

Oversight Board exercises vigilance to ensure child safety

—Thirteenth in a series.—

The Clergy Misconduct Oversight Board remains vigilant in its effort to ensure, ultimately, a safe environment for all people — especially children — in Los Angeles' parishes and Catholic schools.

“Our mission is to make sure that all allegations of misconduct by priests are investigated,” says retired Los Angeles Superior Court Judge Richard P. Byrne, who has headed the Board from its inception in June 2002. “Our objective is to make sure that no priest who poses a danger to others is serving in ministry in the Archdiocese of Los Angeles.”

The Board replaced the former Sexual Abuse Advisory Board that was formally established in 1994 and served continuously until 2002. The previous Board met and discussed cases with the Vicar for Clergy, who made his recommendations to the cardinal. The new Board takes an active approach in assessing and directing investigations, and makes its recommendations directly to Cardinal Roger Mahony.

Judge Byrne, a former deputy district attorney who had served on the Sexual Abuse Advisory Board, helped draft the charter for the new entity. His career on the bench included a tenure as the presiding judge of Juvenile Court in Los Angeles County, dealing with dependency cases and family law.

The 13-member (seven men, six women) Board includes clergy (two priests), religious (a nun) and laity, as well as a range of ethnic and cultural groups, occupations and life experiences “to bring different points of view,” Judge Byrne explained. Members (who serve staggered five-year terms) include a lay parish business manager, a psychiatrist, a clinical psychologist and a retired county social services worker. Also represented are parents of children sexually abused by a priest, and a survivor of sexual abuse (by a non-Catholic clergyman).

The Board meets the fourth Wednesday of each month, having initially met twice monthly until the caseload began to subside (the January 2006 meeting was its 56th). The meetings include updates on cases heard previously and action taken, as well as cases that are new to the Board, although the alleged abuse may have taken place many years ago.

Currently, Judge Byrne said that the Board has investigated all cases of alleged sexual abuse that have been brought to its attention during its 43 months of operation.

“Most of the cases we have heard,” he said, “involve allegations of abuse that took place before 1990 but were

not reported until relatively recently.”

The Los Angeles Board investigates all cases of alleged clergy abuse regarding children and adults. Allegations may involve sexual abuse of minors; they may also involve sexual harassment of adults, said Judge Byrne.

“Ultimately, we need to determine whether a cleric ought to be allowed to remain in or be removed from ministry, or whether he should have a leave of absence pending further investigation,” Judge Byrne explained. “If we feel that a person should no longer continue as a priest, we can recommend that the appropriate canonical steps be taken, and it’s then up to the cardinal to decide what should be done.”

Depending on the nature of a case, the Vicar for Clergy may already have taken action with respect to putting a priest on administrative leave, for example, while the Board considers the case. “At times, it has been necessary to hire outside investigators, such as former FBI agents, to obtain additional information to help us in our decision-making process,” said Judge Byrne. “Their charge is simply to find out what did or didn’t happen.”

The Board submits its recommendations in writing to Cardinal Mahony, “who has accepted all of our recommendations,” said Judge Byrne.

Beginning this month, the Board’s efforts will be assisted further by an independent professional investigator. This person, upon the notification of alleged abuse against a minor, will be directly responsible to the board for the investigation and also will coordinate his or her work with the Vicar for Clergy, archdiocesan Legal Counsel and other archdiocesan officials.

“This is a process that has the full support of Cardinal Mahony,” said Judge Byrne. “We as a Board felt that we needed to be more directly responsible for the investigative aspect of allegations of the sexual abuse of minors by clergy that were brought to our attention.”

As a lifelong Catholic, Judge Byrne noted that some had initially questioned whether he would be properly suited to assume a role that, at times, might entail being critical of the practices of the church and/or archdiocese.

“My response,” he said, “is that I have 15 grandchildren, many of them in Catholic school and all of them involved with their families in their parishes. There is no way that I will be less than vigilant in making sure they have a safe environment and are properly protected from sexual abuse.”

Editor’s note: This weekly series of feature stories, commentary and analysis is compiled and edited by an advisory group to the Media Relations Office of the Archdiocese, through which the articles are distributed.