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Policy and Procedures

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On Sexual Misconduct
and the
Protection of
Children and Youth



DIOCESE OF LA CROSSE

◆

REVISED 2026

POLICY AND PROCEDURES

On Sexual Misconduct and the
Protection of Children and Youth



DIOCESE OF LA CROSSE

REVISED 2026

A PASTORAL LETTER TO CHRIST'S FAITHFUL

OF THE

DIOCESE OF LA CROSSE

THE MOST REVEREND GERARD W. BATTERSBY

BISHOP OF LA CROSSE



DECREE

Promulgating the Policy and Procedures

OF THE DIOCESE OF LA CROSSE

REGARDING THE SEXUAL ABUSE OF MINORS BY CLERGY

In the Diocese of La Crosse, protecting our youth and vulnerable persons and creating a safe environment for all is a priority. This is a painful issue; victims of abuse endure a lifetime of pain, and we as a Diocese pledge to be leaders in prevention and detection. I commit to doing all in my ability to ensure that a culture of vigilance permeates all ministries and programs offered by the Diocese, particularly those that serve our young and vulnerable members.

The Diocese of La Crosse has established policies and procedures contained herein for the safeguarding of all those committed to our care. This document, among others, serves as a path, addressing in a compassionate and timely way the evil of sexual abuse of minors and vulnerable individuals. We must continue to build upon the solid foundation that we have built in protecting the youth and vulnerable persons of our diocese. This is work in which we can never rest in our attentiveness, nor let down our efforts at sober vigilance.

Continuing our work of education for all and holding to the effective policies that have been implemented is an ongoing task and commitment. The revisions of the Green Book include the addition of an investigator who will report directly to the Chair of the Review Board. This strengthens the independence of the Review Board, giving it the authority to approve replacements to its membership. It outlines the process for the publication of names and includes the bylaws of the Review Board. It also includes appropriate references to Pope Francis' *motu proprio Vos Estis Lux Mundi*. My hope is that this will lead to an even greater compassionate and timely response to any and all accusations of sexual abuse of children and vulnerable adults. I hereby promulgate the *Policies, Procedures, and Bylaws: Diocese of La Crosse Complaint Process Regarding Allegations of Sexual Abuse of Minors by Clergy*.

May God bestow healing upon all those wounded by the pain and fear inflicted upon them, and may they be sheltered in His love.

Given at La Crosse on the first day of July in the year of our Lord 2026.

A handwritten signature in black ink, appearing to be "B. W. B. G.", written over a horizontal line.
Bishop of La Crosse

CONTENTS

Table of Contents

Decree Promulgating the Policy and Procedures Regarding the Sexual Abuse of Minors by Clergy.....	ii
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PART I • PROTECTION OF CHILDREN AND YOUTH

Chapter 1: Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy.....	1
Chapter 2: Publication of Clergy Names With Sufficiently Confirmed Allegations of Child Sexual Abuse	8
Chapter 3: Diocese of La Crosse Independent Review Board Bylaws	10
Appendix A: Plain Language for Complaint Reporting and the Investigation Process.....	13
Appendix B: Reporting and Investigation Process	15

PART II • SEXUAL MISCONDUCT

Promulgation of the Revised Sexual Misconduct Policy and Procedures	16
Sexual Misconduct Procedures, also known as the “Red Book”	17

Protection of Children and Youth

CHAPTER 1

Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy

Policies, Procedures and Bylaws: Diocese of La Crosse Complaint Process Regarding Allegations of Sexual Abuse of Minors by Clergy

I	Scope
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1. The Policies and Procedures Regarding the Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy govern all priests and deacons appointed by the Diocesan Bishop to serve in the Diocese of La Crosse.¹
2. The policies and procedures are not intended to cover other moral transgressions or matters involving other violations of the Code of Canon Law.

II	Definitions
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Minor: A person under 18 years of age. A person who habitually has the imperfect use of reason² is to be considered equivalent to a minor.³

Sexual Abuse of a Minor: Sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Also, to be considered as serious is the acquisition, possession, exhibition or distribution for purposes of sexual gratification or profit, of pornographic images of minors under the age of 18, in any manner and by any means whatsoever, by a cleric.⁴

Any conduct of a sexual nature involving persons under the age of 18 that violates any federal or state statute also constitutes sexual abuse of a minor under these policies. This includes, but is not limited to:

¹These *Policies and Procedures Regarding the Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy* also apply to bishops appointed to serve in the Diocese of La Crosse; however, procedures concerning allegations against bishops are governed by the Apostolic Letter *Vos Estis Lux Mundi*, issued motu proprio by Pope Francis on March 25, 2023.

²Canon 99 of the Code of Canon Law states: "Whoever habitually lacks the use of reason is considered not responsible for oneself (*non sui compos*) and is equated with infants."

³Congregation for the Doctrine of the Faith, *Normae de delictis Congregationi pro Doctrina Fidei reservatis* (approved October 11, 2021; promulgated December 7, 2021; entered into force December 8, 2021), art. 6, 1°.

⁴Cf. *Ibid.*, 2°.

1. Sexual assault of a child (Sec. 948.02 Wis. Stats.)
2. Repeated acts of sexual abuse of a child (Sec. 948.025 Wis. Stats.)
3. Sexual exploitation of a child (Sec. 948.05 Wis. Stats.)
4. Causing a child to view or listen to sexual activity (Sec. 948.055 Wis. Stats.)
5. Child enticement (Sec. 948.07 Wis. Stats.)
6. Exposing a child to harmful materials (Sec. 948.11 Wis. Stats.)
7. Child pornography (Sec. 948.12 Wis. Stats., 18 U.S.C. Sec. 2251, 2252, 2252A)
8. Exposing genitals, pubic area or intimate parts (Sec. 948.10 Wis. Stats.)
9. Sexual intercourse with a child age 16 years or older (Sec. 948.09 Wis. Stats.)
10. Invasion of privacy by video surveillance (Sec. 942.08 Wis. Stats.)
11. Unauthorized taking, possessing or distributing nude pictures (Sec. 942.09 Wis. Stats.)
12. Sending obscene or sexually explicit electronic messages (Sec. 944.25 Wis. Stats.)
13. Use of a computer to facilitate a child sex crime (Sec. 948.075 Wis. Stats.).

III

Policies

1. Sexual abuse of a minor is a crime and “an appalling sin in the eyes of God.”⁵
2. Sexual abuse of a minor by any bishop, priest or deacon is contrary to Catholic faith and morals, is outside the scope of his duties and responsibilities, and is absolutely prohibited.
3. All Diocesan agents shall comply with all applicable federal, state, and local civil and criminal laws prohibiting sexual abuse of minors; all laws requiring the reporting of known or suspected instances of sexual abuse of minors; and all requirements, procedural and substantive, set forth in this policy.⁶
4. All allegations of sexual abuse of a minor by any bishop, priest or deacon shall be handled in a manner that is expeditious, fair, and compassionate.

⁵John Paul II, “Address to the Cardinals of the United States,” April 23, 2002.

⁶The canonical reporting obligation of all clerics, as well as the confidentiality of reports and protection against retaliation for clerics making reports, are defined in the Apostolic Letter *Vos Estis Lux Mundi*, issued motu proprio by Pope Francis on March 25, 2023, artt. 3 and 4.

IV

Procedures

1. All allegations of sexual abuse of a minor against a bishop,⁷ priest, or deacon, regardless of how received,⁸ shall be immediately reported to the Complaint Intake Agent. The Intake Agent shall have appropriate experience or shall complete training in Wisconsin's Mandatory Reporting Law (Wis. Stats. §48.981) and laws regarding sexual abuse allegations before serving.

If investigatory or other processes are commenced as a result of the reporting to civil authorities, the Diocese's procedures herein will cease until the secular legal matters are concluded. Pastoral assistance and/or other assistance may be made available to the person who is reported to be the victim ("Minor", regardless of the person's age at the time the report is made) pending the investigation of the allegation.

2. The Intake Agent shall promptly notify each of the following parties of the allegation of abuse that has been made:
 - a. Law Enforcement/Social (Human) Services Department (for the County in which the alleged conduct occurred)
 - b. Chairperson of the Diocese of La Crosse Review Board
 - c. Episcopal Vicar for Clergy
 - d. Diocesan Attorney
3. The Intake Agent shall promptly respond to the person making the complaint, acknowledging the allegations. The Intake Agent shall contact the Minor, if different from the person who made the complaint, to provide a copy of both the Policies and Procedures Regarding the Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy and the Plain Language Complaint Reporting and Investigation Process.
 The Minor shall be advised of any civil or criminal law reporting requirements and shall be assisted in such reporting if the person making the complaint desires, as well as the Diocesan policy to notify law enforcement and that he/she has no obligation to cooperate with law enforcement's investigation, as well as the right to direct the Diocese to withhold his or her name from the report to law enforcement if he/she wishes to remain anonymous.

⁷If the complaint involves allegations against a bishop, the procedures that will be followed are set forth in the Apostolic Letter *Vos Estis Lux Mundi*, issued motu proprio by Pope Francis on March 25, 2023.

⁸This shall not include communications made under the Sacramental Seal. See Code of Canon Law, canons 983 and 984.

4. The Vicar for Clergy shall notify the accused that an accusation has been made and provide the accused with a copy of the Policies and Procedures Regarding the Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy, the Plain Language Complaint Reporting and Investigation Process, and the Accused Clergy Notices and Statement of Rights.

If the accused is a cleric of another diocese or incardinated in an institute of consecrated life, society of apostolic life, or secular institute, the ecclesiastical superior of the accused shall also be notified. The accused shall be informed of the accusation and of any civil or criminal law reporting requirements, including the Diocesan policy to notify law enforcement, and shall be advised to retain the counsel of both a civil/criminal lawyer and a canon lawyer before making any statements.

If the accused admits the alleged conduct, the Vicar for Clergy shall notify the Diocesan Bishop, Review Board Chair and the Diocesan Attorney. The accused shall be informed of the process of the canonical preliminary investigation, which shall be carried out in a timely manner.

5. The Vicar for Clergy shall inform the Diocesan Bishop of all allegations of sexual abuse of a minor against a priest or deacon. The Diocesan Bishop shall take immediate steps to safeguard the health, safety and welfare of all persons, which may include a leave of absence for the accused.
6. The Diocesan Attorney shall compile a report to forward to the Review Board Chair that includes information relating to the accused's pastoral assignments, as well as any and all prior allegations of misconduct made against the accused.
7. The Review Board Chair shall appoint a Case Investigator to gather detailed facts, including written statements from the Minor and accused, gather documents, witness statements and records (releases); to prepare and submit a written report to the Review Board to assist the Review Board in making a recommendation to the Diocesan Bishop about whether or not the allegation is sufficiently confirmed.

The Case Investigator shall be permitted to review the biographical report prepared by the Diocesan Attorney (see paragraph 6, above); however, if the Case Investigator has questions regarding the report, the Case Investigator may elect to review Diocesan records regarding the accused. (Note: if the accused Diocesan priest or deacon admits the alleged conduct, see paragraph above, the Review Board may elect to forgo the appointment of a Case Investigator.)
8. When appropriate, the Review Board may request a mutually acceptable third-party assessment of the accused and/or Minor, including independent medical, psychological or other examinations at Diocesan expense, provided this does not interfere with any investigation by civil authorities. The Minor and the accused may, but are not required to, cooperate with any requests for third-party assessments.

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9. The Minor and the accused may, but are not required to, meet with the Review Board. After receipt of the Case Investigator's report, the Review Board Chair may request that the Case Investigator meet with the Review Board.
 10. The Review Board Chair, or the Chair's designee, shall prepare a report to the Diocesan Bishop with the findings of the investigation and provide the determination as to whether the allegation of child sexual abuse by the person making the complaint against the accused is sufficiently confirmed by the majority opinion of the Board. The report shall include whether the decision is the unanimous decision, or any votes in dissent or abstention. One or more dissenting reports of board members may be submitted to convey the opinion of the non-joining board member(s).
 11. The Diocesan Bishop will review the recommendation(s) of the Review Board and communicate his decision in the case to both parties. The Diocesan Bishop will advise the parties of administrative recourse in the event that either disagrees with the decision. The Review Board Chair, the Vicar for Clergy, the Intake Agent, and the Diocesan Attorney shall be notified of the Diocesan Bishop's decision.
 12. The following will apply if the alleged conduct is admitted or sufficiently confirmed in the judgment of the Diocesan Bishop.
 - a. The case will be referred to the Dicastery for the Doctrine of the Faith, which can result in dismissal from the clerical state.
 - b. The accused shall be removed from ministry. He will not be permitted to celebrate Mass publicly, to wear clerical garb or to present himself publicly as a priest or deacon.
 - c. The Diocesan Bishop shall take reasonable immediate steps to safeguard the health, safety and welfare of the victim and others involved, and to prevent sexual abuse of a minor from being repeated.
 - d. At the discretion of the Diocesan Bishop, when appropriate, the Diocese will make assistance available to the victim. The nature and extent of the assistance will depend upon each case.
 - e. At the discretion of the Diocesan Bishop, when appropriate, the Diocese will make professional resources available to the accused cleric. The nature and extent of the assistance will depend upon each case.
 13. When it is apparent that the accusation of sexual abuse has caused hurt and outrage in the communities in which it is alleged to have occurred (or did occur), the Diocesan Bishop shall work with the local Dean to assess the nature and degree of the harm caused and recommend and implement a plan of community healing and reconciliation.

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- 14.** If the Minor or Accused disagrees with the outcome of the complaint process, he or she may seek recourse through the administrative recourse process provided in the Code of Canon Law in his or her name within ten (10) useful days of notification by submitting, in writing, a petition that seeks reconsideration of the decision from which recourse is being sought. The petition must be submitted to the Diocesan Bishop.⁹

⁹Canon 1734 of the Code of Canon Law.

Protection of Children and Youth

CHAPTER 2

Publication of Clergy Names With Sufficiently Confirmed Allegations of Child Sexual Abuse

I

Scope

The Policies and Procedures on Publication of Clergy Names with Sufficiently Confirmed Allegations of Child Sexual Abuse govern the process of disclosure of allegations and publication related to credible allegations of child sexual abuse as determined by the Diocesan Bishop, pursuant to the Policies and Procedures Regarding the Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy, above.

II

Policies

1. Publication of clergy names against whom there are sufficiently confirmed allegations of child sexual abuse will acknowledge past abuse and reveal offenders.
2. Publication of clergy names will encourage accountability and reinforce the Diocese of La Crosse's commitment to the Charter for the Protection of Children and Young People, United States Conference of Catholic Bishops (Rev. June 2018).
3. A policy of transparency will further the Diocesan Bishop's ministry to his flock and, with hope and prayer, bring healing to those afflicted by clergy abuse.
4. This policy will be administered in accordance with the norms of the Apostolic See, e.g., Dicastery for Legislative Texts, N. 18316/2024 (September 5, 2024).

III

Procedures

1. The Diocese shall publish on its website a list of all clergy against whom allegations of child sexual abuse have been sufficiently confirmed.
2. The publication on the Diocese of La Crosse's website shall include the following information: clergy name, last known status or date of death, pastoral assignments, whether one or multiple allegations were determined sufficiently confirmed, and the date of addition of the clergy's name to the publication list or last modification.

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3. The website address (URL) of the disclosure shall be sent to all parishes within the Diocese of La Crosse for purposes of publication in the parishes' bulletins.
 4. For allegations made following implementation of the revised 2026 *Child Sexual Abuse Policies and Procedures of the Diocese of La Crosse* that are determined by the Diocesan Bishop to be sufficiently confirmed, the following steps will occur:
 - a. All parishes at which the clergy was assigned will be notified for purposes of publication in the parish bulletin;
 - b. The Diocesan website administrator will be notified of the determination of the credible allegation for inclusion of the clergy's name (pursuant to Paragraph III.2., above) or, if the cleric's name had previously been disclosed as having a single credible allegation found against him, then the information will be revised to indicate that multiple allegations have been sufficiently confirmed against him.

Protection of Children and Youth

CHAPTER 3

Diocese of La Crosse Independent Review Board Bylaws

I

Composition and Appointment

The Diocese of La Crosse Independent Review Board shall consist of at least six (6) but no more than ten (10) members. The initial Review Board, at the time of implementation of the Diocese of La Crosse’s revised (2026) Policies and Procedures Regarding the Reporting and Investigation of Complaints of Sexual Abuse of Minors by Clergy, shall consist of six (6) members, who shall be appointed by the Diocesan Bishop; however, any additional, future, and/or replacement members on the Review Board shall be nominated and elected by the remaining members of the Board.

II

Qualifications of Board Members

Members shall be adult lay persons not in the employ of the Diocese of La Crosse, in full communion with the Catholic Church, and shall be representatives of different parishes and deaneries of the Diocese of La Crosse. The Review Board shall have representatives of the following areas of professional expertise: mental/behavioral health, health care, law enforcement, legal, and education. In addition, one experienced and respected pastor of the Diocese shall be appointed as a regular (voting) member of the Board.

III

Meeting Invitees

The Diocese of La Crosse’s Episcopal Vicar for Clergy, its Chancellor, and its Promoter of Justice shall be permitted to attend any meetings of the Review Board but shall not be entitled to cast any vote at any meeting of the Review Board. If requested by the Review Board, the Vicar for Clergy, Chancellor, or Promoter of Justice may provide consultative advice to the Board.

IV

Term

The term for each voting Review Board member shall be five (5) years. Members may be reappointed once for a total of ten (10) years of service. Terms shall be staggered so an equal number of members’ terms are up for renewal/expiration each year.

V

Chair

The Review Board Chair shall be appointed by the Diocesan Bishop. The Chairperson of the Review Board must be a layperson from the Board and may not be a priest, deacon, or any other religious Board representative.

VI

Meetings

Meetings shall occur at least quarterly. Agendas shall be prepared by the Review Board Chair in consultation with the Vicar for Clergy. Meetings may be held in a central location according to the board members' locations or they may rotate among the deaneries or may be held by video conferencing or other electronic communication technology, provided that all persons entitled to participate in the meeting can hear and communicate with each other.

VII

Purpose

The purpose of the Diocese of La Crosse Independent Review Board shall be:

1. To advise the Diocesan Bishop in assessing specific allegations of sexual abuse of minors by a priest or deacon,¹⁰ when the allegations have not been admitted, consistent with the Charter for the Protection of Children and Young People, United States Conference of Catholic Bishops (Rev. June 2018).
2. To review regularly the Diocesan policies and procedures for dealing with sexual abuse of minors by a bishop, priest or deacon, and to recommend to the Diocesan Bishop any modifications; and
3. To render such other advice and counsel regarding sexual abuse of minors when requested by the Diocesan Bishop.

VIII

Confidentiality

Subject to the Diocese's policy requiring notification of law enforcement upon receipt of an allegation of child sexual abuse against a diocesan bishop, priest, or deacon, the person making the allegation may elect to have his or her identity withheld from the report to law enforcement in order to remain anonymous. Except as necessary to comply with that policy and as otherwise necessary to investigate and process the allegation pursuant to these procedures, all information and records shall remain confidential until the Review Board has made its determination. If the allegation is sufficiently confirmed, information regarding the allegation will be reported consistent with Diocesan policy. See Diocese of La Crosse Policies and Procedures on Reporting of

¹⁰If the complaint involves allegations against a bishop, the procedures to be followed are set forth in the Apostolic Letter *Vos Estis Lux Mundi*, issued motu proprio by Pope Francis on March 25, 2023.

Allegations and Publication of Clergy Names with Sufficiently Confirmed Allegations of Child Sexual Abuse.

IX

Norms Governing the Assessment of Allegations

1. Issue: “Is the allegation sufficiently confirmed to recommend to the Diocesan Bishop that he take further action?”
2. Burden of proof: the person making the complaint carries the burden of proof, consistent with concepts of fundamental fairness.
3. Standard of proof: corroborating evidence from witnesses, documents or other sources.
4. Representation:
 - a. The person making the complaint may be represented by a civil and/or canon lawyer at his or her own expense.
 - b. The accused may be represented by a civil and/or canon lawyer at his own expense.

X

Record

A summary of the meetings of the Review Board shall be prepared by a member of the Board appointed by the Chair or the Chancellor and maintained by the Chair.

XI

Rules of Evidence

Strict rules of evidence do not apply.

XII

Board Liability and Indemnification

Members of the Review Board shall be indemnified in accordance with the provisions of Chapter 181, Wis. Stats. Insurance shall be purchased for those individuals serving as members of the Review Board against liability asserted against and incurred by those individuals in, or arising from, the individuals’ capacity as members of the Review Board.

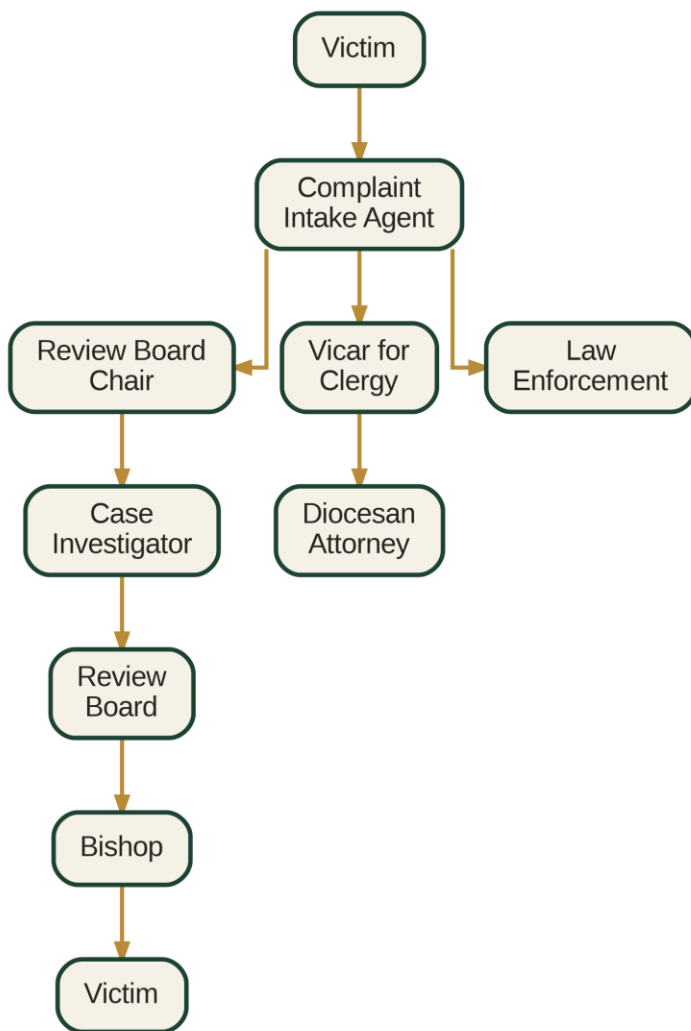
Plain Language for Complaint Reporting

The Investigation Process

1. Allegations of sexual abuse of a minor by a bishop, priest or deacon are made or sent to the Complaint Intake Agent.
2. The subject of the allegation ("You") will be given copies of the Diocese of La Crosse's written policies on the process for reporting allegations of sexual abuse of minors.
3. You will be told about legal reporting requirements and the Diocese of La Crosse's policy to notify law enforcement of all allegations of child sexual abuse but that Your name will be withheld if You want to remain anonymous. The processing under these procedures shall be suspended, pending the conclusion of any secular legal processes.
4. The Intake Agent will notify law enforcement of the allegation, as well as the Review Board Chair, the Episcopal Vicar for Clergy, and the Diocesan Attorney.
5. The Review Board Chair will appoint a Case Investigator to investigate the allegation.
6. The Case Investigator will gather documents, interview witnesses, and review records.
7. You may be asked to participate in an interview with the Case Investigator. You are not required to do so, but your participation could help the Review Board in its review of the allegation. The accused may also be asked to speak to the Case Investigator but is also not required to do so.
8. The Case Investigator may ask You to provide releases or to participate in independent medical, psychological, or other examinations. You are not required to do so, but Your cooperation could help the Review Board in its review of the allegation. The accused may also be asked to cooperate but is not required to do so.
9. The Case Investigator will prepare a report for the Review Board.
10. The Review Board may ask to meet with You. You are not required to do so. The accused may also be asked to meet with the Review Board but is also not required to do so.
11. The Review Board will report its findings to the Diocesan Bishop, including its recommendation about whether the allegation was sufficiently confirmed.
12. The Diocesan Bishop will make a decision about the allegation and will communicate that decision to You and the accused. The Diocesan Bishop shall also advise the Review Board Chair, the Vicar for Clergy, Intake Agent, and the Diocesan Attorney of his final decision.

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- 13.** If the Diocesan Bishop determines that the allegation is sufficiently confirmed, the following will occur:
- a.** The clergy member will be removed from ministry, and other restrictions may be imposed.
 - b.** The case will be referred to the Dicastery for the Doctrine of the Faith.
 - c.** Assistance will be made available to You as determined by the Diocesan Bishop.
 - d.** Information will be provided for publication on both the Diocesan website and at all parishes at which the cleric was assigned regarding the name of the cleric, last known status or date of death, pastoral assignments (on website), and whether one or multiple allegations were determined to be sufficiently confirmed against the cleric.
- 14.** If You or the accused do not agree with the outcome of the complaint process, administrative recourse from the Diocesan Bishop's decision may be sought within ten (10) useful days after notification of his decision by submitting a written petition for reconsideration to the Diocesan Bishop.
- 15.** If the allegation is sufficiently confirmed, the Diocese's policies on publication will be followed to ensure public awareness of the confirmation of the allegation against the clergy member.

Reporting and Investigation Process



The Revised Sexual Misconduct Policy and Procedures

July 1, 2026

Feast of the Most Precious Blood of Jesus

On the Promulgation of
for the Diocese of La Crosse

Effective July 1, 2026, the Diocese of La Crosse rescinds its 1997 Revised Sexual Misconduct Policy and Procedures in their entirety, replacing them with the updated policy.

The revised *Sexual Misconduct Policy and Procedures* document of the Diocese of La Crosse outlines the practical ways by which our Diocese will continue to address sexual misconduct by those who serve God's people in the name of the Church as a Diocesan employee or agent.

May God bestow healing upon all those wounded by the pain and fear inflicted upon them, and may they be sheltered in His love.

Given at La Crosse on the first day of July in the year of our Lord 2026.




Bishop of La Crosse

PART II

Sexual Misconduct Procedures

Also known as the “Red Book”

A Pastoral Letter to Christ’s Faithful of the Diocese of La Crosse

On the Promulgation of

The Revised Sexual Misconduct Policy and Procedures for the Diocese of La Crosse

Effective July 1, 2026, the Diocese of La Crosse rescinds its 1997 Revised Sexual Misconduct Policy and Procedures in their entirety, replacing them with the updated policy.

Sexual Misconduct Policy and Procedures

I	Scope
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1. These Sexual Misconduct Policy and Procedures govern all Diocesan agents, including clergy, consecrated persons, employees and volunteers, related to, in the capacity for, or arising out of the work of the Diocese.
2. The Sexual Misconduct Policy and Procedures are not intended to cover other moral transgressions or matters involving violations of the Code of Canon Law.

II	Definitions
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As used in this Policy and Procedures document, the following terms shall have the meanings specified:

1. **Accused** – Accused shall mean a cleric, consecrated person, employee or volunteer who is the person alleged to have engaged in sexual abuse or sexual harassment while in a capacity for, or arising out of the work of the Diocese.
2. **Diocese** – Diocese shall mean the Diocese of La Crosse, its Parishes, Schools, and other organizations related to and within the geographical boundaries of the Diocese of La Crosse.
3. **Head of Office** – Head of Office shall mean the senior person responsible for the designated department subject to the allegation. The term shall not, in any case, extend to any Vicar General, Moderator of the Curia, or Diocesan Bishop.

- 4. Red Book Response Committee** – Red Book Response Committee (or the "Committee") shall mean the committee of not fewer than three persons appointed by the Diocesan Bishop or his delegate upon receipt of an allegation pursuant to these Sexual Misconduct Policy and Procedures.
- 5. Reporter** – Reporter shall mean the person who makes the report of sexual misconduct pursuant to this Policy. The Reporter may, but need not be, the same person as the Victim.
- 6. Sexual Misconduct** – Sexual Misconduct shall include any conduct that would constitute:
- a. sexual abuse as defined by Wisconsin Statutes Chapters 48 or 948 or by Wisconsin Statutes Sections 940.22 or 940.225,
 - b. sexual harassment as defined by Title VII of the Civil Rights Act of 1965, the Wisconsin Fair Employment Act, or Title IX of the Education Act of 1972,
 - c. but shall not include moral transgressions constituting violations of canon 277 §1.
- 7. Victim** – Victim shall mean the person who is the subject of the report and is alleged to have experienced sexual abuse or sexual harassment while the Accused is engaged in conduct within the Scope of this Policy.

III

Policies

1. Sexual misconduct by any Diocesan agent, performing the work of the Diocese or serving in a representative capacity of the Diocese, is contrary to Catholic faith and morals, is outside of the scope of his or her duties and responsibilities, and is absolutely prohibited.
2. No person shall be subjected to sexual abuse, sexual harassment, and misconduct by any Diocesan agent, including clergy, consecrated persons, employees or volunteers of the Diocese of La Crosse.
3. All Diocesan agents shall comply with all federal, state or local, civil and criminal laws prohibiting sexual misconduct; all laws requiring the reporting of known or suspected instances of sexual misconduct; and all requirements, procedural and substantive, set forth by the Diocese of La Crosse's Protect and Heal Program.

IV

Purpose

1. To convey the message by word and deed that sexual misconduct is a moral outrage; that it will not be tolerated or condoned in the Church, regardless of the status of the offender, and regardless of the status of the victim; and that the time and resources of Church authority are committed to a just, pastoral response to all involved.
2. To respect the canonical and civil rights of the parties involved.
3. To provide a confidential procedure to gather all relevant facts which respects the privacy of the victim and of the accused.

- 4. To provide a mechanism, when appropriate, to make available competent and supportive professional resources to victims and the accused.
- 5. To provide and develop a climate and opportunities for healing and forgiveness.

V

Procedures

- 1. All allegations of sexual misconduct against Diocesan agents (clergy, consecrated persons and/or lay persons) shall be immediately reported to the Intake Agent.
- 2. The Intake Agent shall promptly notify each of the following parties of the allegation that has been made:
 - a. Diocesan Bishop
 - b. Head of Office (as defined above, subject to the complaint)
 - c. Victim Assistance Coordinator
- 3. The Diocesan Bishop or his delegate shall convene a Red Book Response Committee for further direction of investigation and assessment of allegations pursuant to these Procedures.
- 4. The Intake Agent shall promptly respond to the Reporter, acknowledging the allegations. If the Reporter is not the Victim, the Intake Agent shall promptly contact the Victim to provide the Victim with a copy of this policy book and to notify the Victim that he or she may be in contact with, or may be contacted by, the Victim Assistance Coordinator.
- 5. The Intake Agent shall notify the Diocesan Attorney of the allegation against a Diocesan agent. If the allegation gives reasonable cause to suspect that any criminal conduct has occurred, the allegation shall be reported to law enforcement. Prior to the report to law enforcement, the Victim shall be informed that he/she has no obligation to cooperate with law enforcement’s investigation, as well as the right to direct the Diocese to withhold his or her name from the report to law enforcement if he/she wishes to remain anonymous.
 - a. Nothing in these policies shall abrogate or affect any individual's reporting obligation or reporting permissions pursuant to Wisconsin Statutes Chapter 48. All Diocesan employees and volunteers are trained annually regarding mandatory reporting obligations, and all individuals are encouraged and expected to comply with reporting obligations.
- 6. The Head of Office shall notify the Accused subject to the complaint that an accusation has been made and provide the Accused with a copy of the Diocesan Sexual Misconduct Procedures. If the Accused is a cleric of another Diocese or a consecrated person, the ecclesiastical superior of the Accused shall also be notified.
- 7. When necessary, the Head of Office shall take immediate steps to safeguard the health, safety and welfare of all persons, including a leave of absence for the Accused, reports to the appropriate authorities, notice to the insurance carriers and/or referral to professionals (medical, psychological or legal).

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8. Investigative protocol shall be carried out in a timely manner. However, if a law enforcement agency begins an investigation, the Diocese's process under this Policy and Procedures shall defer until the conclusion of the civil law enforcement complaint process.
 9. The Red Book Response Committee shall appoint a person to gather detailed facts including written statements from the Accused, documents, witness statements and records (releases), and to submit written reports to the Red Book Response Committee.
 10. When appropriate, the Diocesan Official may request a third-party assessment of the Victim and/or Accused, including independent medical, psychological or other examinations at Diocesan expense. The Victim and the Accused may, but are not required to, cooperate with any requests for third-party assessments.
 11. After the investigative protocol is completed, the Red Book Response Committee shall make a recommendation to the Diocesan Bishop as to whether the allegation is sufficiently confirmed.
 12. If the allegation is not sufficiently confirmed, the Diocesan Bishop shall communicate such determination to the Victim and the Accused. The Diocesan Bishop may assist the Victim and/or Accused in achieving reconciliation.
 13. The following will apply if the accusation is sufficiently confirmed:
 - a. The Head of Office shall take reasonable immediate steps to safeguard the health, safety and welfare of the victim and others involved and to prevent the misconduct from being repeated.
 - b. At the discretion of the Diocesan Bishop, when appropriate, the Diocese may make assistance available to the victim. The nature, content and extent of the assistance will depend upon each case.
 - c. At the sole discretion of the Diocesan Bishop, when appropriate, the Diocese may make professional resources available to the accused. The nature, content and extent of the assistance will depend upon each circumstance.
 - d. Depending on the severity of the accusation, the accused's eligibility for assignment in the future will depend on a totality of factors regarding the potential reassignment.
 14. The Diocese shall maintain records pertaining to the allegation and review process.
 15. Information and records shall be maintained as confidential, except as necessary and to the extent necessary for the investigation and processing of an allegation pursuant to these Procedures.
 16. When it is apparent that the accusation of sexual misconduct has caused hurt and outrage in the communities in which it is alleged to have occurred or did occur, the appropriate Diocesan authority or authorities shall work with the Dean to assess the nature and degree of the harm caused, and recommend and implement a plan of community healing and reconciliation.