



Archdiocese of Newark

OFFICE OF THE ARCHBISHOP

June 18, 2019

My Dear Brothers and Sisters in Christ,

I share with you today crucial decisions made by the Catholic bishops of the United States during a meeting last week in Baltimore. Bishop Manny Cruz and I participated in the United States Conference of Catholic Bishops (USCCB) assembly from June 10 through 14th, during which the bishops made important progress. The bishops addressed the crises that exploded last summer, beginning with revelations regarding the fourth archbishop of Newark, Theodore McCarrick, followed in quick succession by the report of a grand jury investigation of past crimes of priests in Pennsylvania and the mishandling by bishops of the reports of those crimes, and finally, a series of allegations that were published by a former ambassador or nuncio of the Holy See to the United States.

The bishops of the Catholic Church in this country approved three documents related to reporting and investigating claims of abuse or the intentional mishandling of these cases by bishops. You can find the actual text of these three documents on the website of the Archdiocese (www.rcan.org).

Let me briefly describe each:

1. One document, "***Protocol Regarding Available Non-Penal Restrictions on Bishops,***" deals with bishops who were removed from office or resigned their office for reasons of sexual abuse or the intentional mishandling of accusations – otherwise called "cover-up." While the pope alone has the power in the Church to punish a bishop, as he did recently with Theodore McCarrick and others, the document provides guidance on bishops who resigned or were removed for reasons related to sexual abuse or abuse of power, but not convicted of a canonical crime. Such a bishop may be restricted in his ministry, forbidden to speak or act on behalf of his former diocese and not invited to the meetings of the national conference of bishops.
2. A second document, "***Affirming Our Episcopal Commitments,***" prepared by a committee of bishops that I chair, reaffirms the commitments we bishops made on the day of our ordination to live according to the Gospel and carry out the responsibilities to shepherd the people of God. We place ourselves under the same high standard applied to priests, deacons and lay leaders.
3. Finally, we approved a third document, "***Directives for the Implementation of the Provision of 'Vos Estis Lux Mundi' Concerning Bishops and their Equivalents,***" that

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deals specifically with the reporting and investigations of certain complaints against bishops. This document detailed some specific ways that the Catholic Church in this country will implement a universal law enacted by Pope Francis on May 9 of this year, a collection of norms entitled "*Vos Estis Lux Mundi*" or "*You Are the Light of the World.*" This initiative by Pope Francis establishes new procedures to combat sexual abuse and to ensure that bishops and religious superiors are held accountable for their actions.

Because of the new laws promulgated by Pope Francis, every bishop in the world is now subject to a Church investigation, if he is accused of sexual abuse of a minor or vulnerable person, the possession or distribution of child pornography or mishandling or willfully mishandling such abuse cases. "*Vos Estis Lux Mundi*" strengthens the protections already in place in the United States in a number of important ways. First, it expands the definition of vulnerable persons to include seminarians and any other person made to engage in sexual acts due to a power differential or abuse of power. Secondly, it requires internal reporting to superiors and establishes protection for whistleblowers. It also reiterates and clarifies that bishops are subject to the universal law of the Church that forbids sexual abuse and the intentional mishandling of cases.

Pope Francis clearly has given strong leadership on these issues. The decisions of the American bishops last week complements and strengthens the program of our Holy Father. We decided to establish a national reporting system for complaints against bishops. Currently, such complaints can go to law enforcement, the chancery, or directly to the nuncio. The third-party system in the United States will supplement these existing avenues, and facilitate and professionalize the process for gathering and reporting complaints.

As the Metropolitan Archbishop of the Church in New Jersey, I will have some particular responsibilities in the investigation of another bishop in this state. On the other hand, if I were accused, the senior bishop among the four other dioceses would head the investigation of my conduct. However, this system is not simply bishops policing bishops. Lay experts will be involved in all phases of the investigation and reporting to the Holy See. The combination of lay involvement, Metropolitan leadership and the final judgment of the Holy See will ensure that complaints are evaluated thoroughly, and justice is achieved for victims/survivors.

Finally, I must remind you that existing Church law in the United States already requires notifying public authorities and this is established practice in all U.S. dioceses. In no way does the Church investigation that I have been describing interfere with or replace a civil investigation.

There is much more that can be said but, for additional information, I ask you to visit the website of the Archdiocese of Newark (www.rcan.org) for copies of the three documents

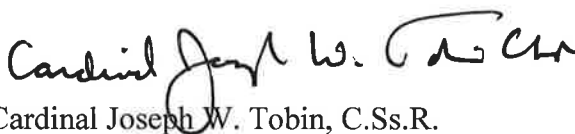
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approved last week in Baltimore as well as links, graphics and a more detailed description of the reporting and investigative procedures.

I am particularly grateful for this moment to write to you. These decisions will bring unprecedented accountability throughout the hierarchy of the American Church and signal a new co-responsibility among all the baptized for the good of the Body of Christ.

May God bless you and yours!

Sincerely yours in Christ the Redeemer,

A handwritten signature in black ink, reading "Cardinal Joseph W. Tobin". The signature is written in a cursive, flowing style.

Cardinal Joseph W. Tobin, C.Ss.R.
Archbishop of Newark

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