

Following are copies of the plan that has been devised for any accused priest in the Archdiocese of New York. This plan treats priests who are only accused of sexual misconduct with a minor as major felons and for all practical purposes places them in jail if they will not apply for laicization. Accusations are not convictions. These men have rights under both civil law and canon law and must be given the right of defense.....but not in the Archdiocese of New York!

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OFFICE OF THE CARDINAL  
1011 FIRST AVENUE  
NEW YORK, NY 10022

\_\_\_\_\_ , \_\_\_\_\_

Dear Father \_\_\_\_\_ :

Permit me to write concerning a matter of great importance to all of us. In order to ensure the continued safety of our children and young people here in the Archdiocese of New York, and to provide as well for the needs of those clerics who have been accused of the sexual abuse of a minor, it has been decided that a residence program be established to provide supervision and housing for all clerics in this situation. You are, I am certain, aware that many dioceses throughout the nation have already established such residence programs.

We are in the process of establishing the "Shepherd Program and Residence" here in the Archdiocese. The first step is to determine how many clerics will be involved in it. Accordingly, I am directing you to report to Trinity Retreat House in Larchmont, New York, on \_\_\_\_\_ . Soon after your arrival, you will receive a psychological evaluation at Saint Vincent Medical Center in Harrison, New York. The results of this evaluation will enable the Archdiocese to design a specific and individual protocol document for you. While at Trinity, you will be provided with room and board. At the same time, an individual supervision contract will be prepared for your signature. Also, the aforementioned individual protocol document that will be prepared for you shall treat such matters as the need to obtain prior approval for leaving the grounds of the residence, the need to keep a daily log of your activities, and the need for mandatory psychological and/or spiritual counseling as is recommended. Enclosed herein, please find examples of the forms that will be used. As soon as the number of those clerics who will be registered in the Shepherd Program and Residence has been determined, long-term arrangements will be made.

The continued safety of our children and young people, the protection of the reputation and patrimony of the Archdiocese, and your own well-being dictate that you enter this program and residence. If you do not comply, your salary and benefits from the Archdiocese will cease as of \_\_\_\_\_ .

If, after having time to reflect on this required residence program, to which no exceptions or adjustments will be made, you decide to request voluntary reduction to the lay state, I ask that you contact Monsignor Desmond O'Connor at (212) 371-1000, ext. 2930. Monsignor will be happy to discuss this with you. At the same time, he will arrange for you to receive an appropriate transition package.

Included in this mailing, in addition to the examples of the forms that will be used, is a canonical precept that you must follow. Should you have any questions in this regard, feel free to discuss it with a canonical advisor.

Finally, I direct that you contact Monsignor O'Connor no later than \_\_\_\_\_ , to advise him of the time of your arrival on \_\_\_\_\_ at Trinity so that he can make the necessary arrangements for your stay.

Sincerely yours in Christ,

Edward Cardinal Egan  
Archbishop of New York

Encl.

OFFICE OF THE CARDINAL  
1011 FIRST AVENUE  
NEW YORK, NY 10022

DECREE (c. 223)

IN NOMINE DOMINI. AMEN

According to the decree *Christus dominus* of the Second Vatican Council, bishops "have been designated by the Holy Spirit to take the place of the Apostles as pastors of souls and, together with the Supreme Pontiff and subject to his authority, they are commissioned to perpetuate the work of Christ, the Eternal Pastor." (*Christus dominus*, n. 2). Diocesan bishops have been entrusted with the pastoral care of a portion of the People of God, and designated their proper, ordinary, and immediate pastor. (CD, n. 11). The Council further teaches, "In exercising his office of father and pastor, the bishop should be with his people as one who serves, as a good shepherd who knows his sheep and whose sheep know him, as a true father who excels in his love and solicitude for all" (CD, n. 16).

This love and solicitude expresses itself in providing for the welfare of the faithful according to their circumstances (CD, n. 16), and also in being "compassionate and helpful to those priests who are in any kind of danger or who have failed in some respect," (CD, n. 16)

The nature of the priesthood itself requires that special attention be given to matters involving priestly misconduct. Recognizing the high dignity of the priesthood, which was established by the Lord Jesus to be joined in a special way with the episcopal ministry, and hence shares in the authority by which Christ himself builds up and sanctifies and rules his Body, it is all the more necessary to exercise particular vigilance over the behavior of priests and to hold them to a greater level of accountability. The sacred task which has been given to priests demands a conduct commensurate with that task.

At their ordination, priests take on a number of obligations. They are bound by a special obligation to show reverence and obedience to the Holy Father and to their own Ordinary (c. 273), and are to fulfill faithfully any function which their Ordinary entrusts to them (c. 274§2). They are to be united among themselves, but at the same time promote the proper mission of the laity (c. 275). They are to pursue holiness of life through the fulfillment of their pastoral duties, through the nourishment of the spiritual life by word and sacrament, and through leading a life of prayer (c. 276). They are to continue their studies after ordination (c. 279) and have the right to associate with other clerics to pursue purposes in keeping with the clerical state (c. 278). They are to foster simplicity of life and are to have a special concern for the poor (c. 282).

Moreover, priests are to avoid all those things which could endanger their vocation or give rise to scandal among the people. First and foremost, they are bound to a life of perfect and perpetual continence for the sake of the kingdom (c. 277), which expresses itself in a life of celibacy. But they are also to act with due prudence in their associations with others (c. 277§2), avoiding those things unbecoming of the clerical state (c. 285 §§12).

At all times, the Cardinal-Archbishop has the executive power of governance, through an administrative act, to remove or restrict a cleric's faculties, and to limit his exercise of priestly ministry. (Cf. cc. 35-36, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348 and 1740-

1747) Furthermore, c. 223 §2 allows the bishop, in view of the common good, to "direct the exercise of rights which are proper to the Christian faithful." By the wording of the canon itself, this must include the rights which are given with priestly ordination.

In considering this matter in light of the common good (c. 223); seeking ways to repair scandal and restore justice (c. 1341); reviewing again the accusations made against Father \_\_\_\_\_ ; and having prayed for wisdom and understanding in order to decide this matter, I hereby make the following specific provisions with regard to Father \_\_\_\_\_ :

1. Father \_\_\_\_\_ may not publicly perform any sacred ministry without the prior consent of the Archbishop of New York. He may celebrate Mass privately, strictly without a congregation (c. 906);
2. Moreover, for his own good and the good of the Church, Father \_\_\_\_\_ is dispensed from his obligation to wear clerical attire (c. 284).
3. Father \_\_\_\_\_ is assigned to reside at a site away from children that I so designate and to abide by the attached Individual Specific Protocol (ISP).

In order to ensure that these obligations are met, the Archdiocese of New York has established the Shepherd Program and delegated the Supervisor of the Shepherd Program to receive information regarding Father \_\_\_\_\_ 's fulfillment of this decree and his Individual Specific Protocol. The Supervisor is to submit a report to me as Archbishop of New York with a copy to the Director of Priest Personnel no less than quarterly regarding this matter, and is to report to the Director of Priest Personnel bimonthly or more frequently as needed or requested.

Failure to observe the provisions of this decree shall be considered a grave violation of Father \_\_\_\_\_ 's obligations under canon 1371, 2° and will render him liable to a just ecclesiastical penalty.

I hereby direct the Director of Priest Personnel to ensure that sufficient provision is made for the support of Father \_\_\_\_\_ during the time in which this decree is in effect.

This decree takes effect immediately, and will remain in effect until abrogated or amended by me or my successors in the Metropolitan See of New York in writing.

I direct that this decision be communicated to Father \_\_\_\_\_ immediately, indicating the provisions for an appeal of my decision.

Given at the Office of the Cardinal  
1011 First Avenue  
New York, NY 10022  
on this \_\_\_\_\_ day of \_\_\_\_\_ , \_\_\_\_\_ .

Edward Cardinal Egan  
Cardinal-Archbishop of New York

Office of Priest Personnel  
Archdiocese of New York  
1011 First Avenue, New York, N.Y. 10022  
TEL: (212) 371-1000 x2930 FAX: (212) 826-8173

\_\_\_\_\_ , \_\_\_\_\_

Rev. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear Father \_\_\_\_\_ ;

I write this letter in response to our phone conversation. To choose voluntary reduction to the lay state there are three steps: 1- personal Letter to the Holy Father Petitioning Laicization (this should be just a one-page letter addressed to the Holy Father and sent to me), 2- Submit a completed Curriculum Vitae- outline enclosed, 3- meet to give testimony before a Judge of the Tribunal- Msgr. Vella says this can be arranged on the local level so coming to New York is not mandatory.

In return for seeking voluntary laicization, you would be eligible for the Sustenance Policy. In your case the total amount is \$\_\_\_\_\_. This includes \$\_\_\_\_\_ in length of service support, and \$\_\_\_\_\_ for insurance, residency, and meal support. Some people elect to receive this over two calendar years for tax purposes, others request a lump sum. We can arrange this according to your needs.

To choose this option the Letter to the Holy Father must be submitted by \_\_\_\_\_, the Curriculum Vitae by \_\_\_\_\_, and the interview as arranged by Monsignor Vella. During this time you will continue to receive funding and benefits at the present rate, as long as all deadlines are met.

If you have any questions, please contact me. You are in my prayers.

Yours in Christ,

Msgr. Desmond O'Connor  
Director, Priest Personnel

SHEPHERD PROGRAM  
1011 FIRST AVENUE  
NEW YORK, N. Y. 10022  
212-371-1000

The "Shepherd Program's Individual Protocol Document" (SPIPD) secures the primary goal of promoting the continued safety of minors. Additionally, it protects the integrity, reputation, and patrimony of the Archdiocese, serving as a safeguard against the misconduct of an individual cleric. A cleric remains bound by and subject to the authority of the Director of Priest Personnel and is to be supervised by the Shepherd Program Administrator (SPA) for so long as he is a client of the Shepherd Residence Program. The agreement of a cleric to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in canon, state or federal law. The agreement represents only the cooperation of a cleric with his bishop, as the Bishop exercises his pastoral office (e.g., Canons 369 and 392).

This "Shepherd Program's Individual Protocol Document" (SPIPD) is for

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Name of Cleric

I agree to the following protocols:

1. The undersigned cleric is prohibited from being alone with a minor or minors (anyone under the age of 18) apart from the presence of another responsible adult.
2. The undersigned cleric is prohibited from the public celebration or participation in the Mass or any other Sacrament or Sacramental Service or event absent the without the prior, written permission of the Director of Priest Personnel.
3. The undersigned cleric is prohibited from wearing any garb that gives the appearance of or seem to infer that he is a cleric in good standing with canonical faculties who is presently assigned to a particular ministry (e.g., the clerical shirt).
4. The undersigned cleric agrees to receive therapy, with the suggested frequency of \_\_\_ times per week/month (please circle one) as recommended by \_\_\_\_\_ (name of therapist). Attendance at therapy is to be noted on "Clergy Daily Log" forms.
5. The undersigned cleric agrees to continue regular spiritual direction, with the suggested frequency of \_\_\_ times per week/month (please circle one) as recommended by \_\_\_\_\_ (name of Spiritual Director). Attendance to Spiritual Direction is to be reflected on "Clergy Daily Log" forms.
6. The undersigned cleric agrees to complete the "Clergy Daily Log" on a daily basis and have it signed by his monitor. This "log" is a tool that is used to protect minors, clerics, monitors, and the Archdiocese. Although it identifies specific time periods, it is intended to provide a general record and not be a detailed clock of the day. If the cleric is to describe an "off-site" activity, the destination and the general purpose of the visit or activity are to be duly noted. For example, it is sufficient to indicate that the cleric did personal shopping at a particular Shopping Center, rather than the details of each individual store that was visited. However, if a self-description is

challenged or should a complaint be lodged with the Archdiocese, documentation and verification may be required to sufficiently address the situation.

7. The undersigned cleric agrees to abide by the assignment of residence to Trinity Retreat House, Larchmont, New York.

8. The undersigned cleric must complete and submit the "Travel/Vacation Agreement", and obtain approval of the provisions in the Agreement, prior to a scheduled departure. In the event of a prolonged stay (one month or more) in a particular location, the Archdiocese is required to notify the local Ordinary.

9. The undersigned cleric agrees to attend the following recommended support group \_\_\_\_\_ (please indicate specific support group), with the recommended frequency of \_\_\_\_\_ times per week/month (please circle one). Attendance at the support group is to be noted on "Clergy Daily Log" forms.

10. The undersigned cleric agrees not to inappropriately use computers, software, internet capabilities, communications tools or video technology.

This "Shepherd Program's Individual Protocol Document" (SIPD) is to be reviewed annually with the Director of Priest Personnel, the cleric, and his monitor. Any change in or alteration of this agreement must involve consultation with the Director of Priest Personnel, the cleric, and his monitor. Additionally, the Director of Priest Personnel, the cleric, or his monitor may initiate a discussion concerning a change or alteration in the "Shepherd Program's Individual Protocol Document" (SIPD). Finally, at the discretion of any of the aforementioned parties, the civil and/or canonical counsel of a cleric may be involved in the discussions.

The above-mentioned individual and specific protocols have been reviewed, are understood, and are agreed to.

Signature of the Cleric: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of the Cleric: \_\_\_\_\_

Signature of the Director of Priest Personnel: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of the Cleric's Monitor: \_\_\_\_\_ Date: \_\_\_\_\_

#### TRAVEL/VACATION NOTIFICATION

NOTE: This form must be submitted to Monitor three weeks prior to planned departure. In the event of an emergency need, contact your Monitor or the Director of Priest Personnel to discuss travel.

\_\_\_\_\_ [Name of cleric] has informed this office that he will be traveling to [destination address and contact phone number] \_\_\_\_\_ from \_\_\_\_\_ [departure date] through \_\_\_\_\_ [return date]. \_\_\_\_\_



[Name of cleric] will be chaperoned by \_\_\_\_\_  
[name of chaperone]. PRA may contact the chaperone at the following phone number prior to departure \_\_\_\_\_. The identified chaperone has accepted the responsibility of verifying the location and activities of \_\_\_\_\_ [name of cleric] during the aforementioned time frame.

1. Contacts with minors by \_\_\_\_\_ [name of cleric] must be in the presence of the identified chaperone. Inappropriate situations and locations incompatible with a priestly lifestyle are to be avoided.

2. The identified chaperone may be asked to attest to the activities and whereabouts of \_\_\_\_\_ [name of cleric] for the aforementioned time period of travel.

3. As previously noted, the date of return of \_\_\_\_\_'s [cleric's name] to the residence has been scheduled for \_\_\_\_\_ [aforementioned return date]. However, due to weather conditions or emergencies that may arise, the date may be changed. In the event of such a circumstance, which substantially changes the original plans, please contact your Monitor or the Director of Priest Personnel at (212) 371 -1000, ext. 2931.

Cleric's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Monitor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file by the Monitor, and a copy will be placed in the cleric's file in the Office of the Director of Priest Personnel.

(Revised 6/4/06)

CLERGY DAILY LOG

The "Shepherd Program's Individual Protocol Document" (SPIPD) for:

\_\_\_\_\_  
Name of the Cleric

Requires that he keep a "log" of his daily activities. The "log" is to be completed on a daily basis and is to be submitted to the Administrator/Monitor for review at the end of each week. The place, purpose (visit, trip, activity-such as spiritual direction, therapy, etc.), and the telephone number for each daily activity outside the Residence Program are to be listed. This "log" will provide an accurate record (and not be a detailed Clock) of the day.

TIME PLACE TELEPHONE PURPOSE

7:00-8:00 AM

8:00-9:00

9:00-10:00

10:00-11:00

11:00-12:00

12:00-1:00 P.M.

1:00-2:00

2:00-3:00

3:00-4:00

4:00-5:00

5:00-6:00

6:00-7:00

7:00-8:00

8:00-9:00

9:00-10:00

10:00-11:00

11:00-7:00 A.M.

Signature of the Restricted Cleric \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Monitor/Administrator \_\_\_\_\_ Date: \_\_\_\_\_