

AMENDMENT TO MEMORANDUM OF UNDERSTANDING
REGARDING THE REPORTING OF
ALLEGATIONS OF SEXUAL ABUSE

WHEREAS in 2003 the Diocese of Buffalo and the District Attorneys of Erie County, Niagara County, Orleans County, Genesee County, Wyoming County, Allegany County, Cattaraugus County, and Chautauqua County entered into a Memorandum of Understanding regarding reports to public authorities of allegations of sexual abuse of persons under the age of 17 within the Diocese (the "2003 Memorandum"); and

WHEREAS the 2003 Memorandum did not require the Diocese to report any allegation of sexual abuse made more than five years after the event and more than five years after the victim reaches the age of eighteen; and

WHEREAS legislation passed since 2003 removed the statute of limitations for certain crimes; and

WHEREAS the parties to the 2003 Memorandum wish to amend it to reflect those changes in the law;

NOW, the parties to the 2003 Memorandum hereby modify paragraph 7 of that memorandum to read as follows:

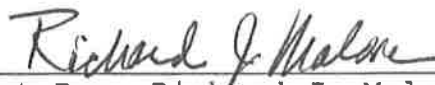
7. Nothing in this Memorandum shall require any member of the clergy to divulge a confidential communication made in the course of the priest-penitent relationship; moreover, nothing in this Memorandum shall

require the Diocese to report any allegation of sexual abuse made more than five (5) years after the event and more than five (5) years after the victim reaches the age of eighteen (18), unless the alleged abuse involves conduct that would meet the elements of the crimes defined in Penal Law sections 130.35, 130.50, 130.70, 130.75, 130.95, or 130.96. Such allegations must be reported when received, regardless of the alleged victim's age, if the alleged event occurred after June 23, 2001.

With this one change, the 2003 Memorandum otherwise remains in effect.

DATED: Buffalo, New York
July 28, 2018

SJA




Most Rev. Richard J. Malone
Bishop of Buffalo



Hon. Keith A. Slep
Allegany County District Attorney



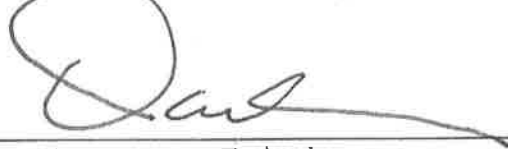
Hon. Lori Pettit Rieman
Cattaraugus County District Attorney




Hon. Patrick Swanson
Chautauqua County District Attorney




Hon. John J. Flynn
Erie County District Attorney



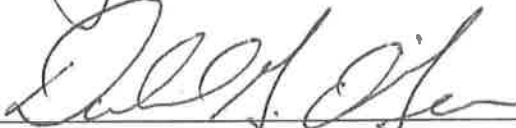
Hon. Lawrence Friedman
Genesee County District Attorney



Hon. Caroline A. Wojtaszek
Niagara County District Attorney



Hon. Joseph V. Cardone
Orleans County District Attorney



Hon. Donald G. O'Geen
Wyoming County District Attorney