

ARCHDIOCESAN POLICY AND PROCEDURES FOR REPORTING ALLEGATIONS OF SEXUAL ABUSE OF MINORS TO PUBLIC AUTHORITIES

This policy is based on our mandated reporting duties under California law and the long-standing commitment of the Archdiocese of Los Angeles that its employees and officials fully comply with those responsibilities. Our elective reporting, which is broader than California law, arises from the Archdiocesan commitment, expressed in this policy, to cooperate with law enforcement authorities as required by the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (norm 11) and the *Charter for the Protection of Children and Young People* adopted by the United States Conference of Catholic Bishops (“*Essential Norms*” and “*Charter*”).

Reports of child abuse or neglect of minors involve two distinct categories: (a) mandated reporting of abuse or neglect of a current minor; and (b) reports of past abuse or neglect of a minor who is now an adult.

A. MANDATORY REPORTING OF SUSPECTED ABUSE OR NEGLECT OF A CURRENT MINOR IN THREE STEPS

It is the policy of the Archdiocese to cooperate fully with the mandatory reporting laws. All those designated as mandatory reporters shall make a report to a child protective agency or to the local police whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter must only have reasonable suspicion that a child has been mistreated; no evidence or proof is required prior to making a report. The case will be further investigated by law enforcement and/or child welfare services. When two or more mandated reporters have knowledge of a known or suspected instance of child abuse or neglect, they may elect one person to report. However, if the person designated fails to report, then the other person(s) is/are responsible for making the report.

To comply, the mandated reporter shall make a report to the agency immediately or as soon as possible as follows:

STEP ONE: Make the Mandated Report by Phone to the Appropriate Agency [or online if in LA and non-urgent (*see* Step Two below)].

Urgent Report By Telephone

Los Angeles County: call the Child Abuse Reporting Hotline at (800)-540-4000

Santa Barbara County: call the Child Abuse Reporting Hotline at (800)-367-0166

Ventura County: call the Child Abuse Reporting Hotline at (805)-654-3200

If possible before you call, it is helpful to print and complete the California Suspected Child Abuse Report Form BCIA 8572, (sometimes referred to as the “SCAR Form”), which can



be found at https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf. You will have to provide the information on this form when you call the Hotline, so it is helpful to have it organized on the form before you make the call (but not required). Once you have provided the information by phone, the Hotline operator will give you a referral number that you will include on the SCAR Form and report as provided in step two below. Sometimes the Hotline operator will decline to take a report by phone, primarily because it is deemed not to be a mandated report. If the Hotline operator declines to take your report or provide you with a referral number, then ask to speak to a supervisor. If the supervisor also declines to take your report, then complete the SCAR Form without a referral number and mail it to the appropriate agency as explained in Step Two below.

STEP TWO: Make Written Report

Within 36 hours of making a phone report to the Reporting Hotline, the mandated reporter should submit to the appropriate agency in their County a completed California Suspected Child Abuse Report Form BCIA 8572, which, as described above in Step One, can be found at https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf. This completed SCAR Form should include the referral number provided by the Hotline operator (unless the operator declined to provide one). **Mandated reporters should keep a legible copy of the completed SCAR Form for their records.**

Los Angeles County:

SCAR reports may be submitted to Los Angeles County online (preferred) or by mail.

Report Online: **Print the report before you click the “Submit” button** Online Reporting of SCAR Form after phone call can be made at

<https://reportChildAbuseLA.org>. Non-urgent reports may also be made online without a phone call.

OR

Report by Mail: **Keep a copy of the form!** After phone call, mail SCAR Form to:
Department of Children and Family Services
425 Shatto Place, Los Angeles, CA 90020
Attention: Contains SCAR

For more information on reporting in Los Angeles County see:

https://dcfs.lacounty.gov/contact/report-child-abuse/#Mandated_Reporting

Santa Barbara County:

Report by Mail: **Keep a copy of the form!** After phone call, mail SCAR Form to:
Santa Barbara Main Office
234 Camino Del Remedio
Santa Barbara, CA 93110
Attention: Contains SCAR

For more information on reporting in Santa Barbara County see:

<https://www.countyofsb.org/dss/contact-us.sbc#abuse>



Ventura County:

SCAR reports may be submitted to Ventura County by email (preferred) or by mail.

Email Report: After phone call, email SCAR Form to HSA-CFS-SCAR@ventura.org

OR

Report by Mail: **Keep a copy of the form!****** After phone call, mail SCAR Form to:

Human Services Agency

855 Partridge Drive, Ventura, CA 93003

Attention: Contains SCAR

For more information on reporting in Ventura County see:

<https://www.ventura.org/human-services-agency/child-protective-services/>

Need Assistance? Call Victims Assistance Ministry (213)637-7650 or the Office of Legal Counsel (213) 637-7511

STEP THREE: Report to the ACC

The mandated reporter should also send a copy of the SCAR Form to the Archdiocesan Office of Legal Counsel or the Victims Assistance Ministry at the Archdiocesan Catholic Center. As applicable, the Office of Legal Counsel or the Victims Assistance Ministry will consult and advise the Vicar for Clergy, the Clergy Misconduct Oversight Board, the Vicar for Women Religious, the Department of Catholic Schools, the Office of Human Resources, or other Archdiocesan departments if the abuse report involves someone who works for the church.

B. REPORTING WHEN THE VICTIM IS NO LONGER A MINOR

In addition to the mandated reporting, subject to certain exceptions (such as when the alleged perpetrator is deceased), it is the policy of the Archdiocese to make a report to law enforcement of child abuse or neglect of a minor even when the purported victim is now an adult.

When any person working in the Archdiocese (e.g., a priest, administrative person, Victims Assistance Ministry Coordinator, Vicar for Clergy, Principal, Teacher, etc.) receives an allegation of past child abuse where the victim is no longer a minor, the party receiving the report will inform the person lodging the complaint of his or her right to make a personal report to the appropriate law enforcement agency. The person lodging the complaint will also be informed that the information he or she provides may be forwarded to law enforcement by the Archdiocese.

The person receiving the complaint shall forward that complaint immediately to the Office of Legal Counsel. If the report involves a priest, deacon or a member of a religious institute, a report also shall be forwarded to either the Vicar for Clergy and the Clergy Misconduct Oversight Board or to the Vicar for Women Religious, as the case may be. A report will be made to law enforcement when the accused perpetrator is alive and the General Counsel finds that the information creates a reasonable suspicion that the abuse occurred. When reports



are received through litigation, the General Counsel may report to appropriate law enforcement in a consolidated manner.

If the Archdiocese receives a report of abuse by a cleric who is not presently incardinated or serving in the Archdiocese of Los Angeles, then the Vicar for Clergy will forward the report to the arch/diocese where the cleric is incardinated. If the Archdiocese receives a report of abuse by a cleric where the misconduct purportedly occurred outside the Archdiocese, the Vicar for Clergy and Victims Assistance Ministry will forward the report to the arch/diocese where the abuse allegedly occurred so that the appropriate official of that arch/diocese can make a report in accord with their policies and the applicable civil law of that jurisdiction, and to the arch/diocese where the cleric is incardinated, as applicable. In cases where the person accused is a member of a religious institute (priest, deacon, or brother), the Vicar for Clergy and Victims Assistance Ministry will coordinate to forward all reports of child abuse or neglect to the religious superior of that cleric. If the person accused is a woman religious, the Vicar for Women Religious and Victims Assistance Ministry will coordinate to inform the appropriate religious superior. In doing so, the Vicar for Clergy or Vicar for Women Religious will also inform the superior whether or not a report has been made to civil authorities in accord with the provisions of this policy.

When the alleged perpetrator is a lay person and the report alleges that the child abuse or neglect occurred outside the Archdiocese but arose out of a relationship, no matter how attenuated, to any activities or duties of the lay person in the service of the Church or any of its ministries, the Office of Legal Counsel will forward the report to law enforcement in the jurisdiction where the abuse allegedly occurred.

A clergy member who acquires knowledge or a reasonable suspicion of child abuse or neglect during a penitential communication is not subject to the mandatory or elective reporting. For purposes of this exception, “penitential communication” means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of the Roman Catholic Church, is authorized or accustomed to hear those communications, and under the discipline, tenets, customs, or practices of the Roman Catholic Church has a duty to keep those communications secret. (Penal Code Sec. 11166(d)(1)). The Archdiocese encourages clergy to create a counseling relationship outside of the “penitential communication” in these situations so that the matter may be reported to law enforcement.

The Office of Legal Counsel will maintain a copy of all reports in its legal files. The Victims Assistance Ministry will maintain a copy of such reports in each victim’s file. The Vicar for Clergy will maintain a copy of such reports in the priest or deacon’s confidential clergy file and, as applicable, in the Clergy Misconduct Oversight Board files.

