



DIOCESE OF CROOKSTON SAFE ENVIRONMENT POLICY: *Whistleblower Protection*

ISSUED: January 1, 2021; Updated February 17, 2022

I. PURPOSE

This component of the Diocese of Crookston Safe Environment Policy is intended to encourage and enable employees, clergy, adult volunteers, parishioners, board members and others to raise serious concerns, including reporting sexual abuse of a minor, suspicions of sexual misconduct or other illegal or inappropriate behavior, so the Diocese can address and correct inappropriate conduct and actions. It is the responsibility of all employees, clergy, adult volunteers, parishioners, board members and others to report concerns about violations of the Diocese's Code of Conduct or suspected violations of law or regulations that govern Diocesan operations. This policy prohibits retaliation against any cleric, employee, adult volunteer, parishioner or other individual who acts in good faith. This policy pertains to the Diocese as a corporate entity and not the territorial entity of the Diocese Territory and should be followed in accordance with the Minnesota Whistleblower Act, MN State Statute § 181.932.

II. DEFINITIONS

"Adult Volunteer" means an adult volunteer for the Diocese or a parish or school who has regular or unsupervised contact with unrelated minors.

"Bishop's Delegate (Delegate)" means the employee responsible for managing diocesan processes for handling allegations of clergy misconduct and overseeing the work of the Ministerial Review Board and the Office of Safe Environment.

"Diocese" means the certain corporate entity formed, maintained and existing under Minnesota Section 315.16 with Minnesota Business Name: "The Diocese of Crookston".

"Diocese Territory" means the (14) counties of Becker, Beltrami, Clay, Clearwater, Hubbard, Kittson, Lake of the Woods, Mahnommen, Marshall, Norman, Pennington, Polk, Red Lake and Roseau; and those persons outside the geographical territory over whom the Diocese of Crookston has the ability to direct or control.

"Clergy" means any persons ordained — bishops, priests, and deacons — who administer the rites of the Catholic Church.

"Cleric" means a member of the Clergy.

"Code of Conduct" means the Diocese of Crookston's *Code of Conduct for Church Leaders* including Appendices A and B, as well as the *Code of Conduct for Youth Employees*.

"Sexual Abuse of a Minor" means: a physical act of a sexual nature with a minor including sexual touching or penetration; It includes all acts of sexual abuse as defined in Minnesota State Statutes. (See MN State Statute §§ 609.341, subds. 11 and 12 and 626.556, subd. 1n, which includes degrees of criminal sexual contact.); the acquisition, possession, or distribution of child pornography.

III. POLICY

A. Reporting Procedure

1. Diocesan clergy, employees and volunteers must report information regarding misconduct, including suspicions of sexual abuse of a minor to local law enforcement. The Diocese recommends that following the report made to local law enforcement, employees and volunteers report their concerns or complaints regarding suspected misconduct to their supervisor. If an employee is not comfortable speaking with their supervisor, or is not satisfied with the supervisor's response, the employee is encouraged to speak with any other supervisor or with the Delegate. Supervisors, managers and clergy shall report complaints regarding suspected misconduct to the Delegate. In the case of complaints against the Delegate, information should be reported to the Bishop.

2. The Delegate is responsible for ensuring that complaints regarding suspected misconduct are investigated independently and resolved.

3. The Diocese will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports of misconduct will be properly investigated, and corrective actions will be taken if warranted by the investigation.

B. Confidentiality

1. Reports of misconduct, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to cooperate with civil authorities and to conduct a proper investigation. Disclosure of reports of misconduct to individuals not involved in the investigation is a serious offense and may result in disciplinary action for employees up to and including termination. Volunteers, trustees, and other persons who disclose reports of misconduct to individuals not involved in the investigation may be asked to resign or be removed from their position.

C. No Retaliation

1. No diocesan cleric, employee or volunteer who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences.

2. Moreover, employees who retaliate against someone who has reported a concern in good faith may be disciplined, up to and including termination. Volunteers, trustees, and other persons who retaliate against someone who has reported a concern in good faith may be asked to resign or be removed from their position.

D. Acting in Good Faith

1. Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed is accurate and indicates a violation. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, is a serious offense and may result in disciplinary action for clergy and disciplinary action for employees up to and including termination. Volunteers, trustees, and other persons who make allegations that prove to be unsubstantiated, and that are proven to have been made maliciously, recklessly, or with the

foreknowledge that the allegations are false, may be asked to resign or be removed from their position.