

Newsletter

THIS ISSUE

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Dear Friends,

In 2002, the United States Conference of Catholic Bishops (USCCB), in the *Charter for the Protection of Children and Young People**, established a comprehensive set of procedures for the protection of minors. For the purposes of this newsletter, I would like to talk about Article 13 of the *Charter*. This Article focuses on the requirement of background checks and states:

“Dioceses/eparchies are to evaluate the background of all incardinated and non-incardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies.”

The Archdiocese of Milwaukee promotes a safe environment for all its children, youth, employees, and volunteers. In order to maintain this safe environment, the Archdiocese conducts background checks, both state and national, on all employees and those volunteers who have regular contact with minors.

Volunteers are important to our children, youth, and our ministry. It is important that we guarantee that the adults who assist with our children do so with their best interests in mind. Background checks help provide the necessary information to parishes and/or schools and allows them to make decisions on which adults can provide the positive support for our children. In order to accomplish this, background checks are completed on individuals prior to any employment or volunteer service as a requirement of the *Charter*.

I have received many questions regarding background checks and why they are required. I hope that this newsletter provides the necessary answers to those questions.

As always, I thank each and every one of you who works hard to create and maintain safe environments for our children and young people.

Blessings,
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*A copy of the *Charter for the Protection of Children and Young People* can be found at: <http://www.usccb.org/ocyp/charter.shtml>

Background Check Frequently Asked Questions

Who is required to have a background check?

The policy of the Archdiocese of Milwaukee is that all employees (including priests, religious, and lay employees) and those volunteers who have regular contact with minors are subject to a background check.

Regular contact is defined as follows:

1. Any individual who works, volunteers, or has contact with minors within the Archdiocese of Milwaukee's parishes, schools, or institutions **more than once a semester.**
2. Any individual who goes on a field trip (or any outing away for the parish, school or institution) within the Archdiocese of Milwaukee **even once a year.**

How are background checks conducted?

The Archdiocese requires that parishes and/or schools utilize the services of the State of Wisconsin (Crime Information Bureau) and a reputable national data base provider (Intellicorp is used by the Central Offices and many parishes/schools) when conducting background checks.

The state of Wisconsin is an "open records" state, that means that most records maintained by the state and local government agencies are open to the public for inspection and do not need permission of the individual. However, a social security number and birth date of an individual aids in insuring an accurate match.

Checking records in states outside of Wisconsin will involve the use of a third party investigative agency and will necessitate getting written approval as well as information such as a birth date and social security number.

Does the background check include a credit check?

No. The information collected on the Background Check Form is used solely to conduct a background check.

The governing law on background checks by third parties is the Fair Credit Reporting Act (FCRA). While the FCRA does regulate both the collection and use of credit information, it also regulates the collection and use of "consumer reports." Background checks fall under the category of "consumer reports." The word "consumer" simply means "individual" (a report on an individual).

How often is a criminal background check conducted?

The Archdiocese requires that parishes, schools, and institutions within the archdiocese repeat background checks on all employees and volunteers a least every five (5) years.

Who reviews the criminal record results and how confidential are they?

The pastor, along with the appropriate supervisor, (principal/ DRE/ youth minister) would normally see the results of the check and make the appropriate decisions. In those parishes and/or schools that employ a Director of Administrative Services, this person could conduct the record check if personnel matters are part of their position responsibility.

These records, including those that are public, should always be treated with a high degree of confidentiality and shared only with those who have a legitimate need to know.

Criminal record check results should be treated like other personnel records and must be stored in locked cabinets.

A copy of this Newsletter can be found on the Archdiocese of Milwaukee website www.archmil.org/safeguarding under the heading, Resources.

In addition, background check information on individuals is not allowed to be shared between other parishes, schools or institutions. This safeguard is put in place to insure that an individual's personal information is not distributed without their knowledge.

What if a volunteer refuses to authorize a background check? Are there any exceptions?

If an individual refuses to allow a background check for any reason they will not be allowed to volunteer in a capacity that allows them contact with minors. There are no exceptions.

What if a criminal conviction shows up on an individual's record? Does this mean they are not allowed to volunteer?

No, as with employees, convictions or pending charges will be considered in the placement process only to the extent they substantially relate to the volunteer assignment. Many people have in one way or another made mistakes in their lives, and they should be allowed to move beyond those mistakes.

If a volunteer does have a criminal conviction and does not feel that it would interfere with volunteer responsibilities, he/she should talk to the pastor. In making the decision, the pastor will consider facts such as type of crime and how it relates to the volunteer position, the circumstances, time since conviction, the volunteer's history of the behavior since and the volunteer's openness and honesty.

A past conviction does not automatically exclude service as a volunteer. But clearly, those individuals who have abused children, sold drugs to minors, or other criminal convictions that may put children at risk, should not be put in assignments where they are working with or around minors.

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