44. The superior who receives this report should discuss the boundary violation in person with the individual concerned.

45. After a second or third boundary violation, the superior should issue a written warning to the member, who should sign this document to acknowledge it as received. A copy will be placed in the Legion's personnel file for the member. As well, in dialogue with the member, the superior should draw up a written plan to eliminate the boundary violations, which the member should acknowledge as received by signing. It should also be placed in the individual's personnel file.
46. If, despite this plan, boundary violations continue, religious in formation will be asked to leave the congregation. In the case of priests, the territorial director will be obliged to impose restrictions on the individual's ministry and movements to reduce the risks to the safety of himself and others.
47. The territorial director and superior will work to ensure that the member bringing forward a report of a boundary violation does not suffer unfair treatment for having done so.

## Section Three: Reporting Obligations

Addressing American bishops and cardinals in 2002, St John Paul II referred to sexual abuse of minors as a crime: “The abuse which has caused this crisis is by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God. To the victims and their families, wherever they may be, I express my profound sense of solidarity and concern.”

Dealing with crimes and bringing those responsible to justice are the obligation of civil authorities who need the support of citizens to carry out its vital function of protecting society. Pope Benedict told the Irish bishops in 2010, “...Besides fully implementing the norms of canon law in addressing cases of child abuse, continue to cooperate with the civil authorities in their area of competence.” Pope Francis in 2015 said “Clergy and bishops will be held accountable when they abuse or fail to protect children.”

Thus, the Legionaries of Christ are committed to upholding standard 12 of the CMSM-approved accreditation standards: “The institute will require its members to report to civil authorities known or suspected sexual abuse of a victim who is currently a minor, regardless of the state’s mandatory reporting laws.”

Standard 12 recognizes the seal of confession; thus, in accord with canon law, information revealed during the sacrament of reconciliation will be held in absolute confidence. Outside of confession, however, there are limits of confidentiality. Members must report all known or suspected sexual abuse of a current minor. Members should explain the limits of confidentiality to people receiving pastoral care.

When reporting these cases, the member who has direct knowledge or suspicion of the alleged abuse must make the report himself within 24 hours. The member may request assistance from his superior to make the report, but he must do it himself.

## Summary of Reporting Steps:

When a member has knowledge or suspicion of the sexual abuse of a current minor:

48. He may seek first the advice of his superior, the Legion's safe environment coordinator or school director to verify that the case is to be reported.
49. The member must make the report to the police or Child Protective Services within 24 hours of becoming aware of the alleged abuse.
50. He must retain any acknowledgment sent to him later by the agency or document this himself with a file memo if no acknowledgment is forthcoming.
51. He must inform his superior and the Legion's safe environment coordinator in writing, in order to document the Legion's adherence to the accreditation standards of reporting known or suspected cases of sexual abuse of a minor. Thus, the particulars need not be shared with the safe environment coordinator.
52. If the case involves a member, our institutions or apostolates, the local ordinary must also be informed by the superior or territorial director.
53. Compliance with the Legion's reporting policy is the personal responsibility of the member. However, failure to report known or suspected abuse is a serious violation of the Legion's expectations and may have grave consequences for the safety of children, the territory and/or the individual member.

54. **Note on allegations involving current or former members:** It is the policy of the Legion in North America to report to civil authorities all allegations of abuse of minors involving current or former members, even when the alleged victim is now an adult. If the alleged abused occurred in another territory, the allegation will be referred to the respective territorial director to be handled according to their policies for reporting and investigation.



## Section Four: When There is an Allegation

There are many issues surrounding the handling of an allegation of sexual abuse of a minor. In section three, reporting obligations have been already dealt with. This section will treat other important aspects such as:

- Pastoral care for alleged victims
- Investigating allegations
- Support for the accused
- Potential outcomes

### Pastoral Care for Alleged Victims

The experience of sexual abuse is devastating, leaving emotional scars that can last a lifetime. It is particularly jarring when the perpetrator is a cleric or holds any form of Church authority — this can seriously affect one’s relationship with God and the Church. Pope Francis, in August 2013, spoke about the wounds of victims. “The Church, which is mother, must go and heal those wounds.”

If someone brings forward an allegation of sexual abuse, he or she should be treated with utmost respect and compassion. Every allegation is to be taken seriously and those reporting such instances should be given authentic pastoral support.

***Anyone bringing forward such a complaint should be encouraged to report it as well to the civil authorities.***

The Legion is committed to supporting victims on their road toward healing and will do everything in their power to help them regain their dignity and overcome the great burden that having been abused imposed upon their

lives. Our policy of pastoral outreach, carried out under the guidance of our pastoral care coordinator, will include providing resources for healing for anyone bringing forward an allegation of having suffered sexual abuse as a minor by a member, starting when the complaint is lodged.

When the investigation is concluded, if the allegation is admitted or substantiated, we will work with the victim to determine how best to support their process of healing and reconciliation.

## Investigating Allegations

55. **Investigations.** All allegations of sexual abuse of a minor, including anonymous ones, are taken seriously and will be investigated to the extent that is feasible, based on the information available. When an allegation is received and it cannot be immediately ascertained as false, it will be investigated to determine whether or not it is founded.
56. **Civil Authorities.** When a member is accused of sexual abuse of a minor or the possession of child pornography, the appropriate civil authorities shall be informed. The Legion will cooperate fully with the authorities and, generally speaking, it will not proceed with its own internal investigation until the authorities finish their own or give permission for the Legion's investigation to move forward. However, when a criminal investigation is inactive for at least 6 months, the Legion reserves its right to commence its own internal investigation, informing the authorities of that effort.
57. **Internal Investigation.** The Legion's internal investigation will seek to establish whether or not the allegation is supported by the evidence, even if civil authorities have decided not to bring charges. If the civil authorities have cleared the accused of actual abuse charges, the goal of the internal investigation will be to ascertain whether any inappropriate conduct short of abuse may have occurred. If, in the course of this investigation, additional evidence is uncovered that substantiates an allegation, the Legion will re-contact the authorities.

58. The internal investigation will seek to be as objective and thorough as possible. Especially in those cases where it is not possible to obtain a written report from civil authorities, the Legion will retain a professional investigator to assist in the investigation.
  
59. When the investigation is concluded, the final report will be submitted to the review board for detailed analysis. The review board is a confidential consultative body to provide advice to the territorial director regarding allegations of sexual abuse of minors by Legionaries. It is comprised of a select group of distinguished individuals, most of whom are lay and not in the employ of the Legion, chosen because of the relevance of their knowledge, skill and experience in their varied professions.
  
60. The board will formulate a recommendation for the territorial director, who will issue the final decision on the case.

## Support for the Accused

When a member is accused of sexual abuse, it must be kept in mind that he is a spiritual brother who must be given support. Whatever the nature of the allegation, his superiors will walk with him every step of the way, seeking to live the fraternal charity that is at the heart of life in the Legion.

61. **Withdrawal from ministry or apostolate.** While this investigation is ongoing, the accused member will be withdrawn from ministry or apostolate until the case has been resolved. This is a prudential measure to protect children and does not represent a determination of the member's guilt or innocence as it pertains to the allegation. In addition to withdrawal from ministry or apostolate, the territorial director will tell the accused where he should live during the investigation, should the territorial director judge that changing location would be in the best interest of the alleged victim, the safety of children, or the accused.
62. **Support during the time of withdrawal.** The territorial director and superior will strive to support the accused during his withdrawal from ministry or apostolate. They will ensure that he has meaningful work to do within the community and that he is given strong spiritual and emotional support. They will also stay closely informed about the investigation to continually insist on its timely resolution.
63. **Legal counsel.** When a criminal investigation by civil authorities has been initiated, the Legion will assist the accused to secure legal counsel independent of the Legion of Christ's own counsel. If he requests canonical representation, that will also be obtained for him. Both civil and canonical representation will be at the Legion's expense.

**64. Confidentiality: the right to a good name.** An individual's right to a good name does not diminish the Legion's obligation to fully investigate an allegation of sexual abuse of a minor. Nevertheless, the territorial director will share information with others regarding the allegation and its investigation on a strictly need-to-know basis. He will strive to protect the accused from undue disclosure of the allegation to other persons (cf. Catechism of the Catholic Church 2477).

## Potential Outcomes

65. In all instances, the final decision concerning the internal investigation—whether the allegation is deemed established (substantiated), false, or not substantiated—rests with the territorial director upon review of the facts, investigative report, and review board recommendations, always recognizing the member’s right to appeal to the general director.
66. It is the territorial director’s responsibility to communicate his conclusions and decisions to the person who made the complaint, to the member involved, to the member’s local superior and to other parties, as necessary and appropriate. All such communication should be documented.

***In the case of an admitted or substantiated allegation:***

67. A religious who is not ordained will be dismissed from the Legion.
68. The territorial director will apply the appropriate numbers of the Essential Norms (to be confirmed by the Congregation for the Doctrine of the Faith): “When even a single act of sexual abuse of a minor by a priest or deacon is admitted or is established, ... the offending priest or deacon will be removed permanently from ecclesiastical ministry. ... He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb or to present himself publicly as a priest” (No. 8).

69. In the case of a transitional deacon, one who has an admitted or substantiated allegation will not be allowed to proceed towards priestly ordination. Thus the member will be encouraged to petition for a dispensation from both his religious vows and the obligations of the clerical state.
70. In the case of a priest, the territorial director will provide for the pastoral care and treatment of the member, offering him fraternal support in whatever penalties are imposed upon him by the legal system and/or by the Congregation for the Doctrine of the Faith.
71. The territorial director's response may also include, but is not limited to, the following:
  - a. Psychological and medical assessment and intervention
  - b. Requiring that the priest submit to a "safety plan," i.e., detailed restrictions on personal activities and other directives aimed at prevention of recidivism.
72. The local superior will contact the appropriate diocesan offices to communicate the nature of the allegation and to inform the diocese of the procedure followed and the response of the Legion to the allegation.
73. The territorial director will inform the leadership of the organization (e.g., school, parish, etc.) where it occurred.
74. The territorial director will make a public communication of an established allegation in order to provide other potential victims the opportunity to come forward.



75. Should an allegation prove to be unsubstantiated, in most cases the member will be returned to ministry or apostolate and the territorial director will work towards the restitution of his good name. This would include such actions as writing the local ordinary to tell him of the outcome, extensive oral and written communication with the local superior, other Legionaries and others who had come to know about the original accusations. Likewise, he will coordinate communication with all appropriate parties so that reconciliation can take place where possible and the reparation of damage to reputation can be undertaken.
76. In those cases in which the actual abuse allegation was determined to be unsubstantiated but evidence was obtained that indicated problematic behaviors exist, the territorial director with his council should determine if restrictions on the member's ministry or further intervention is warranted.

## **APPENDIX A:**

### **Sexual Misconduct with Adults**

Legionaries should be aware of the need to maintain appropriate boundaries with adults as well as minors. This appendix will outline the Legion's response to members' sexual misconduct when it involves a) consenting adults in general; b) certain specific categories of adults; c) criminal behavior. At the end of this appendix, there are notes regarding non-ordained members and denied allegations.

#### **1. Misconduct involving consenting adults:**

This refers to consensual sexual misconduct with another adult involving physical contact or through communication media (e.g., cybersex, sexually explicit texting, webcam sexual encounters, etc.). When misconduct of this type comes to the attention of the superior, he will act quickly to contain the spiritual and moral damage. He will seek the counsel of the territorial director and, at a minimum, implement the following steps:

- a. The Legionary will be placed on administrative leave, in order to focus on addressing the issues involved. During this leave, the Legionary will be restricted in his exercise of public ministry and prohibited from contact with any person with whom he has been sexually involved.
- b. Steps should be taken to ensure that the relationship is appropriately terminated, and both parties are offered spiritual support.
- c. Since sexual misconduct may be symptomatic of underlying mental health issues, the Legionary will be offered the opportunity to have a full psychological evaluation.

- d. After any needed psychological treatment, the member will be interviewed by the territorial director to assess his readiness to resume ministerial duties.
- e. The territorial director, with the help of his council, will examine the circumstances to determine whether the member needs to receive a change in location and/or assignment or restrictions on his ministry.

## **2. Misconduct involving specific categories of adults**

- a. An apology will be offered to the victim by the Legion.
- b. The Legionary will spend a suitable time in prayer and penance, with no public ministry, for a minimum of three months, as determined by the territorial director. This would include opportunities for a full psychological evaluation.
- c. Upon concluding his time of prayer and penance and, if dictated, any needed psychological treatment, the Legionary will be interviewed by the territorial director to assess his fitness for ministry. The territorial director, with the help of his council, will determine whether the member needs to receive a change in location and/or assignment or restrictions on his ministry.

## **3. Misconduct that is criminal:**

This refers to sexual misconduct with an adult that is nonconsensual, such as sexual assault and/or sexual contact with a vulnerable adult (i.e., those having cognitive or developmental deficits).

When the Legion receives an allegation of this nature, it will report the allegation to civil authorities and cooperate fully with any criminal investigation.

In the case of admitted or proven criminal sexual misconduct, in addition to facing any criminal penalties, the member will not be reassigned to public ministry until deemed suitable for ministry by the territorial director. In addition, if not incarcerated or after such, he will be placed upon a safety plan (i.e., supervised living requirements designed to reduce the possibility of re-offense). In the severest cases, the Legion will encourage the member to seek dispensation from his religious vows and the obligations of the clerical state.

In each of these situations, canonical counsel will be offered to the member at the time he is notified of the allegation. Should the alleged misconduct involve a canonical crime, the internal investigation will be conducted in accord with the norms of canon law.

Civil counsel will be offered to the member if the allegation involves a civil complaint in which he is named and/or a criminal case.

**Note regarding non-ordained members:** In all the instances of substantiated allegations outlined above, members in temporary profession will not be allowed to renew their vows. The territorial director and superiors will assist perpetually-professed members to discern the appropriateness of seeking a dispensation of their vows from the Holy See.

**Note regarding allegations that are denied:** When the Legion receives allegations of such misconduct that are denied by the Legionary in question, the territorial director will initiate an investigation, keeping the Legion's review board apprised of it as it proceeds. During the investigation, the Legionary will be placed on administrative leave. The territorial director will issue a final judgment on the case upon receiving the recommendation of the review board. If the territorial director reaches moral certitude that the misconduct occurred, pending any needed judgment of a canonical court, the consequences outlined above will ensue.

## APPENDIX B: Legionaries from Other Territories

1. Any Legionary from another territory who plans to come into the North American Territory to do ministry (which in the North American Territory is defined very broadly, in keeping with the current praxis, and includes celebrating the sacraments (including concelebration), preaching, and giving spiritual direction, but also accompanying groups of minors, etc.) will adhere to the following guidelines:
  - a. He will submit his plan through the current territorial director of his territory of residence to the North American territorial director.
  - b. The North American territorial director will consider the proposal and will inform the territorial director of his territory of residence if he is in agreement.
    - i. After the territorial director of his territory of residence has granted permission with a protocolized communication, the visiting Legionary must fill out the standard request form to do ministry in dioceses of the North American territory and submit the form to the North American Territorial Secretariat at [buzrelna@legionaries.org](mailto:buzrelna@legionaries.org).
    - ii. The North American territorial director will take care of presenting the necessary requests for permissions to minister to each of the ordinaries in whose diocese the visiting Legionary will be during his stay, requesting from his current territorial director a letter of good standing or an explanation of his personal situation as part of this process.

- c. The visiting Legionary must also complete the VIRTUS online safe environment training. Any questions related to how to proceed can be directed to the North American Territorial Secretariat at [buzrelna@legionaries.org](mailto:buzrelna@legionaries.org).
  - d. He must read and sign as acknowledged this Code of Conduct.
  - e. During his stay, he is accountable to the local superior if he is staying with a Legionary community.
  - f. If he resides outside a Legionary community, he should check in with the territorial directorate upon arrival in the territory, at the midpoint of the stay, if it is longer than two weeks, and upon departure.
2. Any Legionary who seeks to come to the North American territory without plans to do ministry (in the broad sense defined in 1. above) must adhere to all the guidelines listed above, except for that contained in 1.c.