



Diocese of Little Rock

**Policy on Allegations
of
Sexual Abuse of Minors**

DIOCESE OF LITTLE ROCK

POLICY ON ALLEGATIONS OF SEXUAL ABUSE OF MINORS

I. INTRODUCTION

This policy outlines the diocesan response to allegations of sexual abuse of minors¹ by a bishop, priest, deacon, religious, or other member of Church personnel. (N.B.: Allegations of sexual misconduct with adults or vulnerable persons is treated in the diocesan Policy on Sexual Misconduct with Adults.) This policy is based on and is intended to comply with the following:

- (i) pertinent Arkansas law;²
- (ii) the Code of Canon Law;
- (iii) the Apostolic letters *motu proprio Sacramentorum Sanctitatis Tutella* and *Vos estis lux mundi*;
- (iv) the Dicastery for the Doctrine of the Faith's *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics* (version 2.0);
- (v) the USCCB *Directives for the Implementation of the Provisions of Vos estis lux mundi*;
- (vi) the USCCB *Charter for the Protection of Children and Young People* [the "Charter"]; and
- (vii) the USCCB *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* [the *Essential Norms*].

This policy is particular law for the Diocese of Little Rock (the "Diocese"). The policy applies to all clerical, religious, lay, and paid and unpaid Church personnel³ within the Diocese of Little Rock. All Church personnel should read this document carefully and be aware of its contents. They should also use great prudence and carefully avoid situations that lend

¹ In addition to sexual abuse or maltreatment as defined in Arkansas law, pursuant to Church law and for purposes of this policy, "sexual abuse of a minor" also includes the production, exhibition, possession or distribution, including by electronic means, of child pornography, as well as by the recruitment of or inducement of a minor to participate in pornographic exhibitions. For purposes of these norms:

- "Minor" means "any person under the age of eighteen (18), or who habitually has the imperfect use of reason and so is considered to be the equivalent of a minor.
- "Child pornography" means "any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for primarily sexual purposes.

(See *Sacramentorum Sanctitatis Tutella*, art. 6 §1; *Vos estis lux mundi*, art. 1; see also "Appendix of Definitions")

² See Ark. Code Ann., 12-18-101 *et seq.*

³ See Appendix for definition of "Church personnel."

themselves to even the appearance of sexual abuse or inappropriate behavior in dealing with minors.

The Bishop of the Diocese of Little Rock (the “Bishop”) is responsible for promulgating and implementing this policy, with the assistance and counsel of the Vicar General, Chancellor, Victim Assistance Coordinator (“VAC”), and Diocesan Review Board (the “Review Board”). In accord with the *Charter* and the *Essential Norms*, the Review Board performs the following functions within the Diocese of Little Rock:

- (i) advise the Bishop in his assessment of allegations of the sexual abuse of minors by clerics and in his determination of suitability for ministry for clerics;
- (ii) review diocesan policies for dealing with sexual abuse of minors; and
- (iii) offer advice on all aspects of these cases, whether retrospectively or prospectively.

II. REPORTING TO CIVIL AUTHORITIES

All Church personnel must comply with applicable state and local laws and procedures, including but not limited to those outlined in this document (*Essential Norms* 4). This policy is designed to conform to the requirements of civil and criminal law in the State of Arkansas and to the laws of the Catholic Church.

Arkansas law *requires* the reporting of suspected child maltreatment, which includes child sexual abuse, by those persons listed as mandatory reporters (Ark. Code Ann. § 12-18-402).

Specifically, Arkansas law states that mandated reporters “shall immediately notify the Child Abuse Hotline” if they have “reasonable cause to suspect” child maltreatment or if they observe “circumstances that would reasonably result in child maltreatment” (Ark. Code Ann. § 12-18-402(a)). Reports can be made through the Arkansas Child Abuse Hotline (1-800-482-5964 or 1-844-SAVEACHILD), or through the Arkansas Mandated Reporter Portal (<https://mandatedreporter.arkansas.gov/>). *The alleged victim’s age at the time the accusation is made has no bearing on whether a report must be made to the Child Abuse Hotline. If a child is in immediate danger, call 911 first.*

For those who are not mandatory reporters, Arkansas law still permits the reporting of suspected child abuse to the Child Abuse Hotline (Ark. Code Ann. § 12-18-401). Even if not required by state law, all Church personnel are to report all such incidents to the Child Abuse Hotline, except when to do so would break the seal of confession.

The Diocese of Little Rock strongly encourages *all persons* (even if they are not mandatory reporters or Church personnel) who have reasonable cause to suspect child abuse to report their suspicions directly to civil authorities and the Child Abuse Hotline.

In both civil and canon law, persons accused of crimes are presumed innocent until proven guilty. According to the provisions of Canon 220 of the Code of Canon Law, which deals with a person’s right to privacy and protection from defamation of character, all the proceedings in this policy are of the highest confidential nature. The appropriate penalties outlined in the Code of

Canon Law apply to any member of Diocesan staff or the Review Board who violates the confidentiality to which all parties involved in these proceedings have a right. False or mistaken accusations and unsubstantiated claims are always a possibility. It is important for all Church personnel to know that both civil law and canon law (canons 1390-1391) provide for certain penalties where individuals have become victims of false denunciation and calumny.

III. THE DIOCESE’S PRELIMINARY INVESTIGATION (CC. 1717-1719)

A. INTRODUCTION

After first ensuring that the reporting requirements of Arkansas law have been fulfilled, the Diocese of Little Rock shall also conduct its own investigation and response pursuant to the norms of the Code of Canon Law and other pertinent Church law, which normally require a preliminary investigation and, if applicable, a penal process. The diocese shall also ensure an ongoing pastoral response for all affected and involved.

Any and all allegations of sexual abuse by Church personnel—i.e., personnel of the diocese or any of its parishes, entities, or organizations—shall be immediately communicated to the Chancellor⁴ (who has been mandated by the Bishop to receive such allegations) or to the diocesan VAC. The Chancellor and the VAC shall immediately notify one another of the allegation.

During the preliminary investigation, the accused retains the presumption of innocence. All Church personnel are to refrain from public comments regarding the allegation, and all media inquiries must be directed to the Diocesan spokesperson (or in his/her absence, the person designated by the Bishop), who shall act as the diocesan spokesperson and coordinate any statements regarding the allegation.

1. An Accused Bishop

If the bishop of the Diocese of Little Rock or another bishop residing or ministering in the Diocese of Little Rock is accused sexual abuse as defined in this policy—or if he is accused of “actions or omissions intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against a cleric or a religious regarding [allegations of sexual abuse of minors or vulnerable persons]” (*Vos estis lux mundi*, art. 1 §1(b))—the allegation is to be immediately reported to the Metropolitan Archbishop of Oklahoma City as well as to the Apostolic Nuncio. The norms of *Vos estis lux mundi* then apply.

If the accused is the Metropolitan Archbishop of Oklahoma City, the allegation is to be immediately reported to the Holy See as well as to the senior suffragan bishop by promotion, who then applies the provisions of *Vos estis lux mundi*.

⁴ In the event that the Chancellor is unavailable for whatever reason to conduct the initial intake and investigation, those duties shall all be fulfilled and carried out by the Vicar General or another person to whom the Vicar General delegates those duties. Hereinafter, references to the “Chancellor” shall include the Vicar General or his delegate in those instances where the Chancellor is unavailable.

2. An Accused Diocesan Priest or Deacon

If the accused is a diocesan priest or deacon, the Chancellor shall notify the Bishop and Vicar General.

If an accused priest or deacon already is deceased, has been removed from active ministry, is laicized, or has resigned from active ministry, the Chancellor shall refer the accuser and/or the alleged victim to the VAC for appropriate care. If the accused can be reasonably located, the Chancellor shall inform him of the allegation and request his response. Such allegations will still be referred to the Review Board for their review.

If a still-living accused priest or deacon has not already resigned,⁵ been removed, or been laicized, the norms of section III.B of this policy shall then be enacted.

3. An Accused Extern or Religious Priest or Deacon

If the accused is either an extern cleric from outside the Diocese of Little Rock (an “extern cleric”) or a member of a clerical institute of consecrated life or society of apostolic life (a “religious cleric”), the Bishop shall determine whether or not the cleric may continue to exercise a ministry that involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (cf., cc. 392 and 678 §1). If the Bishop determines that the cleric may no longer exercise such ministry within the diocese, his faculties shall be revoked and his proper ordinary shall be requested to recall the cleric immediately.

For an extern cleric, the Diocese retains the right to initiate the process of a canonical investigation, and the norms of section III.B of this policy shall be enacted.

For a religious cleric, the religious congregation retains its rightful autonomy and the responsibility to address its own internal affairs, including the psychological assessment, treatment, and continued care for the accused cleric. If the religious cleric is accused of sexual abuse of a minor while exercising a ministry that is strictly internal to his religious congregation, the religious congregation has the responsibility to investigate and review the accusation in accordance with its own policies and procedures. Regardless, the Bishop retains the right to prohibit the religious cleric from residing in the diocese if his major superior has failed to make provision after having been informed; such matter must then be referred immediately to the Holy See (c. 679). However, if the religious cleric is the supreme moderator of a monastery *sui iuris*, the procedural norms of *Vos estis lux mundi* apply with respect to acts committed *durante munere* (i.e., during that person’s tenure in office) (*Vos estis lux mundi*, art. 6(d)).

If a religious cleric is accused of sexual abuse of a minor while exercising ministry in a parish, school, or other entity that is under the auspices of the Diocese of Little Rock, the Bishop retains the right to initiate the canonical preliminary investigation in section III.B of this policy and to

⁵ For purposes of this policy, a cleric who has resigned from active ministry shall *not* include retired clerics, since retired clerics may continue to exercise ministry and perform sacraments. Accordingly, accusations against retired clerics shall be processed in the same manner as accusations against other clerics who are still in active ministry.

take whatever canonical steps are necessary. However, because the religious cleric is also subject to his own proper superior and the discipline of his institute (c. 678 §2), the religious institute or society may also choose to investigate the allegation in accordance with its own policies and procedures. If the religious superior removes the religious cleric from the office entrusted to him after having informed the Bishop (c. 682 §2), the religious cleric's diocesan faculties shall be revoked.

4. An Accused Lay Employee or Volunteer⁶

If the accused is a lay employee or volunteer, the preliminary investigation shall be conducted by the Chancellor or his/her delegate. The Chancellor contacts the accused's ecclesiastical superior, employer, and/or supervisor to inform him or her of the allegation and the diocesan policy for handling such allegations. The Chancellor shall confer with and coordinate the investigation with the accused's ecclesiastical superior, employer, and/or supervisor, as well as with the Director of Human Resources if the accused is an employee.

An accused lay employee or volunteer may be placed on administrative leave during the course of the preliminary investigation. If the accusation is determined to be substantiated, a lay employee shall be subject to termination, and a lay volunteer shall be precluded indefinitely from volunteering.

5. Anonymous Accusations

If an accusation is made anonymously or contains insufficient information, the Chancellor shall gather all pertinent information and investigate the matter to the extent possible. Such accusations shall be presented to the Review Board at the next regularly scheduled meeting. The Review Board reviews the Chancellor's actions and makes any appropriate recommendations for further action.

6. Protections for Persons Submitting Reports

Making a report of suspected child sexual abuse shall not constitute a violation of office confidentiality. Except as provided for by c. 1390 (which concerns false or calumnious denunciations), prejudice, retaliation, or discrimination as a consequence of having submitted a report is prohibited—and such actions may constitute actions or omissions intended to interfere with or avoid civil or canonical investigations. An obligation to keep silent may not be imposed on any person with regard to the contents of his or her report (*Vos estis lux mundi*, art. 4.)

⁶ For purposes of this policy, a "lay employee or volunteer" shall include non-cleric members of non-clerical religious institutes of consecrated life or societies of apostolic life.

B. THE PRELIMINARY INVESTIGATION OF AN ACCUSED PRIEST OR DEACON (CC. 1717-1719)

When the accused is a priest or deacon who is subject to the Bishop's authority to investigate, the Bishop must first determine whether the allegation is at least "*saltem verisimilis*" (i.e., that the allegation is at least plausible and that there is no manifest impossibility of the commission of a delict according to the norms of canon law) (*Vademecum*, 16-18, c. 1717 §1). If the Bishop determines that the allegation is not at least "*saltem verisimilis*," that allegation shall still be presented to the Review Board at the next regularly scheduled meeting, and the Bishop shall communicate to the Dicastery for the Doctrine of the Faith regarding his decision to forego the preliminary investigation due to a manifest lack of "*saltem verisimilis*" (*Vademecum*, 19). The Bishop may also still provide for the accused's welfare and for the public good through appropriate warnings, other means of pastoral solicitude, or other appropriate canonical measures (c. 1348).

If the Bishop determines that the allegation *does* have at least "*saltem verisimilis*," then he shall decree that the Chancellor⁷ immediately conduct a preliminary investigation (cc. 1717-1719) to the extent that he/she is not precluded from doing so by an ongoing civil or criminal investigation or proceeding. The Chancellor has the same powers and obligations as an auditor (cc. 1428; 1717 §3). To the extent possible, the Chancellor may delegate to a lay independent investigator the responsibility of conducting the preliminary investigation of a cleric who is still in active ministry.

During the preliminary investigation, the accused cleric enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation (cc. 220, 1717 §1; *Essential Norms* 6). During the course of the preliminary investigation the Bishop may impose on an accused cleric certain reasonable precautionary measures, including but not limited to a prohibition against any contact with the accusers or, alleged victims; a prohibition against any unsupervised contact with minors; or a prohibition on exercising certain ministries or faculties (c. 1722; *Essential Norms* 6). If there is sufficient evidence from the outset of the preliminary investigation that the alleged delict occurred, the Bishop may also impose the precautionary measures in canon 1722 even at the outset of the preliminary investigation (*Sacramentorum Sanctitatis Tutella*, art. 19), but only after having heard the Promoter of Justice and having cited the accused (c. 1722), and always keeping in mind the accused's right to the presumption of innocence, his right to privacy, and his right to a good reputation (c. 220). The accused shall be provided with appropriate pastoral and spiritual care depending on the circumstances of the case.

During the preliminary investigation, the VAC and the Review Board may advise the Bishop regarding the pastoral care of the alleged victim, the alleged victim's family, the accused, the accuser, and the parish or other groups that have been affected. The role of and contact information for the VAC shall be communicated to the alleged victim and the accuser, and the diocese shall reaffirm its interest in providing them with appropriate pastoral help. Insofar as possible, the VAC shall coordinate his/her efforts with any civil authorities who may be

⁷ If the Chancellor is the accused and the object of investigation, the investigation shall be conducted by the Vicar General or his delegate.

investigating the matter, and the VAC shall attempt to contact the alleged victim and his or her family, reiterating the offer of the diocese to provide pastoral help. When appropriate, the VAC also offers to provide pastoral help to the accuser.

The preliminary investigation shall include but not be limited to the following steps:

- (i) The Chancellor informs the person reporting the complaint or allegation that the diocese has policies and procedures that it must follow in this matter. The Chancellor will offer to travel to the accuser to meet with him or her in person in furtherance of its policies and procedures.
- (ii) The Chancellor provides the Bishop with the details as known, including the identity of the accused cleric and the alleged victim.
- (iii) The Chancellor cautions the following persons not to hear the sacramental confession of the accused: the Bishop; the Vicar General; the Judicial Vicar; and the priest members of the Review Board.
- (iv) At some point during the preliminary investigation, the Chancellor contacts the accused cleric regarding the allegation. He may reveal the name of the accuser *unless the allegation pertains to a violation of canon 1385*.
- (v) If criminal charges have already been filed or at any time are filed against the accused cleric, the accused shall be placed on administrative leave until resolution of the criminal charges. In such a case, the accused cleric may not engage in public ministry until resolution of the criminal charges. If a civil lawsuit has been or is filed, the accused may also be placed on administrative leave and precluded from public ministry until resolution of the civil lawsuit.
- (vi) If the accused cleric is a diocesan associate pastor, resident priest, or deacon, the Chancellor contacts the direct employer or administrative supervisor of the accused to inform him or her of the allegation and the diocesan policy for handling such allegations.
- (vii) After contacting the accused regarding the allegation, the Chancellor advises the accused cleric that he may enlist his or her own civil and canonical legal counsel. Any retained civil counsel must be completely independent of the diocese. To the extent that the accused may be insured for the legal defense, the accused should consult the diocesan insurance carrier immediately. The Diocese will consider on a case-by-case basis what assistance it will provide if a cleric is unable to afford canonical or civil counsel.
- (viii) After the accused is notified of the allegation, the Bishop must clearly inform him of his right to present a petition to be dispensed from all obligations connected with the clerical state, including celibacy, and from any religious vows (*Vademecum*, n. 157).

- (ix) If there is sufficient evidence and reasonable cause to warrant it, the Chancellor may request that the accused seek, and may urge the accused to voluntarily comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese and to the accused (*Essential Norms* 7). The Chancellor shall request a signed release for access to the results of the evaluation.
- (x) If the alleged victim is currently a minor, the Chancellor contacts the accuser, the parents of the alleged victim, and (if the Chancellor and the parents deem it appropriate) the alleged victim, to offer help and to inform them of this policy. If the alleged victim is currently an adult, the Chancellor contacts the alleged victim to offer the same help and information.
- (xi) The Chancellor immediately notifies the diocesan attorney and insurance carrier.
- (xii) The Chancellor or the lay independent investigator whom he has engaged interviews all interested parties, including the accusers, the accused, the alleged victims (if reasonable and appropriate), and any witnesses. The Chancellor or lay independent investigator is to complete the preliminary investigation as soon as reasonably possible. As soon as possible after completion of the preliminary investigation, the results of the preliminary investigation are to be communicated to the Bishop in writing.

IV. THE CONCLUSION OF THE PRELIMINARY INVESTIGATION

For allegations involving diocesan clerics (or religious or extern clerics, if applicable): After the Bishop receives the report on the preliminary investigation, he is to consult with the Review Board, which must also be provided with a copy of the same report. The Bishop must then determine whether there is sufficient evidence to initiate a canonical penal process.

After having heard the Review Board, the Bishop is to decree the conclusion of the preliminary investigation and is to communicate the matter without delay to the Dicastery for the Doctrine of the Faith (the “DDF”) (*Vademecum*, n. 69; *Sacramentorum Sanctitatis Tutella*, art. 16; *Essential Norms* 6). The Bishop is to send to the DDF a copy of the acts; his own evaluation of the results of the investigation (*votum*); a copy of the form found in the DDF’s *Vademecum* handbook; and any suggestions he may have on how to proceed (*Vademecum*, n. 69). Even if the case is barred by prescription (i.e., the canonical statute of limitations), the Bishop may apply to the DDF for a derogation from the prescription while indicating the relevant grave reasons. All materials pertaining to the preliminary investigation are then to be placed in the confidential archives (c. 1719).

Unless the DDF calls the case to itself, the DDF will then direct the Bishop regarding how to proceed (*Vademecum*, nn. 76-77; *Sacramentorum Sanctitatis Tutella* art. 6, 16; *Essential Norms* 6, 8a). In “grave and clear cases,” the Bishop may request that the DDF dispense from the

requirements of conducting a judicial process and immediately issue a decree imposing dismissal from the clerical state.⁸

At any point during or after the conclusion of the preliminary investigation, and after he has heard the promoter of justice and has cited the accused, the Bishop can impose the following restrictions on an accused cleric in order to “prevent scandals, to protect the freedom of witnesses, and to guard the course of justice” (c. 1722):

- withdrawal from exercising sacred ministry or any ecclesiastical office or function;
- relocation to an appropriate place;
- restriction from access to the place in which the misconduct is alleged to have occurred; and
- prohibition from public participation in the Most Holy Eucharist pending the outcome of the process (c. 1722; *Essential Norms* 6).

For the sake of due process, the accused shall be encouraged to retain the assistance of civil and canonical counsel during the course of any penal process. When necessary, the diocese will provide reasonable assistance to supply an accused priest with canonical counsel (*Essential Norms* 8a.)

Subject to the direction of the DDF, no canonical judicial or administrative penal process should be initiated by the Diocese until after any criminal investigation and/or trial has been completed. After the conclusion of any criminal investigations and/or proceedings, and assuming there are no on-going civil lawsuits, the diocese shall proceed according to the direction of the DDF.

V. THE ONGOING DIOCESAN RESPONSE

The VAC shall continue to help ensure that those who state that they have been harmed, together with their families, are to be treated with dignity and respect. In particular, they are to be:

- (i) welcomed, listened to and supported, including through provision of specific services;
- (ii) offered spiritual assistance; and
- (iii) offered medical assistance, including therapeutic and psychological assistance, as required by the specific case.⁹

The VAC shall work with the Chancellor in arranging any medical, therapeutic, and psychological assistance. When appropriate, the VAC also offers to coordinate the provision of pastoral help to the accuser.

When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon shall be removed permanently from ministry, not excluding dismissal from the clerical state (*Essential Norms* 8 – 10), and he shall not be transferred for ministerial assignment to another diocese or religious province (*Essential Norms* 12).

⁸ See John Paul II, rescript, “Faculty to Dispense from Article 17 of *Sacramentorum Sanctitatis Tutella*,” Feb. 7, 2003.

⁹ Cf., *Vos estis lux mundi*, art. 5.

Regardless of the results of the preliminary investigation or any subsequent penal process, the Bishop must consult with the Review Board regarding future ministerial assignments. After having heard the Review Board, it is the Bishop's responsibility to determine whether any restrictions must be imposed on the cleric's ministry and whether he may be appointed to an office in the future.

If the allegation is ultimately determined not to be credible or substantiated, every step possible shall be taken to restore the good name of the accused (*Charter*, art. 5), including but not limited to the following:

- Every effort will be made to restore the accused to his or her previous ministry. If a return to the previous ministry is not possible, the Review Board will make recommendations to the Bishop in order to assist the accused in finding another ministry.
- The diocese will assist the accused cleric, religious, or lay person in finding appropriate care to help him/her deal with any trauma as a result of being subjected to the canonical investigation and proceedings.

If the allegations are considered credible or substantiated, but the accused is civilly or canonically acquitted or the charges are dismissed or no penalty is ultimately imposed, the Bishop can still provide for the welfare of the person and for the public good through appropriate warnings, other means of pastoral solicitude, or even penal remedies and warnings (c. 1348).

VI. POLICY REVIEW AND AUDITS

The Bishop and the Review Board will review these policies at least every two years. In addition, these policies and the Safe Environment Program are subject to an annual audit by an independent firm through the United States Conference of Catholic Bishops to ensure compliance with national and universal Church norms.

APPENDIX OF DEFINITIONS

“Administrative Supervisor”

See “Direct Employer,” *infra*.

“Church Personnel”

For purposes of this policy, “Church personnel” means clergy, vowed religious, seminarians, candidates for the diaconate, and lay employees or volunteers serving the Diocese, a parish, a school, or other diocesan entity—including, but not limited to, the following:

- All bishops serving or residing in the Diocese of Little Rock.
- All priests, permanent deacons, and transitional deacons of the diocese.
- All religious priests, deacons, sisters, and brothers working for and ministering in the diocese.
- All those non-ordained persons to whom a participation in the exercise of the pastoral care of a parish is entrusted according to Canon 517 §2 of the Code of Canon Law (e.g., Pastoral Administrators).
- All seminarians who seek ordination as clerics of the diocese before being admitted to candidacy, while engaged in work on behalf of the Diocese of Little Rock.
- All candidates for the permanent diaconate.
- All clerics of other jurisdictions who are accepted for work in the diocese.
- All assigned Pastoral Ministers.
- All personnel of Catholic schools of the diocese (administration, faculty, and support staff).
- All religious education directors and teachers in the parishes and schools of the diocese.
- All youth ministers in the parishes, schools, and institutions of the diocese.
- All personnel of diocesan campus ministry programs.
- All paid personnel in the offices of the diocese, in the parishes of the diocese, in the schools of the diocese.
- All who volunteer for work on a significant scale in the offices and institutions mentioned above, and such other personnel as designated by the Bishop of the diocese.
- Parish pastoral and finance council members; school board members; and diocesan pastoral council, finance council, and review board members.

“Diocese” or “Diocesan”

“Diocese” or “Diocesan” includes the Diocese of Little Rock as a corporate entity, all the parish corporations, and all diocesan schools.

“Direct Employer” or “Administrative Supervisor”

For purposes of this policy, “direct employer” or “administrative supervisor” may include the following:

- The pastor of the parish or institution, principal of a school, administrator of a hospital.
- Religious superiors of Convents and Monasteries.
- Those who hold supervisory roles in agencies attached to the diocese.
- Pastoral Administrators.

“Minor”

A “minor” means any person under the age of eighteen (18), or who is considered by law to be the equivalent of a minor (*Vos estis lux mundi*, art. 1).

“Vulnerable Person”

A “vulnerable person” means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense (*Vos estis lux mundi*, art. 1).

“Child Pornography”

“Child pornography” means any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for primarily sexual purposes (*Vos estis lux mundi*, art. 1).

“Sexual Abuse”

Pursuant to Arkansas law, “sexual abuse” includes those things defined as such in Ark. Code Ann. § 5-14-101 *et seq.*, § 5-27-601 *et seq.*, and any other pertinent Arkansas statutes, including but not limited to the following:

- solicitation of sexual activity;
- deviate sexual activity;
- sexual contact;
- sexual intercourse;
- rape;
- sexual indecency with a child;
- indecent exposure;
- sexual assault; and
- the acquisition, possession, and/or distribution of matter depicting sexually explicit conduct involving a child
- Pursuant to Church law (*Sacramentorum Sanctitatis Tutella*, art. 6 §1; *Vos estis lux mundi*, art. 1 §1), “sexual abuse of a minor” also includes: the delict against the sixth commandment of the Decalogue committed with a minor below the age of eighteen years or with a person who habitually has the imperfect use of reason and is considered equivalent to a minor.
- the acquisition, production, exhibition, possession, or distribution, including by electronic means, of child pornography, as well as by the recruitment of or inducement of a minor to participate in pornographic exhibitions.