Report 1941-2019 on the Phenomenon of Sexual Abuse of Minors in the Congregation of the Legionaries of Christ from its Founding to the Present Day

Conducted by the Commission for Past Cases of Abuse of Minors and Attention to Those Affected

21 December 2019

(The current text is a translation from the Spanish version published the same date)



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I. Framework of the study

1. Origin and purpose of the study

In recent years, there has been a growing awareness in the Church¹, in society and in the Congregation of the Legionaries of Christ concerning the phenomenon of sexual abuse by priests², its causes and the very serious consequences for the victims.

At the end of his meeting in Rome with the presidents of the bishops' conferences from around the world, Pope Francis recognized that "the universality of this plague, while confirming its grave effect on all of society, in no way lessens its atrociousness when it takes place within the Church"³ and neither does it diminish its atrociousness within the Congregation of the Legionaries of Christ. As the Pope himself states in this speech, a single case would merit that it be addressed with the greatest seriousness.

In the 2014 General Chapter⁴, the Congregation of the Legionaries of Christ highlighted the need to reach out to victims⁵ and seek reconciliation. Since then, work has consisted above all in the prevention of abuses and in dealing with accusations. Nevertheless, in 2019, the superior general clearly noted the need to address with greater depth, fairness, rapidity and resoluteness, the cases of sexual abuse of minors committed by some members of the Congregation that arose prior to the implementation of the Safe Environment Policy in 2015.

In this regard, the superior general of the Congregation decided to submit to the General Chapter—the highest authority of the Congregation, which will begin on 20 January 2020—a report on the situation, detailing the progress and challenges still to overcome. To this end, on 20 June 2019, Father Eduardo Robles-Gil, superior general of the Congregation

¹ Letter of his Holiness Pope Francis to the People of God, 20 August 2019 and Motu Proprio Vos estis lux mundo, 7 May 2019.

² Priests or clergy in this Report refers to ordained members, including deacons

³ Address of his Holiness Pope Francis at the end of the Eucharistic Celebration Sunday, 24 February 2019.

⁴ A general chapter is an assembly composed of a representative group of members of a religious institute that holds supreme authority in the institute according to the norm of the constitutions, and is to be a true sign of its unity in charity (see *Code of Canon Law* 631; *Constitutions of the Legionaries of Christ* 124).

⁵ See <u>Communique</u> of the Extraordinary General Chapter of the Legionaries of Christ about the path of renewal we are traveling (20 January 2014), nn. 4-5 and 8-9 and <u>Communiqué</u> of the Holy See on the Apostolic Visitation to the Congregation of the Legionaries of Christ, 1 May 2010, n. 5.

of the Legionaries of Christ, after consulting with his council, created the **"Commission for past cases of abuse of minors and attention to those affected."** This commission is internal to the General Directorate of the Legionaries of Christ and will cease to function when the General Chapter begins. The superior general gave the commission authority to request information and collaboration from relevant governmental departments of the Congregation, to propose and conduct interviews to clarify cases from the past, and to access archives (observing the pertinent data management policies) to better understand the phenomenon of abuse of minors and promoting reconciliation with those affected.

The objectives set for the commission are mainly the following:

- 1. To make a historical diagnosis of the phenomenon of sexual abuse of minors committed by Legionaries of Christ⁶, from the Congregation's founding in 1941 to the present day.
- 2. To deal with the extant cases according to established criteria⁷ and to promote outreach to the victims of abuse of minors.
- 3. Ensure compliance with civil and ecclesiastical laws.
- 4. Review the ministry restrictions imposed upon members of the Congregation who have abused minors and ensure that the competent authority in the Congregation is enforcing them.
- 5. Make recommendations to address the phenomenon of sexual abuse of minors in the past and identify any necessary improvements to the safe environment policy to ensure that it meets the highest standard.

2. Working methodology

The commission is made up of members from different departments of the Congregation's General Directorate (general secretariat, safe environment, communications, initial formation, general archive and mission)⁸. It has met about 25 times and spent more than 150 hours working as a team, in addition to each member's personal work. The

⁶ In this report, a "Legionary who has committed sexual abuse" refers to a Legionary who has received credible allegations of sexual abuse, that is: allegations that, with the information available, cannot reasonably be doubted, either because the accused has admitted having committed the abuse, because he has been judged guilty by a civil or ecclesiastical court, or because there are witnesses and other reliable indications that abuse occurred.

⁷ Accreditation standards of Safe Environment Policy

⁸ The superior general of the Congregation, with the approval of his council, named Father Andreas Schöggl, LC, as president of the commission, Father David Joyce, LC, as secretary, and Legionary Fathers Gerardo Flores, Sylvester Heereman, Steven Reilly, Juan Sabadell and Aaron Smith as members of the commission

commission functions collegially to ensure responsible decisions and collaboration in its work, taking advantage of each member's areas of specialization.

The commission contacted 13 victims who had not previously been contacted. It also conducted in-depth interviews with some 40 members of the Congregation. The commission is grateful for the willingness, especially on the part of the victims, to open this painful part of their personal history and so to contribute to the commission's investigations.

The following were used to facilitate research and comparative verification so as to ascertain, within the limits of this kind of work, the credibility of the various accusations of sexual abuse of minors: all the books and documents published on the Internet; accusations published in various digital forums which the commission could find; in addition to the information provided by the various territorial safe environment offices.

The commission conducted an in-depth study of the unresolved cases, listed in order of priority.

The commission reported its findings to the superior general and the territorial superiors of the Congregation, so that the competent authority: (1) would investigate the cases of Legionaries currently residing in their territory; (2) collaborate with the investigation and reach out to the victims of cases of Legionaries accused of acts perpetrated in their territory; (3) ensure that sanctioned Legionaries residing in the territory comply with the restrictions imposed on them.

3. Limits and scope of the study

The Commission has reviewed the records of the Legionaries of Christ for whom there was some reference to inappropriate behavior with minors or vulnerable adults. Therefore, the report covers all known cases of sexual abuse of minors and vulnerable adults until 16 December 2019.

The commission did not address the issue of abuse of power and conscience, nor has it delved into the shortcomings of the actions of some superiors to analyze where there may have been cover-up, negligence or omissions. The commission is aware that this is an important pending task.

The information reported on abuse victims and those who have perpetrated abuse corresponds to the information available today. At the same time, the commission does not claim that its study could have discovered all cases. Abuse occurs in secret, many times it can take years for a victim to feel ready to report it. On the other hand, the information that is available in print or online and in the archives is not exhaustive. Therefore, there are likely more abuse cases than are reported here and the statistics will have to be updated periodically.

Because of differences in national legislation and due to the ethical considerations at play, the Report does not include a list of the names of priests who have credible allegations of abuse of minors. The Legion of Christ in the United States has decided to publish its list according to the practice of several dioceses and religious congregations.

4. Oabuse.org

Recognizing that a culture of silence prevents overcoming patterns that facilitate abuse, and considering the importance of adequate accountability in a culture of care and protection of minors, the Congregation has created the website <u>Oabuse.org</u>. In Oabuse, the Congregation will periodically update statistical data, safe environment policies, and press releases on particular cases of abuse of minors.

5. To whom this report is addressed

In continuity with the report published on 5 December 2013 by the then superior general of the Congregation (prior to the 2014 General Chapter of the Congregation), this report is published for study by all members of the Congregation and particularly those attending the 2020 General Chapter, so that the Chapter Fathers may receive feedback from the members of the Congregation and thus all join in the effort to eradicate the abuse of minors.

The commission also hopes that this report will be for the victims a sign of a desire to continue taking steps on the path of reconciliation with each of them. The report desires that this may be a first step on this path, by recognizing the history of the Legionaries of Christ.

We are making the report public so that other members of Regnum Christi, its institutions, and any social sphere where members of the Congregation are present will be aware of it. It is important that they have at their disposal truthful and complete information of the progress made on this topic. The fight against sexual abuse requires informed knowledge on the part of the Congregation's members and collaborators, so that they can creatively and demandingly help create a culture of protection and care of minors and contribute to the systematic fight against abuse.

II. Analysis of the phenomenon of abuses in the Congregation

This section aims to help measure the phenomenon of sexual abuse of minors in the Congregation using statistical information starting from the foundation in 1941 until 16 December 2019 in relation to the number of victims, the number of priests who have committed abuses, the pastoral fields where they occurred and the current status of those who have committed abuse.

Certainly, it is a complex phenomenon that involves multiple factors. The attempt to comprehend it only produces tentative conclusions that can always be improved as the information increases and we collect new evidence. Even so, the available information allows and even requires us to make a first attempt using corroborated and reliable data. This, subsequently, opens up possibilities for further specialized studies.

1. Stages in dealing with abuse in the Congregation

The Congregation's response to sexual abuse of minors can be divided into four stages:

a) From 1941 to 2005

During this period, the institutional response to the phenomenon of abuse was very much characterized by the general mentality of the time when abuses were a social taboo. It was also marked by the figure of Fr. Marcial Maciel as founder, who was also the superior general and the highest authority. According to the Constitutions of the Congregation at that time, Father Maciel, as superior general, had direct responsibility for all important government decisions, including appointments, admissions to priesthood, investigations and sanctions, and the pastoral assignments of all members.

b) From 2005 to 2014

During this period, first under the government of the new superior general, Fr. Álvaro Corcuera and, later, under the pontifical delegate, Cardinal Velasio De Paolis, the Congregation becomes aware, in a slow and painful process, of the abuses Father Maciel committed and of the consequences they had on the Congregation. Codes of conduct and procedures are implemented in many territories, with the United States and Ireland being the two countries where the problem is confronted with the highest priority. At the international level, however, having to face the process of revision and institutional restructuring of the Congregation, cases of sexual abuse of minors are not given equal priority and relevance and, therefore, consistent action is not always taken on past cases. During the mandate of Cardinal De Paolis, an increase in the awareness towards the prevention of sexual abuse of minors begins, as well as a better understanding of the phenomenon, its scope in the Congregation, the response that was given and the need to reach out to victims. The pontifical delegate instituted an outreach commission to help the victims of Fr. Maciel.

c) From 2014 to 2019

In these years, the 2014 General Chapter, with a clear declaration, calls for conversion in favor of the victims and reconciliation. From 2014 to 2018, Fr. Eduardo Robles-Gil concentrates his attention and efforts in setting up and establishing the Safe Environment Policy⁹. At the same time, there are delays and a lack of determination to systematically address the cases prior to 2014.

d) From 2019 onward

As was happening in the rest of the Church and as the fruit of an ongoing conversion, the general government begins to review with greater breadth and dedication the way in which the Congregation handled cases prior to 2015 when the Safe Environment Policy came into effect. The "Commission for Past Cases of Abuse of Minors and Attention to Those Affected" is created and this report is prepared.

2. Global statistics from 1941-2019 on abuse of minors by priests in the Congregation

Throughout its history, 1,353 priests were ordained in the Congregation, 367 of whom either since left or have passed away. In this section on statistics, the report uses the expression "number of priests in the Congregation" when referring to the total number of priests ordained, even if they have passed away or subsequently left the Congregation. Since the phenomenon we are studying is the sexual abuse of minors in the Congregation, all those who committed abuse as Legionary priests were included, whether they left or not¹⁰.

⁹ In Appendix I the steps taken are explained

¹⁰ Using the phrase 'priests in the Congregation who have abused' includes in two who were deacons at that moment.

"Substantiated allegations" includes those allegations that, with the information available, should not reasonably be doubted, either because the accused has admitted to committing the abuse, or because he has been found guilty by a civil or ecclesiastical court, or because witnesses and other reliable indicators are available.

The term "victim" refers to any minor who suffered abusive acts of sexual nature, even though in some cases the law does not consider them a crime civilly or canonically (ecclesiastically).

a. The victims

- The study identified 175 minors as victims of sexual abuse committed by 33 priests of the Congregation. This number of victims includes at least 60 known minors abused by Father Marcial Maciel.
- The vast majority of the victims were boys between the ages of 11 and 16.
- The Congregation has begun a path towards healing and reconciliation with 45 of these victims. There is still a great need to continue opening this path up for others. (See Chart 1 in Appendix II.)

b. Priests who abused minors

- A total of 33 priests of the Congregation committed abuse as priests or deacons. This number represents 2.44% of the 1,353 ordained throughout the history of the Congregation. (See Chart 2 in Appendix II.)
- Of the 33 priests of the Congregation who committed abuse, six have passed away, eight have left the priesthood, one has left the Congregation and 18 are still in the Congregation. (See Chart 3 in Appendix II.)
- Of the 18 who remain in the Congregation, 14 have no public priestly ministry; four have a restricted ministry that excludes pastoral work with minors (schools, youth groups, etc.). In addition, they have a personal safety plan. (See Chart 3 in Appendix II.)
- Classification according to the number of victims of the priests credibly accused of abuse (see Chart 4 in Appendix II):

> Of the total of 33 priests who have committed abuse:

- Two engaged in cyber-abuse (sexting)
- Four abused a victim once
- Nine abused a single victim on multiple occasions
- Eleven abused between two and five victims
- Five abused between six and ten victims
- A priest, already removed from the clerical state, abused 13 known victims
- Father Maciel abused at least 60 victims
- > Of the 33 priests who have committed abuse, 14 (42.42%) were themselves victims of abuse in the Congregation. (See Chart 5 in Appendix II.)

c. The main places where abuse occurred

In the minor seminaries of the Congregation, in addition to the victims of Father Maciel, 15 priests abused 65 victims. Another 90 students were abused by 54 seminarians¹¹ in formation, of whom 46 did not reach the priesthood.

The minor seminaries of the Congregation, where over 10,000 students resided, were the most vulnerable environment for sexual abuse in previous decades. This is due, first of all, to the associated risks of a boarding school. In addition, various other factors converged, such as the little time that students spent with their families at that time, the insufficient formation and oversight of young directors, deficiencies in affective-sexual formation and a pedagogy that over emphasized discipline.

The implementation of safe environment policies in 2015 and the pedagogical reform of minor seminaries—which took a decisive step with the publication of the document <u>"Speak, Lord, your servant is listening"</u> on the identity of minor seminaries—have resolutely faced these and other issues so that the minor seminaries of the Congregation may be safe and educational environments for minors under the responsibility of the Congregation. The last known case of sexual abuse in a minor seminary of the Congregation occurred seven years ago, in 2012.

• In the Congregation's schools, 33 victims were abused by seven priests, none of whom now have public¹² priestly ministry.

¹¹ In this report 'seminarian' refers to Legionaries of Christ from the novitiate until ordination 12 It's estimated that over 150 000 students have graduated from Legionary schools. The last known allegation occurred in 2013. The accused was removed from the clerical state.

- In parishes, we know of three victims who were abused by three priests.
- In the youth ministry of the Congregation, a priest abused one victim.

d. Judicial situation of the cases (civil and ecclesiastical)

- Civilly, six of the 33 priests passed away without trial, one was convicted, another—already removed from the clerical state— is currently on trial. The others, so far, have not been prosecuted for various reasons, such as the legal situation in different countries or statutes of limitations.
- Canonically, five of the 33 passed away without going to trial, 15 were sanctioned, six are in the process of being tried, three are under preliminary investigation with precautionary restrictions, one received dispensation from ministry without trial, and three were accused after they had already left the Congregation.

e. Chains of abuse

Studying this phenomenon, an overview of its historical evolution indicated that there were chains of abuse in which a victim of a Legionary, over the years, sometimes later became himself an abuser. It is worth noting that 111 of the victims were either victims of Father Maciel, or were victims of his victims or of a victim of one of his victims. This represents 63.43% of the 175 victims of priests in the Congregation. Today, none of these 11 priests involved in this chain of abuses publicly exercises priestly ministry in the Congregation. Three of them have passed away. (See Chart 6 in Appendix II.)

f. Abuse of authority and the superiors

14 (42.4%) of the 33 priests committed the abuse while they were in positions of authority in the Congregation. This fact made it very difficult—and sometimes impossible—to report and penalize this grave evil. The sexual abuse of minors in the Congregation was linked to the abuse of power and conscience on the part of some who took advantage of their posts to abuse. (See Chart 7 in Appendix II.)

In most of the abuse cases, according to the historical records, superiors treated the abuse of a minor as a reason to not ordain a seminarian to the priesthood, in accordance with can. 695 of Canon Law. In fact, in eight decades, of the 74 Legionary seminarians¹³ who abused, 60 (81.08%) were not ordained in the Congregation. Of the 14 who were ordained, two have since passed away, two have restrictions, four are under investigation, and six are no longer under the jurisdiction of the Congregation. According to the historical records, of the three that were ordained after 2005, the superiors admitted them to ordination without knowledge of the facts. (See Chart 8 in Appendix II.)

¹³ In the history of the Congregation, there have been over 6500 who entered the first stage (novitiate). 74 abused as seminarians, 33 as priests (of whom 3 had abused also as seminarians). Those who abused in the Congregation are 1.60% of all Legionaries.

III. Epilogue

The commission delivers this report very conscious of its limits and that it represents only one step on the path of conversion and continuous improvement that we want to continue to traverse as a Congregation. We have experienced up close the wound that the abuses open in the victims, in the Church and in our own Congregation. Experience tells that any step in approaching a victim is an essential step towards justice in truth, and that shedding light on the past, however painful it may be, is liberating and an indispensable foundation for building the future.

We deplore and condemn the abuses committed in our history, as well as those institutional or personal practices that may have favored or encouraged any form of abuse or re-victimization. We ask forgiveness of the victims, their families, the Church and society for the grave harm that members of our Congregation have caused. We acknowledge with honesty and shame the reality of the crimes of sexual abuse of minors in the Legion's history, sincerely desiring a continued personal and institutional conversion.

The commission's study of the phenomenon of abuse in the Congregation between 1941 and 2019 led it to develop a series of proposals and recommendations that it will present during the General Chapter to further consolidate the commitment against child abuse and safe environments. We have noted in the historical investigation, how necessary and timely the standards of prevention are, especially in the response and supervision employed in the past few years since 2015. There is still a need to examine where there may have been cover-up, negligence or omissions.

We continue to seek reconciliation with the victims of abuse and healing. We wish to renew our willingness <u>to listen to those who want to</u> <u>come forward</u>, and to pursue paths of reconciliation and reparation.

We renew our commitment to provide safe environments for minors and vulnerable adults, by means of necessary prevention and rapid response policies to any allegation, which includes the collaboration with civil and ecclesiastical authorities.

December 21, 2019

Commission for Past Cases of Abuse of Minors and Attention to Those Affected

Appendix I: Path towards a new culture of care and protection of minors, meeting with victims and systematically combatting abuse (2014-2019)

The 2014 General Chapter requested that the general government continue the Legion's efforts to foster safe environments in its houses and institutions¹⁴. The Chapter specifically asked the government to establish procedures and criteria for action regarding safe environment policies that all territories would be required to fulfill in the next six years¹⁵.

On 30 December, 2014, the general superior, with the consent of his council, approved the <u>Standards for Safe Environment Accreditation</u>: <u>Prevention, Response and Supervision</u>.

Each territory had to adapt this general code of conduct to ensure clear and effective policies in educational institutions, Regnum Christi sections and apostolic activities.

The document established 25 standards that articulate a comprehensive response to the phenomenon of sexual abuse of minors:

- **Preventive measures:** selection of candidates entering the Legion; adequate initial training for members, especially in the affective-sexual maturation; codes of conduct; sex abuse prevention training programs; immediate intervention in the event of any boundary crossing; support and assistance to members with affective-sexual immaturity; means of perseverance for members..
- Response measures to any allegation: qualified personnel for any complaint; pastoral care of the affected; thorough investigation; and in collaboration with civil and ecclesiastical authorities.
- **Supervision:** establishing safety plans for anyone credibly accused of these crimes, and to prevent them from harming more people.

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¹⁴ See General Chapter Communiqué 2014, 210.

¹⁵ See General Chapter Communiqué 2014, 211.

A two-year time frame was established for the territories to implement these policies, at the end of which a certification¹⁶ process began.

On 13 March 2017, the general coordinator of safe environments proposed to the general director and his council to contract the American agency Praesidium, Inc. to carry out the certification processes for the implementation of the Standards of Safe Environment Accreditation. The proposal was approved because it could not be the Legion of Christ itself who determined that all was well in matters of safe environment.

In October 2017 the territory of Spain began the accreditation process, which concluded on 7 September 2018, becoming the second country accredited by Praesidium after the United States.

During the accreditation in Spain, the first meeting took place with the safe environment coordinators who would initiate the accreditation process in their respective territories: Chile, Brazil, Colombia-Venezuela, Mexico, Monterrey, Italy and the Rome Delegation, with training given by Praesidium, Inc. In this meeting, the coordinators agreed that the certification would begin in one year from that date. Mexico, Monterrey, Colombia-Venezuela and Chile are already in the second phase of the accreditation process.

Territories such as Central Europe and the United States also follow the protocols established by the episcopal conferences or by the governments of the countries where the Legionaries carry out their apostolate.

Sex abuse prevention training was given by the general directorate in Spain to all the Legionaries (2014 and 2017), to the novices of Spain (2018 and 2019), to all the Legionaries of the Monterrey Territory(2018), and to all the Legionaries of the Territory of Mexico (2019).

The standards were updated in 2017 incorporating the suggestions from the accrediting agency that reinforce the following standards:

- Standard 1: presence on social networks and the Internet of candidates who ask to be admitted to the Legion.
- Standard 4: letters of good standing for priests, seminarians and consecrated persons planning to participate ministry with minors outside their assigned territory.
- Standard 19: notify the certifying agency if a member has been found guilty of sexual abuse of a vulnerable minor or adult.

On 22 June 2018, the superior general wrote to the territorial directors to reflect with them on how best to help the Legionaries acquire a profound safe environment culture. On this occasion, the objective was to point out to the territorial superiors some areas that deserve special attention. These are:

- He reminded them of the importance of codes of conduct and their value as secondary codes. He established that any religious, unwilling to comply with the norms, could not receive any kind of ministry.
- He reminded them that local superiors have the duty to offer their seminarians means of support and perseverance in their vocation.
- He invited them to practice fraternal correction, in order to admonish any boundary transgression.
- He asked that they help Legionaries to understand the suffering and consequences of abuse for victims and their families.
- He invited them to know and diligently apply the rapid response plans whenever any allegation arises, seeking healing for victims.
- He insisted on the supervision for those Legionaries who committed abuse to guarantee that they do not commit other abuses.

On 11 February 2019, a third update of the standards was presented to take meaningful action for people who have suffered sexual abuse as minors by a Legionary:

- Each territory should establish independent channels for people to come forward with allegations. These channels would not substitute the duty that each territory has to reach out to victims, but would function as a means to report allegations. These channels had to be established by May 2019.
- All information on possible abuses must be archived sine die, to

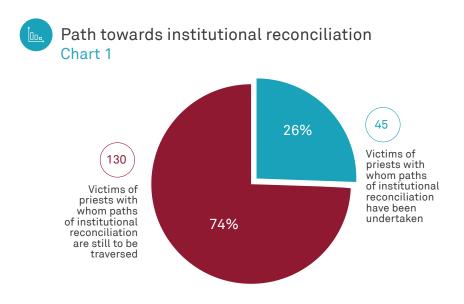
be able to respond in a timely manner to any allegation, which could arrive years after the events.

On 21 February 2019, several guidelines for the pastoral care of victims of sexual abuse were approved and communicated to all Legionaries, aware that no effort will ever be enough to help in the process of a victim's healing. On this occasion, the territorial directors were also asked to offer specific training to those in charge of this pastoral care.

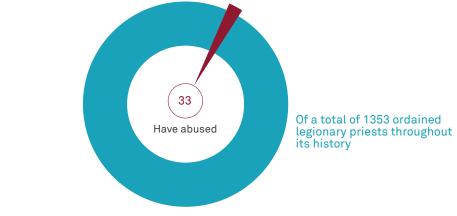
In March 2019, the superior general gave a conference on the culture of safe environments and protection of minors to the Legionaries of the Territory of Mexico, inviting them to continue along this path of cultural awareness. This conference was distributed to all the Legionaries around the world inviting local superiors to watch it with their communities at an opportune moment.

As of June 2019, the work at the General Directorate in relation to the abuse of minors was reinforced through the "Commission for past cases of abuse of minors and attention to those affected."

Appendix II: Charts 1941-2019

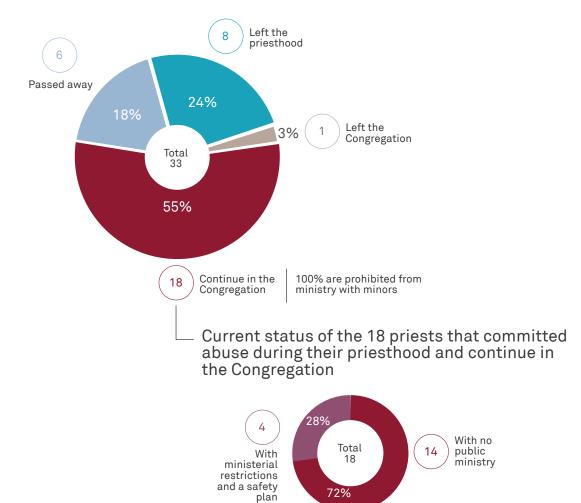


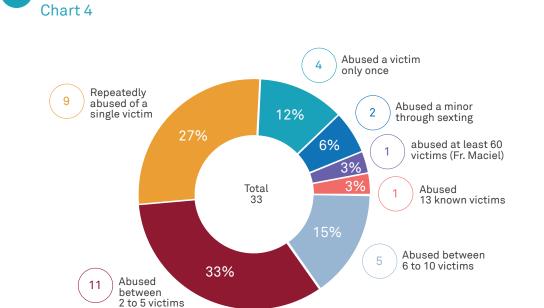




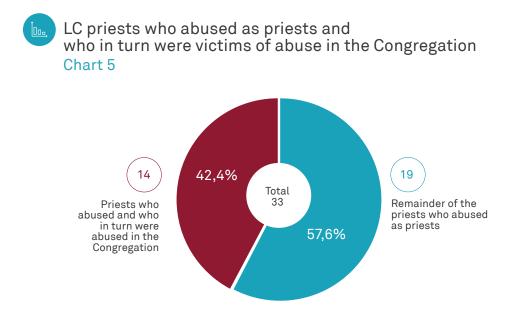
*To see the statistics of seminarians who committed abuses and were ordained priests see chart 8.

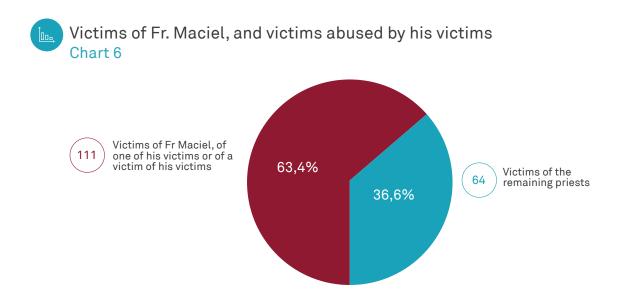




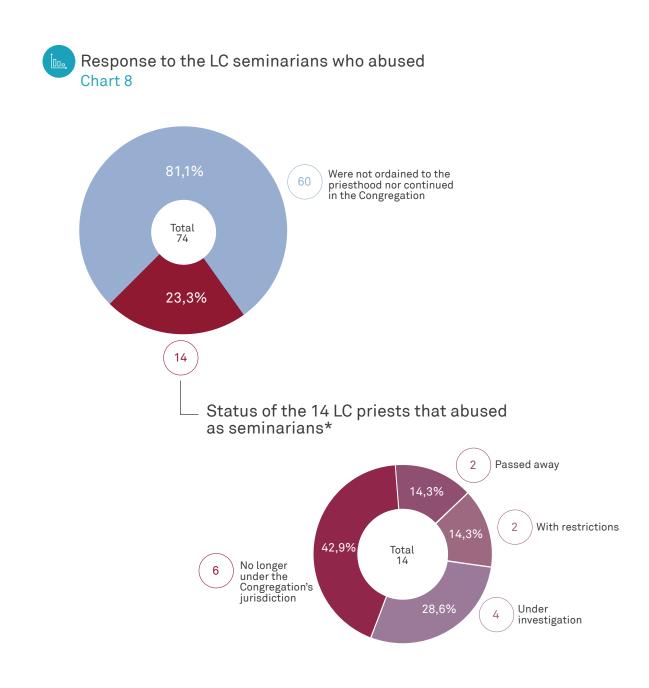


LC priests guilty of abuse, by type of abuse and number of victims



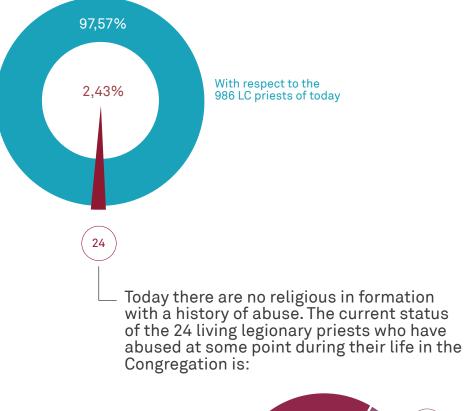


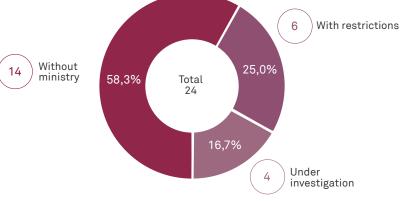




*Of the three that were ordained after 2005, that the superiors admitted them without prior knowledge of the facts.

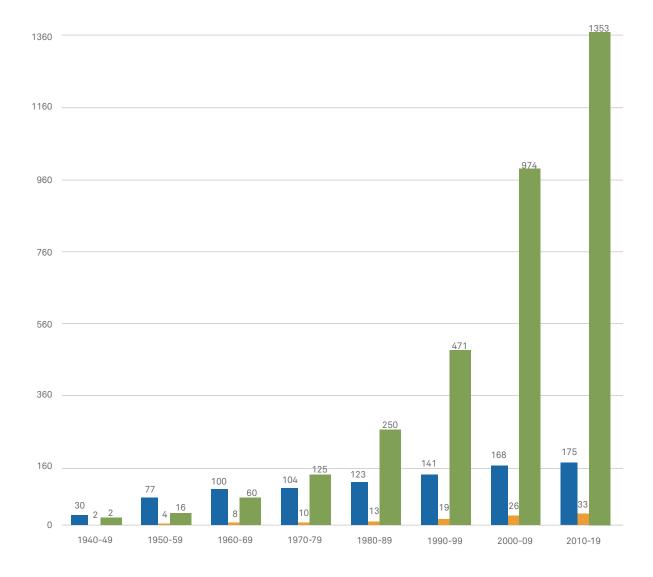
LC priests who have abused at some point during their life in the Congregation Chart 9





Comparative Historical Evolution of the sum total of LC Priests, the Victims and LC Priests who Abused between 1941-2019 Gráfico 10

	1940-49	1950-59	1960-69	1970-79	1980-89	1990-99	2000-09	2010-19
 Sum total of victims 	30	77	100	104	123	141	168	175
Sum total of LC priests that abused	2	4	8	10	13	19	26	33
Sum total of LC priests	2	16	60	125	250	471	974	1353





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