

Third-Party Review of Allegations

SUMMARY OF METHODOLOGY USED IN 2002 AUDIT

(Faegre & Benson, LLP, is the law firm that conducted the investigation of sexual misconduct allegations. The following are excerpts regarding the methodology used in that investigation from its final report to the Crosier Fathers and Brothers.)

In June 2002 the Crosier Province hired Faegre & Benson, LLP, to conduct an audit of past and present sexual misconduct allegations involving Crosier members. This audit is being performed to provide you with an understanding of the allegations made against individual Crosiers and the Crosier Fathers and Brothers.

Our assignment was to conduct a thorough and complete investigation, examining documents and files and interviewing individuals with knowledge of these allegations. We understand that the Crosiers will use the information contained in our audit report and the legal advice we provide along with religious considerations in order to make determinations on further action regarding sexual misconduct allegations involving Crosier members.

The methodology we used in handling this assignment has led to a thorough investigation, as documented by our final report. Mindful of the sensitive nature of these allegations and the individuals that are affected by our investigation, we have approached our investigation in a serious and detailed manner, conducting follow-up examinations whenever and wherever it seemed necessary. The methodology we followed is outlined below.

Examination of Crosier Records/Files

We began our investigation by reviewing all Crosier files related to allegations of sexual misconduct and the personnel files of any Crosier priest, brother or employee named in a sexual misconduct allegation. As necessary throughout the investigation, we asked for additional records and files in order to follow up and supplement our findings. We were provided complete access to all files we requested.

Interviews with Crosier Members

We conducted thorough in-person interviews with those Crosier Fathers and Brothers against whom allegations were made and who had not already acknowledged the abuse and accepted restrictions preventing them from further pastoral care of souls and any interaction with minors. While we documented each sexual misconduct allegation involving Crosier members, we did not follow up on allegations involving Crosiers that are deceased or have left the Order. We developed this list of interviewees through our review of the Crosier files and based on interviews with victims, Crosier contemporaries, former students, and reports received from other individuals.

Fr. Tom Carkhuff, osc, then the prior provincial of the Crosier Order in the United States, along with personnel from Faegre & Benson, conducted in-person and phone interviews with Crosier contemporaries, meaning those individuals within the Order who have or had familiarity with the current and former Crosier members accused of sexual misconduct.

Interviews with Victims

We conducted extensive interviews with victims who have reported sexual misconduct incidents involving Crosiers. The names of these victims came to us through many sources. These sources included Crosier personnel and complaint files, interviews with Crosiers, students, and Crosier staff, as well as new reports that were precipitated by recent publicity and Crosier invitations to report claims of sexual misconduct to the local authorities, the Crosier major superior or our offices.

We started the process by reviewing the Crosier files, examining each of the sexual misconduct allegations contained within the files. In cases where detailed accounts were not available in the files, we contacted the victims and gave them the opportunity to tell their stories. We asked questions about the events in order to create a full and accurate picture of these past events.

Based on the invitations to contact us, we received numerous letters, e-mails and phone calls from victims. We responded to these victims in the same manner detailed above, letting them tell their stories and asking questions to understand the allegations being made.

Interviews with Former Students of Crosier Seminary Prep

We determined that in order to conduct a thorough investigation we also needed to contact some former students of Crosier Seminary Prep. Accordingly, we obtained a random sampling of former students attending Crosier Seminary Prep from the 1960s through the close of the school in 1989. Although we attempted to reach many more, we spoke with 20 students who attended Crosier Seminary Prep between 1963 and 1989, asking them to discuss any first-hand knowledge, stories, suspicions, and/or rumors of which they were aware at the time they attended Crosier Seminary Prep. We were not made aware of any additional perpetrators from these interviews.

Invitation to the Community and the Public

Through both the pulpit and mass mailings, we and the Crosiers have invited anyone with information about sexual misconduct involving Crosiers to come forward. In parishes where Crosier members have been or are involved in public ministry, the Crosiers made this invitation from the pulpit to the entire community. In addition, a letter was sent to Crosier constituencies—school alumni of Crosier Seminary Prep and Our Lady of the Lake Seminary/Wawasee Prep, friends, donors, volunteers, parishioners, former Crosier members—asking that anyone with information about sexual misconduct issues please contact the Crosiers and/or Faegre & Benson. This invitation elicited several responses and reports that have been documented and investigated.

Overall, we both solicited and received information from a wide variety of sources to compile our report. We have reviewed, investigated, and documented the information received from all of these sources in order to prepare a final report to the Crosier Fathers and Brothers.

INVESTIGATION METHODOLOGY

Faegre & Benson, the law firm that conducted the investigation, provided answers to the following questions regarding the investigation methodology.

Why should we believe this investigation?

Faegre & Benson was provided with unfiltered access to all files, allegations, and personnel files. Faegre & Benson then pursued all allegations where abuse was not admitted and the Crosier was still alive and a member of the Crosier Fathers and Brothers. We conducted comprehensive interviews of the alleged perpetrators and victims. The Crosier leadership followed the conclusions reached by Faegre & Benson in all instances, and acted upon these conclusions pursuant to its sexual abuse policy.

Does the investigation suggest the Crosiers mishandled allegations in the past? Who knew what when?

Given what was known at the time in the areas of psychology and medicine, as they relate to sexual abuse and misconduct, we do not believe prior claims were mishandled.

Did the investigation uncover new allegations?

The investigation uncovered new instances of abuse and new victims of abuse, but it did not discover any new perpetrators of sexual abuse of a minor.

Who and what decides whether an allegation of sexual misconduct is determined to be fact?

In most instances, after review of the materials and interviewing of the relevant personnel, the conduct was admitted.

Were there any allegations made to the Crosiers that were dismissed without being investigated?

Faegre & Benson pursued all allegations where abuse was not admitted and the Crosier was still alive and a member of the Crosier Fathers and Brothers.

How far back did the investigation go?

The review looked back over the careers of all present Crosiers who had been accused of sexual misconduct. In many instances the investigation extended beyond 50 years.

When did the Crosiers begin recording allegations?

As is the case with most religious organizations handling claims of sexual abuse and misconduct, reporting of abuse has become more formal with time.

Could the investigation have been more thorough?

Every lead inside and outside the Order was pursued.

FREQUENTLY ASKED QUESTIONS

Revised Oct. 1, 2019

Why did the Crosiers commission a third-party investigation of its files?

We commissioned the law firm of Faegre & Benson to investigate every allegation of sexual abuse we have on file—even in cases where an initial investigation found no wrongdoing. We took this step to guarantee we had complete and accurate information on which we could take action if necessary. Ultimately, conducting the investigation is part of our commitment to accountability, ensuring the safety of the people we serve and doing all that we can to earn the trust of the public.

How many Crosiers are under restriction today?

Four Crosiers are living under restriction for sexual abuse of a minor. Five of the eight Crosiers identified in the 2002 investigation have died or left the Order since the investigation was completed.

Why are you not removing those who have committed sexual abuse of a minor from your Order?

As a religious order, we have made a lifetime commitment to support our members' physical and spiritual well-being. However, those who have committed sexual abuse of a minor have been removed from public ministry and are living under stringent restrictions. If the individual Crosier does not comply with the restrictions placed on him, or is not following his recovery program, we may begin proceedings to remove him from the Order. In addition to restrictions, we have many processes in place to ensure the safety of those we serve and the people near our communities. There have been no reported incidents of sexual abuse of a minor by a Crosier after he has been placed under restrictions.

What are the restrictions placed on those who have committed sexual abuse of a minor?

As mandated by our sexual abuse policy, those on restriction have been permanently removed from public ministry; cannot perform any work with minors, including volunteer work; and cannot be in the presence of a minor without adult supervision. In addition, some of these individuals may not leave a Crosier facility unaccompanied and some may participate in ongoing psychological, spiritual and behavioral therapy programs.

When was the most recent case of sexual abuse in the Crosier Order?

The most recent incident of sexual abuse with a minor reported to the Crosiers occurred more than 35 years ago.

What other steps have the Crosiers taken to ensure public accountability and the safety of the people the Order serves?

Our commitments to ensuring the safety of the people we serve and being accountable to the public did not end with the completion of Faegre & Benson's investigation. In addition to the investigation, we have also taken the following additional steps. The Personnel and Review Committee, which is responsible for advising the conventual prior about the housing and ministry assignments of all Crosiers, includes non-Crosiers who have expertise in fields including psychology, sociology and law. The committee reviews and evaluates the results of all investigations of sexual abuse and provides advice to the conventual prior. We also created a First Contact Team comprised of men and women, clergy and lay persons, who can receive reports of sexual abuse from victims. We continue to work with the dioceses in the areas where we are located to discuss how we can ensure further accountability.

Does the Crosiers' newly updated sexual abuse policy comply with the Bishops' Charter?

Like the Bishops' Charter, our strengthened sexual abuse policy requires the conventual prior to remove from public ministry anyone who has been found to have committed sexual abuse of a minor, along with several other provisions, which are listed on our Safe Environment [\[link\]](#) page.