



Report on the Independent Survivors Compensation Program in the Diocese of Scranton

October 29, 2020

INTRODUCTION

On January 22, 2019, the Diocese of Scranton launched its Independent Survivors Compensation Program (ISCP) to promote healing and recovery for survivors of clergy sexual abuse. The Program was purely voluntary and open to individuals who had submitted a complaint of sexual abuse to the diocese before the Program was first announced as well as individuals who had not previously submitted a complaint.

Survivors of abuse committed by Diocese of Scranton priests, members of religious communities and by lay employees of the diocese were able to submit claims. The Program confronted a dark and difficult chapter in the history of the Church. The diocese created the ISCP in order to publicly recognize the harm caused to survivors of abuse, demonstrate the Church's commitment to those survivors and hopefully to provide validation and a measure of healing.

HOW DID THE ISCP WORK?

The ISCP has been completely independent from the Diocese of Scranton. Kenneth Feinberg and Camille Biros, two nationally recognized claims administration experts, administered the ISCP. Their prior experience involved handling the September 11th Victim Compensation Fund, BP Deepwater Horizon Disaster Victim Compensation Fund and similar compensation Programs for numerous other Catholic dioceses.

In addition, the Program has been monitored by an Independent Oversight Committee comprised of Robert Gillespie, Jr., former Luzerne County District Attorney, Ralph H. Meyer, President and Chief Executive Officer Emeritus with Guthrie Healthcare System and Robin Engels, MA, MSW, LCSW, a licensed clinical social worker.

The Program administrators retained complete and sole discretion over eligibility and compensation offers to eligible survivors who participated in the Program. The Diocese of Scranton could not reject any of the administrators' final determinations regarding eligibility and/or compensation.

Serving as independent administrators, Mr. Feinberg and Ms. Biros worked with individuals who had previously submitted a complaint of sexual abuse to the diocese. These individuals were invited by letter to participate in the Program.

Individuals who had not previously filed a complaint with the diocese could register to participate in the Program through a website that was established. New complaints of abuse received through the Program must also have been reported to the appropriate District Attorney's Office.

Individuals were invited to provide any documentation and corroborating information to substantiate the claim. This information aided administrators in making fair and accurate determinations. Claims were handled in the order in which they were received and administrators used information submitted to process and pay claims. One of the most important aspects of the Program was its confidentiality.

RESULTS OF THE ISCP

Total claims submitted:	295
Claims determined ineligible:	46
Total eligible claims:	249
Offers that remain outstanding:	25
Rejected offers:	11
Total claims paid:	213
Total paid to claimants:	\$24,460,000

The Administrators have processed all claims and have sent determination letters to the claimants. More than 85% of claimants accepted their offers and less than 5% rejected their offers. Under 10% of the claims remain outstanding. The diocese anticipates that these outstanding claims will be resolved in the near future.

Before accepting compensation through the ISCP, all individuals were required to consult with an attorney for the purpose of reviewing documents and understanding agreement language. If the claimant did not have an attorney, the administrators provided an independent attorney for consultation free of charge. By choosing to accept the offered compensation, the individual waives any future legal claim against the Diocese of Scranton related to their sexual abuse claims.

HOW WAS THE ISCP FUNDED?

The Program was primarily funded by the sale proceeds of the Diocese of Scranton's three long-term care facilities in 2019, which was planned long before the ISCP was created. The Diocese received approximately \$26 million from the sale of the properties and subsequent transfer of

assets held by these three facilities. In addition, some funding for the Program was provided by Diocese of Scranton insurers and contributions from other religious orders.

The diocese did not use any funds that had been given by the faithful to support parishes, schools, the Diocesan Annual Appeal, Catholic Social Services of the Diocese of Scranton or any donor-restricted contributions.

DIOCESAN RESPONSE TO CLERGY CHILD SEXUAL ABUSE

The Diocese of Scranton maintains a zero tolerance policy for clergy, lay employees and volunteers who engage in misconduct with minors and takes immediate action when an accusation is made. Any allegation of abuse is reported immediately to law enforcement and any substantiated allegation against a member of the clergy results in immediate and permanent removal from ministry.

The Diocese of Scranton formally established a “Policy Concerning Clerics Accused of Sexual Abuse of Minors” in March 1993. When the bishops of the United States Conference of Catholic Bishops adopted a comprehensive plan on this issue in 2002, the Diocese refined and expanded its procedures. After prayerful reflection, extensive research and study, and purposeful review by several external and internal entities, including the Diocesan Review Board, the most recent policy, the *Diocese of Scranton Policy for Response to Allegations of Sexual Abuse of Minors*, took effect in 2015. A copy of the policy is provided to all members of the clergy and seminarians. The policy is made available to all diocesan employees and members of the general public on the diocesan website.

The Diocese of Scranton continues to address this serious issue with vigilance and fidelity so that its policies, procedures and practices achieve genuine transparency and true accountability. The Diocese’s Safe Environment Program has a multi-faceted approach, including:

- **Background Checks** – Ensuring a thorough background screening is completed for all clergy, paid employees and volunteers that have direct contact and routine interaction with children.
- **Adult and Youth Training** – Providing training, prevention and educational programs in recognizing and reporting any suspicions or knowledge of child abuse to appropriate civil and Church authorities. As of October 2020, more than 31,340 individuals have completed VIRTUS training since 2003.
- **Code of Pastoral Conduct** – A document holding all clergy, employees and volunteers accountable to a Christ-centered, pastoral code of conduct.
- **Office of Victim Assistance** – The role of the Victim Assistance Coordinator is to facilitate the immediate pastoral care of persons that claim to have been sexually abused by a cleric when they were minors. The Victim Assistance Coordinator provides support and services, including arranging for counseling or spiritual direction and referrals to support groups.

- **Diocesan Review Board** – An independent, consultative body comprised of members of the laity, a religious sister and one priest, which performs a case-by-case review of allegations of sexual abuse of a minor, reviews diocesan policies for responding to the accusation of sexual abuse of a minor by Church personnel and advises the bishop in his determination of suitability for ministry of the accused.

The Diocese has passed independent audits of its child protection procedures every year since the policy was adopted by the United States Conference of Catholic Bishops in 2002. The audit evaluates each diocese's efforts to ensure the protection of children.

CONCLUSION

The Independent Survivors Compensation Program fulfills two promises made by Bishop Joseph C. Bambera. First, to promote the healing and recovery of survivors. Second, to directly confront a scandal that robbed many of the most vulnerable of their innocence and peace. While nothing can take away their pain, several survivors have commented that their participation in the Program has provided a measure of solace and an opportunity to move forward. Many survivors have also expressed an appreciation for the privacy that the Program provided.

The Diocese of Scranton continues to urge any individual who has been sexually abused by a priest, deacon, religious, lay employee or volunteer of the Diocese to report abuse directly to law enforcement or the Diocese's Victim Assistance Coordinator.

While the Program has concluded, the Diocese's outreach to survivors of clergy sexual abuse continues. The Diocese of Scranton is committed to learning from the mistakes of the past and moving forward with renewed resolve to protect all children from abuse.