

Report on the Independent Reconciliation and Compensation Program for the Diocese of Syracuse

April 2019

Introduction

On February 14, 2018, Ash Wednesday, Bishop Robert J. Cunningham announced the establishment of the Independent Reconciliation and Compensation Program (IRCP) in an effort to offer reparation, promote reconciliation, and further healing to those individuals who have been sexually abused by clergy in the Diocese of Syracuse. In the press conference announcing the IRCP, Bishop Cunningham again apologized for the pain and suffering caused by members of the clergy and the poor response of the Church in handling the abuse once reported. The clergy sexual abuse crisis has been a horrific chapter in the history of the Church that has left an indelible mark on the faith lives of so many. Although no amount of money can heal the wounds of child sexual abuse, the IRCP was designed to acknowledge publicly the mistakes made by the Church in the past and to offer victims a tangible sign of the Church's desire for healing and reconciliation.

The diocesan response to past clergy child sexual abuse

Since 2002 through the implementation of the Charter for the Protection of Children and Young People, the diocese embarked on a comprehensive response to this issue with a five-step approach:

- A **Comprehensive Child and Youth Protection Policy** which applies to all clergy, religious, employees, and those volunteers whose ministry puts them in regular contact with children, young people, and vulnerable adults.

- A **Safe Environment Program** that requires training, education, and criminal background checks of clergy, religious, employees, and volunteers whose ministry places them in regular contact with children, which must be renewed every five years. This program also includes a **Code of Conduct** that must be followed by all. Additionally, it requires **prevention and educational programs for children** in the Catholic Schools and Faith Formation

classes. Over 42,000 adults and over 15,000 children have been credentialed as of the end of 2018.

- An **Office of Victim Assistance** to provide support and services to individuals who may have been sexually abused by a member of the clergy or other members of the diocese. The Victim Assistance Coordinator begins the claim process and offers appropriate counseling and spiritual assistance as needed.

- A **Memorandum of Understanding** with the District Attorneys of the seven counties of the diocese which states that all allegations will be reported to the appropriate District Attorney before the diocese begins its canonical (Church law) process.

- The **Diocesan Review Board** made up of well-qualified lay professionals and a member of the clergy to oversee investigations into allegations of clergy sexual abuse of a minor once the District Attorney's Office has completed its review. On December 3, 2018, Bishop Cunningham released the names of those clergy with a credible allegation. It is important to note that there is no member of the clergy in active ministry with a credible allegation of child sexual abuse and allegations received to date have been decades old.

Each year, the Diocese of Syracuse undergoes an audit to determine its compliance with the Charter for the Protection of Children and Young People. The audit is conducted by outside auditors, under the supervision of an independent National Review Board established by the United States Conference of Catholic Bishops. The Diocese of Syracuse has been found to be in compliance since the audit's inception in 2003.

How did the IRCP work?

The Diocese of Syracuse engaged the services of Kenneth Feinberg and Camille Biros to administer the IRCP. Mr. Feinberg and Ms. Biros are well-known for their experience in mediation and administration of compensation programs for the survivors of the 9/11 tragedy, the BP oil spill, and, most recently, the IRCPs offered in the

Archdiocese of New York, the Diocese of Brooklyn, the Diocese of Rockville Centre, the Diocese of Ogdensburg, as well as dioceses in New Jersey and Pennsylvania.

Serving as independent administrators, Mr. Feinberg and Ms. Biros worked with those who had previously notified the diocese that they had been harmed by a member of diocesan clergy. These individuals were invited by letter to participate in this voluntary program by submitting a claim. Mr. Feinberg and Ms. Biros retained complete and sole discretion over all eligibility agreements and the settlement compensation amounts offered for eligible individuals.

The results of the program are as follows:

Total number of claims: 88

Total number of cases resolved: 79

Number of ineligible: 3

Number of non-responses: 4

Number of those who declined: 2

Compensation costs: \$10,922,500

Administrative costs: \$1,570,593

Total costs: \$12,493,093

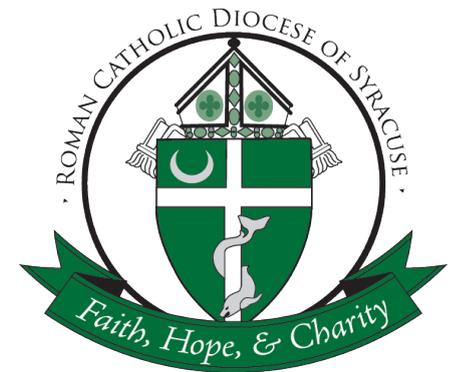
As part of the protocol for the program, all claimants were required to have an attorney review and sign off on the compensation offer before acceptance. Once the individual was satisfied with the compensation offered, he/she signed a release waiving rights to litigate against the Diocese of Syracuse.

How was the IRCP funded?

The cost of the program was paid from the Diocese of Syracuse's self-insurance general liability program. Beyond the insurance fund, the diocese did not use monies given by the faithful to support parishes, schools, the annual HOPE Appeal, the Foundation of the Roman Catholic Diocese, the Cathedral Restoration Fund, Catholic Charities, or any other charitable fund in the diocese.

Conclusion

Much has been learned through the IRCP process. The Diocese of Syracuse is grateful to both Mr. Feinberg and Ms. Biros for their tireless efforts to evaluate independently



and assess each claim. These are not easy matters and they worked to come to a fair resolution for the victim-survivor.

Although this concludes the IRCP program, there is more to do. The Diocese of Syracuse continues to encourage any individual who may have been harmed by a member of the diocesan clergy to come forward and report the allegation to the local District Attorney and/or the Victim Assistance Coordinator. All contact information for the appropriate District Attorney and the Office of Victim Assistance is available on the diocesan website at <http://www.syrдио.org/safe-environment/victim-assistance>.

Allegations will be reviewed first by the District Attorney and then proceed through the canonical process with an investigation by the Diocesan Review Board. Possible determinations of future agreements and compensation with credible victim-survivors will be made on a case by case basis.

While it was not expected that all participants would accept the determinations made, many victim-survivors expressed gratitude for the opportunity to be heard. One victim-survivor remarkably gave all of his funds away. He chose to have a Mass celebrated in all parishes with the prayer intention for those clergy who abused and the individuals who were harmed. The remainder of the funds were donated to Broome County Catholic Charities for their food pantries. "Before I even was offered anything, I saw this as a possible opportunity to cooperate with God in trying to bring good from a situation that was not good for a number of people, both victims and priests alike," the man stated to the *Catholic Sun* newspaper. "I saw this as a chance to try to bring peace and comfort and good news from decades of strife and anger and sadness."