

2024

Statement of Policy

The operating guidelines of the Review Board (“Board”) of the Diocese of Tulsa (“Diocese”) are promulgated in compliance with the revised 2018 *Charter for the Protection of Children and Young People* (“Charter”) and *Essential Norms for Diocesan / Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (“Norms”). The following is the fulfillment of the *Diocesan Review Board Implementation Plan* promulgated by His Excellency Bishop Slattery in 2003. The operating guidelines of the Board will be updated in accordance with any revisions, amendments, or other modifications to the *Charter* or the *Norms* or any other applicable document subsequently approved by the United States Conference of Catholic Bishops.

In Summary

The Board functions “as a confidential consultative body to the bishop/eparch in discharging his responsibilities” (Norms § 4). The Duties of the Board include meeting annually to review diocesan policies concerning sexual misconduct and offering advisory counsel to the Bishop regarding any concerns or recommendations. The Board does not set diocesan policy. If an allegation of abuse does arise, the Board also has the duty to assist the Bishop “in his assessment of allegations of sexual abuse” and in assessing the suitability of accused priests and deacons for ministry (*Id.*). The Board will retrospectively offer “advice on all aspects of these cases” (*Id.*). The Diocesan Review Board is not investigatory and does not conduct independent investigations (*See Resource Booklet: Diocesan Review Boards Questions & Answers* qq. 5, 10). Greater detail of the role of the Board may be found in Charter, art 2; Essential Norms, § 3-6; and *USCCB Resource Booklet: Diocesan Review Boards Questions & Answers*.

Purpose of the Operating Guidelines

These operating guidelines regulate the organization and conduct of the Board in its execution of the responsibilities assigned to it by the Bishop of Tulsa in compliance to the *Charter* and *Norms*.

OPERATING GUIDELINES

Section 1: Membership, Tenure & Officers

- 1.1 The Bishop of Tulsa shall appoint the members of the Board.
- 1.2 The Board “will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the Board members will be lay persons who are not in the employ of the diocese/eparchy; but at least one member should be a priest who is an experienced and respected pastor of the diocese/eparchy in question, and at least one member should have particular expertise in the treatment of the sexual abuse of minors” (*Charter*, Art. 2; *Norm* § 5).
- 1.3 Board members will be appointed for a term of five years and may be reappointed. No member may serve more than two consecutive terms.
- 1.4 The Bishop shall appoint the Chairperson of the Board and may, if advisable, appoint a Vice-Chairperson.
- 1.5 The Chairperson and Vice Chairperson shall serve three-year terms or until a successor is appointed to the respective office.
- 1.6 Under the recommendation of the *Charter*, to safeguard the canonical integrity of the work of the Board, the Promoter of Justice shall serve as an *ex officio* and non-voting member of the Board (*Norms* § 5).
- 1.7 The Bishop of Tulsa may, at any time, remove any member of the Board in his sole discretion.
- 1.8 All Board members shall serve without compensation.
- 1.9 All Board members shall be compliant with Child & Youth Protection Requirements.
- 1.10 Board members may make a request through the Chairperson to the Chancellor for reimbursement for extraordinary travel, lodging, meals, or other expenses when such expenses are incurred as part of their services to the Diocese as a member of the Board.

Section 2 – Schedule of Meetings & Venue

- 2.1 The Board shall have at least one annual meeting.
- 2.2 The Board shall convene *ad hoc* meetings as necessary to carry out the duties and responsibilities of the Board that cannot be adequately addressed at the annual meeting.

- 2.3 All formal meetings of the Board shall be conducted at the Chancery or in another Catholic facility within the Diocese, such as, but not limited to, parish meeting rooms, Catholic schools, etc.
- 2.4 The proceedings of all meetings shall follow an agenda as set by the Chancellor, in consultation with the Chairperson, and such agenda shall be kept on file at the Chancery as proof of meeting.
- 2.5 No written minutes shall be taken.

Section 3 – Duties of the Board Regarding Diocesan Policies

- 3.1 The Board shall conduct an annual review of current policies and procedures of the Diocese to assure full compliance with the *Charter*, the *Norms*, and Oklahoma mandatory reporting requirements.
- 3.2 The Board shall review any modifications or amendments to the *Charter* or to the *Norms* promulgated by the United States Conference of Catholic Bishops or any related Church document.
- 3.3 The Board may make advisory recommendations to the Bishop regarding how the Diocese may best ensure a safe environment throughout the Diocese.
- 3.4 If deemed necessary, the Board may submit a written Report addressed to the Bishop of Tulsa with the results of its review of Diocesan policies and submit the report to the Chancellor.
- 3.5 The Board does not set Diocesan policy.

Section 4 – Duties of the Board in Review of an Allegation of Sexual Abuse of a Minor by a Cleric

- 4.1 The Chancellor or delegate shall notify the Chairperson of the allegation in accordance with the Policies.
- 4.2 After the allegation has been handled according to the provisions of the Policies, the Chancellor, Director of Child & Youth Protection, and, if applicable, a third-party investigator, shall present to the Board the necessary details of how the allegation was addressed.
- 4.3 The Board shall retrospectively review the handling of the allegation by the Diocese and advise on whether the diocesan response meets the standards set by the Policies, the

Charter, the *Norms*, state mandatory reporting law, and the highest expectations of Catholic excellence and charity.

- 4.4 The Board may be asked to submit a recommendation to the Bishop of Tulsa whether the accused cleric should be placed on administrative leave while an investigation is conducted.
- 4.5 The Board may be asked to submit a recommendation to the Bishop of Tulsa after the allegation has been addressed on whether the accused cleric should continue on administrative leave, return to ministry, or be removed.
- 4.6 The Board may take up to fifteen (15) business days after the presentation of the allegation to the Board to render a recommendation to the Bishop.
- 4.7 The Board is not investigatory and shall not conduct any independent investigations.
- 4.8 The Bishop may, in his sole discretion, ask the Board to review non-*Charter* cases; such cases would be addressed according to the provision herein as applicable.

Section 5 – On the Recommendations Given by the Board to the Bishop

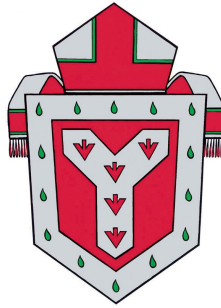
- 5.1 As noted above, the Board shall render a recommendation to the Bishop of Tulsa and present it to the Chancellor within fifteen (15) business days from either its meeting to review the Policies or from the presentation to the Board on an allegation unless a recommendation is rendered at the meeting itself.
- 5.2 Board recommendations concerning Diocesan Policies:
 - 5.2(a) The Board shall submit a finding of whether the Diocesan policies are in compliance with the *Charter*, the *Norms*, and, if possible, Oklahoma mandatory reporting laws.
 - 5.2(b) The Board may submit any general recommendations concerning Diocesan policies as it sees prudent and proper to its mission and role.
- 5.3 Board recommendations concerning sexual misconduct allegations against living or deceased clergy may, if applicable, advise the Bishop of its findings, but not necessarily limited to, the following:
 - 5.3(a) whether the evidence suggests that a crime has been committed;
 - 5.3(b) whether the evidence suggests that conduct or interaction with a minor did occur which qualifies as a violation of the sixth commandment (*VELM*);

- 5.3(c) whether the evidence suggests that conduct has occurred which may not appear to be criminal or involve the violation of the sixth commandment, but which raises questions about the suitability of the accused for continued ministry;
 - 5.3(d) the presence of any diagnosed or diagnosable sexual deviation or other relevant psychopathology;
 - 5.3(e) the presence of any exculpatory evidence which might exonerate the accused;
 - 5.3(f) any harm or injury suffered by the alleged victim;
 - 5.3(g) any harm or injury suffered by the Catholic community or the community-at-large;
 - 5.3(h) recommendations concerning the suitability of the accused for continued ministry in the Diocese;
 - 5.3(i) recommendations concerning possible disciplinary or corrective action by the Bishop of Tulsa;
 - 5.3(j) recommendations concerning the pastoral and other needs of the alleged victim, the Catholic community, and the community-at-large;
 - 5.3(k) comments concerning the response of the Diocese to the complaint, the conduct of the investigation, and possible recommendations for modifications of diocesan policies and procedures;
 - 5.3(l) any other information the Board determines to be important for the Bishop of Tulsa to consider in making his decisions about the matter in question.
- 5.4 The specific advice offered to the Bishop in the recommendation will consist of those points agreed upon by the majority of the voting Board members present at the meeting.
- 5.5 Any specific opinions held by a minority of the members that differ from the majority opinion may be clearly stated in a separate recommendation.
- 5.6 The Chairperson may contact the Chancellor at any time during the process to present concerns or questions.

Section 6 – Confidentiality Requirements

- 6.1 No written minutes are to be taken and any recommendations rendered by the Board to the Bishop are to be oral either at the meeting or by the Chairperson at a later date.

- 6.2 The Chancellor, prior to the end of any meeting, shall collect the agendas, notes, records, or other documentation.
- 6.3 No electronic copies of the minutes or agenda shall be made or communicated.
- 6.4 The Chancellor shall make available for the Chairperson hard copies of any requisite confidential information for use at the meeting pursuant to the sole discretion of the Bishop.
- 6.5 Access to records shall be limited to persons authorized by the Bishop as dictated by canon law, civil law, or applicable policies of the Diocese.
- 6.6 All information regarding allegations discussed during Board business is confidential in accordance with the *Code of Ethics Agreement* and any other pertinent policy.
- 6.7 No member of the Board shall voluntarily release any information regarding the Board or the business of the Board to the public and/or the media out of respect and due consideration of the alleged victims and all involved.
- 6.8 No member of the Board shall participate in a formal meeting of the Board before signing the *Code of Ethics Agreement*.



CODE OF ETHICS AGREEMENT

The Diocesan Review Board
Diocese of Tulsa

This *Code of Ethics Agreement* (“Agreement”) is as follows:

- 1.1 Board members will not, at any time, display favoritism or preferential treatment of one case, case individual, or group of case individuals over any other, with the goal of impacting the result of such matter through such favoritism or preferential treatment. A “Case Individual” is defined as anyone directly or indirectly named in a case or anyone who has a material relationship with anyone directly or indirectly named in a case.
- 1.2 No Board member may maintain a relationship with a Case Individual that could, as determined by the Chairperson in his or her reasonable discretion, materially:
 - 1.2a conflict with the performance of the member's duties and responsibilities on the Board, or
 - 1.2b affect the member's independence or judgment.
- 1.3 Board members will not interact with any Case Individual except in a professional manner in accordance with the diocesan *Policies & Procedures for the Protection of Children & Young People*, as the same may be amended from time to time.
- 1.4 Board members will never accept for themselves, any member of their family living in the same household as such member, or close associates, any personal (tangible or intangible) gifts, favors, or services from a Case Individual, from a member of a Case Individual's family living in the same household as such Case Individual, or close associate, no matter how trivial the gift or service may seem. No Board member will give any gifts, favors, or services to Case Individuals, their family members living in the same household as such Case Individual, or close associates.

- 1.5 Board members will not knowingly enter into any direct business relationship with Case Individuals or their family members living in the same household as such Case Individual (i.e. selling, buying, or trading personal property) while such matter is pending before the Board.
- 1.6 No Board member will have outside contact (other than incidental contact) with a Case Individual, his/her family, or close associates while said case is under review, except for those activities which are an approved, integral part of the process of the Board.
- 1.7 Board members shall disclose any material relationship with Case Individuals to the Chairperson that would contravene the terms of this Agreement. The Chairperson shall determine, acting in his or her reasonable discretion, if a personal conflict exists, and if the Chairperson determines that a personal conflict does exist, the Chairperson shall notify such Board member who, upon receipt of such notification, must immediately remove him or herself from all future proceedings in a given case.
- 1.8 A Review Board member will abstain from voting in any case, in which he or she has not heard or examined substantially all the evidence made available to all other Board members.
- 1.9 All information and documents received during the review of cases are confidential. Members of the Board shall not disclose case information to non-members of the Board. All files, records and other documents containing confidential information shall be returned to the Chancellor upon the conclusion of the meeting.
- 1.10 The remarks of other Board members made during formal discussions or deliberations are confidential and shall not be repeated outside formal meetings unless permitted by the Bishop.
- 1.11 The Board members shall not make any public statements or remarks concerning diocesan business without the permission of the Bishop.
- 1.12 The exercise of care and confidentiality will continue after members complete their term(s) on the Board.
- 1.13 Board members will not engage in any conduct which is criminal in nature or which would bring discredit upon the Diocese.
- 1.14 All Board members will avoid misconduct, and/or the appearance of misconduct, which is morally reprehensible in accordance with the teaching of the Roman Catholic Church and that would inhibit (or have the appearance of inhibiting) such member's ability to fully perform its obligations to the Board.
- 1.15 All Board members are required to immediately report any violation of these restrictions to the Chairperson and to the Chancellor. Any violation or attempted violation of this Code of Ethics Agreement may result in removal of such member from the Board.

Board members agree to be bound by this *Code of Ethics Agreement* and may not perform any of the prohibited actions directly or indirectly.

Review Board Member

Name: _____

Signature: _____

Date: _____

Witness

Name: _____

Signature: _____

Date: _____

All copies of the signed Code of Ethics shall be kept on file at the Office of Child & Youth Protection at the Chancery for the Diocese of Tulsa & Eastern Oklahoma.

January 8, 2024
Baptism of the Lord