SANTA BARBARA COUNTY MUNICIPAL COURT STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff i.

Case No. 940304737 Crt. No.

4/99

FELONY COMPLAINT

ROBERT MICHAEL VANHANDEL

Defendant(s)|

Santa caricara Municipai Court FILED

The undersigned is informed and believes that:

MAR 21 1994

ALISTAIR A.G. CARMICHAEL Clerktaging Officer

COUNT 1

2/1/13

/20/65 By Clerical Control

On and between February 1, 1987 and September 30, 1989, in the above named Judicial District, the crime of LEVD ACT UPON A CHILD, in violation of PENAL CODE SECTION 288(a), a Felony, was committed by ROBERT MICHAEL VANHANDEL, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of JOHN DOE, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child. It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)(6).

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to the provisions of PC Section 293.5 the use of pseudonym: "Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

4/21

f ansq

Pursuant to Penal Code Section 1054 Mb) the People are hereby informally requesting that defense counsel provide discovery to the People as regulated by Penal Code Section 1954.3

Further, attached hereto and incorporated herein are official territs and a documents of a law enforcement agency which the undersigned in the establishment of probable pause for the arrest of defendant(s) ROBERT MICHEL MELLER AND ADDRESS AND ADD

THE THE COMPLAINT CONSISTS OF 1 COUNT(S).

Executed at SANTA BARBARA, California, on Markh 321, 71994.

RONALD J. ZONEN
DEPUTY DISTRICT ATTORNEY

AGENCY: SBPD

DEFENDANT VANHANDEL, ROBERT MI

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4/21

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SANTA BARBARA MUNICIPAL COURT OR/BR REPORT

25 MARCH 1994

DOB: 47/04-02-47

VAN HANDEL, ROBERT MICHAEL

CHARGE: 288(A) PC

OFFENSE: The subject was arrested on warrant #443356 issued at the request of the Santa Barbara Police Dept on March 17, 1994. Detective Mike McGrew began his investigation on March 7, 1994, following the complaint of a former student at St. Anthony's Seminary, Santa Barbara, CA. The warrant was issued based on the allegations of sexual abuse in violation of 288(a) PC on the former member of the Santa Barbara Boy's Choir based at St. Anthony's Seminary, Santa Barbara, CA. The multiple incidences involving the victim in this action are reported to have started in 1983 and continued unabated until 1989. The offenses appear to be limited to the repeated erotic stimulation and fondling the of boys whose ages ranged from age eight (8) to age fourteen (14). oral copulation or sodomy incidents are alleged or acknowledged to have been a part of this abuse pattern. The subject was arrested, without incident, on 03-22-94 at St. Francis Retreat House, San Juan Bauptista in San Benito County, California. The subjects bail has been set a \$250,000.00.

RESIDENCY/EMPLOYMENT: The subject was residing at the St. Francis Retreat Center at San Juan Bauptista, in San Benito County, California. The telephone number there is (408) 623-4234. He was placed there following his release from the treatment program at St. Luke Institute, Suitland, Maryland. He had been placed at St. Luke's from June 1992 for thirteen (13) months until he was transferred to St. Francis in July 1993. He remained there, entering another treatment program, until his arrest on the above charges on March 22, 1994.

When the defendant was transferred to St. Francis in San Juan Bauptista he entered the therapy program offered by Pacific Treatment Associates in Santa Cruz, CA. He attended a combination of individual and group counseling four (4) times per week. The program site is located about a 45 minute drive from St. Francis. This program is also used by the Santa Cruz County Probation Department for those persons on its caseloads that exhibit problems of a sexually deviant nature. In addition to being involved in counseling as noted above he also attends the Twelve (12) Step program through S.L.A.A. (Sex and Love Addicts Anonymous) telephone #(408)423-2377. The subject is reportedly being taught to avoid situations that would tempt him to re-enter the ranks of active child molestation. While the defendant still has sexual fantasies and thought of young boys he is now in a position to exercise control. He has been assigned duties that will not place him in a position of having an influence over or association with children. The subject states that he is never sure when his touching,

SANTA BARBARA MUNICIPAL COURT #FOUR OR/BR REPORT HEARING PAGE 2

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

RESIDENCY/EMPLOYMENT: (CONT.)

tickling, and hugging of the children would go from expressing love and happiness and began to enter the realm of molestation.

PRIOR RECORD:

The subject has no prior arrests. His NCIC, DMV, CLETS are returned clear.

ADDITIONAL INFORMATION: The subject is a Catholic Priest who was removed from active service in that office following a letter dated June 23, 1994 and mailed to the subject, plus three superiors or colleagues, from a parent of an earlier victim. The heartache and loss of faith that runs through this entire case is embodied in that letter. The letter was without rancor but expressed in no uncertain terms that the subject was badly in need of help, he should never be allowed to be in a position to have even the most casual contact with children, and that he should not function as a minister or priest ever again. According to the defendant that appears to have been the reaction of his superiors also.

The onset of the abuse, in this case only, is established as occurring on a regular basis from March 1983 and continued to September 1989. At that time the victim who was then fourteen (14) years old entered a drug rehabilitation program. According to police reports the nature of the incidents continued to involve the increasingly erotic rubbing of the victim's stomach, bare back, legs, and eventually extending beneath the clothing to the genitalia of the young victims. The defendant's victims were almost always selected from among the eight (8) to fourteen (14) year old. The subject was almost always seen by the boys as a "father figure", an authority figure, and a trusted member of the victims "extended family". This deception and molestation continued during the years of 1983 until 1989 according to this particular victim. Reportedly, the six (6) year statute of limitations has expired on approximately fifteen (15) other cases that are not considered as part of this action.

So far as this officer is aware the etiology of the exposure of this case can be attributed to one of the earlier victims whose parents wrote a letter to the defendant outlining the elements of the abuse that their son had suffered at the hands of this defendant. That letter was sent to the defendant on April 23, 1992. It was simultaneously sent to three (3) of the defendants superiors: Apparently, steps were immediately taken to remove the defendant from his priestly duties, remove him from the community,

SANTA BARBARA MUNICIPAL COURT # FOUR OR/BR HEARING REPORT PAGE 3

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION: (CONT.)

and place him in the treatment program at St. Luke's at Suitland, Maryland where he essentially remained until his transfer to St. Francis into another treatment modality. The subject reports that he is taking, by injection, an unspecified dosage of Depo-provera, which is a testosterone suppressant, as a component of his treatment. The defendant does not express a belief that he is now or will ever be "cured" of his illness. What he does state is that he is learning to anticipate and avoid situations where he might be required to make a conscious choice regarding his overt behavior. For example; he does not stroll down streets without purpose, does not go near shopping malls to just brouse. If he is required to go shopping he goes straight to where his items are located and leaves the area immediately.

When questioned in reference to his self-concept he expressed a tremendous and ever present sense of remorse, of not being able to put his life back together in a meaningful manner. He reflected on his feeling of deep sorrow on his loss of being able to help people as a priest. He acknowledges the wisdom of the restrictions that have been placed on by the church and what will most likely be imposed by the state. He anticipates a period of prison and then his eventual return to the Franciscan life as a bookkeeper for a retreat that is isolated. The subject has two masters degrees and is considered highly intelligent.

In addition to two interviews with the subject this officer has read and viewed documents and personal journals written by the defendant. That the defendant has reflections of suicidal thought processes is interwoven in his writings. This was considered as a problem solving technique or solution when he would contemplate the cost of exposure for what he has done. He has tremendous fears of going to jail and this is compounded by his realization and acknowledgement that he will be classified as a pedophile while in custody. However, this does not prevent his feelings of arousal in reference to young boys. The arresting officer notes that the defendant has several contacts and friends outside of the U.S.A. These could conceivably be considered as havens and refuges if the subject were released and succumbed to the temptation to give in to an impulse to run. The subject stated that he was not seeking a released from custody. Further he related that he has no place to go that would accept him. As previously noted the defendant expects his future to include a prison commitment. The subject was himself the subject of sexual abuse at St Anthony's as a student. He accepts responsibility for perpetuation of the tendency for the abused to later in life becoming the abuser and in turn creating

SANTA BARBARA MUNICIPAL COURT #4 OR/BR HEARING REPORT PAGE 4

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION (CONT.):

another link in a very sordid and tragic continuation of harmful behavior. There is little doubt in the mind of this writer and also in the mind of the defendant that the defendant has caused irreparable damage to many of his victims. The church has contacted all of those students who were effected by this and others and provided psychiatric and psychological counseling in an effort to contain and correct the damage in as far as they could do so.

There have been no formal reference contacts made in this defendant behalf in that the Court did not grant the Unit sufficient time to conduct a thorough investigation between arraignment and this OR/BR Hearing. An effort was made to contact them but as yet this writer has not had any response from them. This writer does not believe that the provided references are hesitant to assist the defendant, but rather there has been an insufficient amount of time allowed in this case.

The defendant is not an acceptable candidate for O.R. consideration for several reasons. The defendant was and must be returned to his treatment mode if and when he is released under any circumstances. He is not now and most likely will never be "cured" of his tendency to think and, given the circumstances, react as a pedophile. He has, in his words, no place to live that is convenient to the Court for future hearings. The needed and necessary treatment modality is not available in this area. The defendants thought control is insufficient to provide an adequate deterrent to his sexual tendencies. So far as is known the church will not be able to provide reasonable supervision nor duplicate the living environment that is vital to this defendant. There is a natural tendency for the subject to want to flee this area in that it is hear that his worst nightmares were realized and even now continue to unfold. Out of his therapeutic milieu the subject is very near the consideration provided in Section 1275 of the Calif. Penal Code. The subject fears facing his victims or their parents. All of the above contribute to the reasonable considerations leading to the denial of an O.R. release.

RECOMMENDATION: THAT O.R. BE DENIED/ THAT BAIL BE SET IN AN AMOUNT OF NOT LESS THAN \$250,000.00

RESPECTFULLY SUBMITTED,

DATE: March 25, 1994

Gene Ward

Own Recognizance Supervisor

-SANTA BARBARA POLICE DEPARTMENT VICTIM CONFIDENTIALITY REQUEST

Based on Section 6254(f) of the California Government Code, as a victim of any of the crimes enumerated below, your name is a matter of public record; however, your address is confidential. Pursuant to California Penal Code Section 293(a), you may request that your name be kept confidential, to be released only to the prosecuting district attorney. If you are the victim of more than one crime, you may request that information disclosing that you have been the victim of any of the below enumerated crimes be deleted from any accompanying crime report. (Note: if the victim(s) is a minor, the parent or legal guardian may exercise the minor's right to privacy.)

(This waiver applies only to Sections 261, 264, 264, 1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, or 422.75 of the California Penal Code.)

IRECORDS PERSONNEL: THIS SHEET SHOULD BE KEPT ON THE TOP OF THE ACCOMPANYING CRIME 6
& COPIES MUST BE DISTRIBUTED WITH THIS SHEET AS THE FIRST PAGE
58PD 6 25(1/93)

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COPY TO: | Parole

58PO Form 3.1 (12/12)

☐ Probation

ARREST/SUSPECT REPORT

Case No. 94-4212 17-

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Page 1	•	1	CASTED	Date	Case N /Time Reported: 03/	o. 94-0421; 01/94, 1400 HOUR [] file Onl
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On 03/01/94 a	at approxima	tely 1400	hours,		; came to	the Santa
Barbara Polic	e Department	t to repo	rt a 288 PC	, child	Molest, whic	h occurred
between the	ears of 198	3 through	1989.			
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he has since	changed his	name. an	d he now us	es his m	other's maid	len name o

TA BARBARA POLICE DEPAP CRIME/INCIDENT CONTINUAL...N

went on to tell me the reason he has done that is that he feels that he is starting his life over now and the change of name gives him a fresh start. Even though this report reflects as a last name, it should be noted that during all of the incidents that mostly occurred

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of is true and correct except as to those matters therein states on information and belief, and as to those matters I believe then to be true. []Unfounded

Current Status	[]Closed Arrest	[]Inactive	Creer Miles	[.]Adeinist	rative Clearance/Wir	rant Issued
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Case No. 94-04212 Page # 2

at St. Anthony's Seminary,

name at that time was .

stated he was a member of the Santa Barbara Boys Choir, which had approximately 30 members. stated his father left when he was approximately 4 years of age. went on to say that Robert VanHandel, the choir director, was a father figure to him and that he trusted him. At the time of most of these incidents, Robert Van Handel lived at the Seminary at St. Anthony's. believes he is now living in the Northern California area.

stated he was in the choir when he was 7 1/2 years of age all the way through 14 years of age. stated that the offenses occurred when he was either 8 or 9 years of age, which is 1983 or 1984. said that all of the molest acts completely ended by the time he was 13 years of age or very early when he was 14 years of age. said he went into a drug rehabilitation in December of 1989 at the age of 14. said that no acts occurred after he went into rehabilitation.

stated that he really cannot come up with specific dates and times for what had occurred because it happened so often. : said at the time, he was living with his mother and sister at 15 South Soledad Street, 16, and for the most part, all of these molest incidents took place in Robert VanHandel's apartment at the Seminary. said there were also some trips that he and other choir members went on which molest acts occurred as well; said that VanHandel's apartment was upstairs at "the casa," which was located on Seminary grounds.

stated that quite often he would stay at Robert VanHandel's apartment. He stated that always on Tuesday nights and on Sundays he would spend the night.

said there were sometimes on Thursdays and once in a while Fridays and Saturdays he would also spend the night at Robert VanHandel's apartment.

stated that on Tuesday nights, he attended

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SA BARBARA POLICE DEPARTANT CRIME/INCIDENT CONTINUATION

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Case No. 94-04212 . Page # . 3

the boys choir practice in the afternoon somewhere around 2:30 that lasted until about 4:00 or 4:30 in the afternoon. After that he went to dinner at the Seminary and then he attended the mens choir group from about 7:00 P.M. or 7:30 P.M. which ended approximately 9:00 P.M. said he would then stay at VanHandel's apartment.

stated he didn't have a father and his mother was a chef working many, many odd shifts, and he hardly saw her. There were times when his mother was leaving for work very, very early in the morning and there were times she worked extremely late. said he spent an immense amount of time at the Seminary staying with Robert VanHandel.

In reference to the molest acts that occurred, stated that when he did stay at VanHandel's apartment, that he wore pajamas, and just before bedtime, said he was lying almost asleep on a bed and that Robert VanHandel would come up and start massaging his back or his stomach area, whichever way was lying at the time. went on to say that Robert VanHandel would start by massaging him on top of his clothing and then eventually he would start massaging him underneath his pajamas.

said that VanHandel would start massaging his genital area. said he was trying to go to sleep and ignored what VanHandel was doing.

believed that VanHandel had his clothes on while he was giving a massage. did not know if VanHandel tried to masturbate while giving a massage. said that there were no words spoken between them.

said this occurred always just before he) went to sleep at night or when they were on trips when he took a daytime or afternoon nap.

stated that he did get an erection when VanHandel was massaging his testicles and his penis area. stressed that it no

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Case No. 94-04212 Page # 4

time was there any oral sex involved and at no time did reciprocate in masturbating VanHandel. said these acts of massaging his genital area occurred until he fell asleep, and this would be at times a half hour duration.

stated he did not tell anyone about what had happened, and at the time, he did not believe that VanHandel was doing anything wrong because this was coming from someone who he trusted and looked up to.

In reference to out of town trips, stated that he traveled with Robert VanHandel to Canada and believes it was Expo 1986 when they were in Canada for approximately three weeks. said they traveled in a camper with two to three other boys who were in the choir. said that the massaging of his VanHandel was the only adult. genitals happened while they were in the camper when he - sleep next to VanHandel. said between the years 1984 to 1987, that he went with Robert VanHandel to Yosemite three to four times. This was also in a camper, and it was mainly during the Thanksgiving weekend and one time during the Easter break. During these trips to Yosemite, again, VanHandel would sleep next to and again would molest him by massaging his genitals.

stated that during the summer of 1987, the entire choir went to England and traveled Europe. stated he could not specifically remember VanHandal molesting him while they were in Europe.

	said	there	are	people	who	could	verify	he	spent	a]	Lot	of	time	at
Robert	VanHa	ndel's	apa	rtment.		st	ated the	ere	is a pe	erso	on by	, th	e fi	rst
name of				Was	a st	udent	at the	Sem	inary	and	was	: li	ving	in
the sam	e apai	rtment	as F	obert V	anHai	ndel b	at in a	difi	erent	bed	rooz	a.		
lived t	here	for ap	prox	imately	one	year.		s	aid he	WO	uld	be	able	to
get an	addre	ss and	tel	ephone	numb	er of		thi	ough l	nis	the	rap	ist.	

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Signature

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Case No. 94-04212 Page # 5

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stated he would also play with a boy by the first name of who lived in an adjacent apartment to VanHandel at "the casa." did not know what the mother's name was but believed she had something to do with the Waldorf School. said that recently played a part in the movie "Hocus Pocus." believed that Santa Barbara Police Department Officer Debbie Daily would know who mother is.

In terms of the Statute of Limitations, it is believed that Robert VanHandel spent some time out of the State of California. Somewhere between 1982 and 1983, VanHandel took a six month sabbatical to England and stayed at Abingdon near Oxford, although I'm not sure of the name of the school there. Also, between May of 1992 through June of 1993, the Catholic Church sent Robert VanHandel to a treatment center in Suitland, Maryland, which is just outside of Washington D.C., a place called St. Luke's.

Current president of the St. Anthony's Boys Choir is Marianne Hellman. Her husband, Robert Hellman, is the current choir director. They live on Cheltenham Road and have access to scrapbooks of the boys choir which may give more specific dates and times as to when the acts occurred.

also believes there is another choir member by the name of , who may also have been a victim of Robert VanHandel's. believes that Marianne Hellman might be able to supply the address and telephone number of to verify.

Refer to Investigative Division.

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SAN ARBARA POLICE DEPARTMENT Case No. 92 9066
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NARRATIVE

WHEN VICTIM WAS APPROXIMATELY 8-10 YEARS OF AGE ON
SEVERAL OCCASIONS REV. ROBERT VAN HANDEL OFM GAVE
"BACK RUBS" THAT INVOLVED STROKING BACK: CHEST STOMS
LOWER ADDOMEN AND THIGHS IN THE GROIN AREA CLOSE
TO AND ARCUND THE GENITALS BUT NOT TOUCHING
THE GENITHES. THIS OCCURED AT VICTIM'S RESIDENCE
AT FR. VAN HANDELS OFFICE AT ST. ANTHONY'S SEMINARY
2700 GARDEN ST. SANTA BALDARA, AND ONCE WHILE
ON FAMILY VACATION. PLEASE REFERENCE ATTACHED
LETTER FOR MORE DETAILS.

I [swear] (carrily) or (declare) under penalty of perjury that the information contained in gis report, consisting of pages, is true and correct except as to those maters therein, stated on information and belief, and as to those maters I believe them to be true.

April 23, 1992

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Dear Robert,

To begin, let me remind you that while I was recovering from my illness, I told you that I needed to talk to you. The time for the talk never came because I was still weak and you had the demands of a hectic schedule and move facing you.

Had that talk occurred, I would have told you that we had learned that a member of your Franciscan community, in addition to Phil Wolfe, had engaged in sexually inappropriate behavior with one of our boys when he was quite small that was upsetting to him at the time it was occurring. The memory remains with him.

I would have told you and I wished to tell _____ and the others of your organization that it is clear that many of the activities you men undertake are too dangerous to young people and yourselves to be continued. The risks are too great. The potential for damage to even one young person outweighs any good these may accomplish. The price of the life of even one child is too high.

I would have told you that the Boys Choir, as it is presently structured, should not be continued and you should not be involved in similar organizations in the future. There is too much opportunity for unsupervised time between one child and one greatly trusted adult. Tragically, we have all lived the danger inherent in the all male seminary high school boarding school, where authority, trust and love can and did become destructively mixed with drives for sexual power, satisfaction and institutional authority. Gender-segregated and therefore gender-imbalanced activities are simply too dangerous to continue. They are imbalanced and too easily lead to aberration.

I would have told you that solo visits to your residence, and "overnights" by youngsters must be stopped. They are too dangerous to you and the children.

This is what we learned at Christmas time. When one of our boys was a little boy, on various occasions when you put him to bed you gave "back rubs." The "back rubs" involved stroking the back, chest, stomach, lower abdomen and thighs in the groin area. He recalls that the stroking occurred very close to and around the genitals. He recalls his discomfort and embarrassment on one occasion that his lightweight knit pajamas would reveal the erection that your "back rub" had stimulated. He remembers the color and style of the pajamas. I do, too. He was probably around ten years old when he wore them.

We also learned at Christmas that when he visited your office on certain occasions you and he played darts. The stakes were that if he won he would get money. If you won, you could give him a "back rub" as described above. He recalls you offered him a pair of "thin shorts" to change into during the back rub. He said he was not comfortable with that and refused to change into them.

There should be no need for further comment on the obvious inappropriate use of the child or the sexual seductiveness of this type of physical touching and game playing. It should be enough simply to say we have all suffered too much because of matters such as this to make frivolous charges of this nature.

Robert, you know how we have loved you and trusted you with our lives. We gave our lives and our love to support what you believed in and wanted. Everything we owned was yours. That couldn't extend to that which we as parents don't even own-that is the right to touch our children's bodies in a sexually seductive or using manner.

Our concern extends beyond our family to the wide opportunity you have for individual one-on-one time with many little boys. When I spoke to you about Phil Wolfe's terrible molestation of our sons, you must remember I told you your order must talk of these matters openly so that those with such inclinations can obtain psychological help before they destroy themselves and others. Robert, have you received such help? Adequate help? Are you refraining from these dangerous times alone with children? I should tell you I have lost confidence in the expertise and impartiality in this special area of concern of a mental health professional in Santa Barbara known to both of us. While he is good

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in many ways, I don't believe his professional help in this particularly demanding area is adequate help.

Because we have shared our lives (and had hoped to continue this sharing) you know how much we have loved you. You must be able to guess the pain that surrounds this letter. We can only guess your pain in receiving it. We hope it will reinforce the desperate imperative you have to obtain help and remove yourself from potentially dangerous contacts with young boys.

Our purpose in writing this letter is to protect other children. A copy is being sent to to help you and him as Provincial Minister to keep the seriousness of this matter and the obligation for appropriate follow up in treatment and assignment clearly defined for you both. We also carbon Bishop Ziemann. He must know the full scope of the problems in this area of concern. None of us can afford to live in a fool's paradise any longer in so far as these matters are concerned.

Sincerely,

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REDACTED

CONCUR

REDACTED

cc:

Rev. Melvin Jurisich

Bishop Patrick Ziemann Rev.

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TA BARBARA POLICE DEPAR CRIME/INCIDENT FOLLOW UP

Case No. 92-9066

Date February 19, 1993/pb [] File Only Name Type tast Name (or Business) Hiddle Additional Names to be Indexed Original Offense Update Additional Cases Reclassify to: Statute Crime Classification Offense Code SUSP CIRCS 1.D.No. Div.No. Date Dictated Reporting Detective 02-09-93 Det. P. McCaffrey 6051 40 REDACTED Special Instructions to Records **Varrative:** I was contacted by Dep. Chief J. McCoy who had information regarding a possible: molestation victim. Chief McCoy requested I contact age 25 years, and obtain a statement. I contacted by phone. referred to a report made alleging molestation. stated that he is a former member of the seminary school at St. Anthony's Seminary, 2300 Garden St. said approximately 8 or 9 years before, he had been touched inappropriately by a priest named Robert Vanhandel. to discuss exactly what happened. said he would be willing to write a statement that would be included in a report previously made by the parents of I received a handwritten letter from The letter relates that on several occasions, Robert Vanhandel had given him back rubs and tummy rubs while ' was staying in the seminary dorm. There was never any genital contact. said that eventually he would just pull the covers over his head which stopped Vanhandel from bothering him. said this happened when he was either 14 or 15. I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of pages, is true and correct except as to those matters therein states on information and belief, and as to those matters I believe them to be true. Signature Recommended/ · []Active/Active Arrest []Exceptional Clearance SHClosed/Referral 1 1Unfounded CUrrent Status []Closed Arrest []Inactive []Administrative Clearance/Warrant Issued Supervisor Division Assigned | 1Patrol I.D.Ko. Div.No. Littereticative Copies Moetective 1 Hrs. Sap.

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Case No. 92-9066 Page # 2

I then reviewed Case 92-9066. The report consists of a letter sent by age 50 years, who is the mother of . . . The letter discloses that told his mother about inappropriate sexually related touching committed by Robert Vanhandel. felt was about 10 years old when this happened (approximately 12 years ago). The touching consisted of back rubs, stomach and abdomen rubs, and touching of the thighs and groin area. There was no disclosure that there was any genital contact. The letter sent to SBPD is only a copy of a letter sent to different Franciscan priests who supervise Robert Vanhandel.

I contacted father of . He was involved in a committee that was looking into the allegations of sexual abuse committed by Franciscan priests at St. Anthony Seminary. Note that in 1989, another Franciscan priest, Phillip Wolfe, was arrested and convicted for molesting and his brother, . See Case 89-5806.

was concerned that there may be many other victims of sexual abuse who had attended either the seminary or participated in the Santa Barbara Boys Choir which was directed by Robert Vanhandel until May 1992. said that the committee organized to investigate these incidents included a psychiatrist, a lawyer, and a Franciscan priest. The spokes person for the group is Geoffrey Stearns, a Santa Barbara attorney. Higgins suggested I contact him for update information.

I contacted Geoffrey Stearns by phone. His group was looking into the allegations that occurred to members of the seminary only and not to members of the choir. Stearns said the seminary school had disbanded in June 1987. This was not because of any allegation of sexual abuse. Stearns said the group is interested in finding victims of sexual abuse so that counseling could be provided. Individual members will have an option of contacting the police department if these choose. Stearns said he would be mandated to report any incidents of sexual abuse per California state reporting requirements. Stearns was aware that generally there is a six year statute of limitations regarding sexual molestation cases. Stearns

Signature D. P. M.

S/ TA BARBARA POLICE DEPART" YT CRIME INCIDENT FOLLOW-UP CONTINUATION

REDACTED

Case No. 92-9066 Page # 3

said that because the school had closed nearly six years ago, there would not be many students who had been possibly molested, which could result in criminal prosecution. To his knowledge, any student who had made allegations, were from previous years and were well beyond any statute of limitations. At this time, Stearns only knew of incidents of inappropriate touching which did not include any acts of oral copulation or genital contact. Stearns said he and the committee are in the process of drafting a letter to be sent to all known former members of the seminary. All students who contact him will be told that they have an option to contact police.

I contacted the lay director of the Santa Barbara Boys Choir, Mary Ann Helman. She was aware of all the allegations. She felt that

regarding Robert Vanhandel out of proportion. She believes that inappropriate touching did take place; but that the affected parents were trying to blame all their children's problems on these fairly minor incidents. Helman said that she was part of a committee that had sent a letter to all known former choir members or their parents in October 1992. The committee included Dr. Scott Gorsuch and Father state director of the Franciscan church. The letter explains that Robert Vanhandel possibly touched boys inappropriately in a sexual manner. All parents of former choir members were instructed to contact Gorsuch for advise or counseling. This counseling was paid for by the Franciscans. Helman was not aware of any other incidence of sexual abuse than

and To her knowledge, these acts had occurred ten years ago or longer.

I contacted Dr. Scott Gorsuch by phone. Dr. Gorsuch said that he had been contacted in regards to two students who alleged being touched inappropriately by Vanhandel. Gorsuch said the allegations did not meet the state's requirements of reporting the incidents to the police dept. Gorsuch said that because of his doctor/client privilege, he would not

signature 10. C.M

S. A BARBARA POLICE DEPART NT CRIMEINCIDENT FOLLOW-UP CONTINUATION

Case No. 92-9066
Page # 4

divulge the names of the students, but would relay the nature of the incident. Gorsuch said a letter had been sent to all former choir members. He received about 12 phone calls from parents expressing concern and asking for advise on how to question their children. He later received a call from a father of a former choir member. The father said his son is now 21 or 22 years old and is attending college in the bay area. The father had questioned his son who stated that Vanhandel had played a strip game with him. This involved the boy meeting Vanhandel in his office. They would then play a game of darts. If the boy won, he received 25 cents. If he lost, he had to strip down to his underwear. The boy did not expose his genitals, nor was he touched by Vanhandel.

Gorsuch received a call from a mother who stated both her sons had been molested. The older one would speak with Gorsuch, but the younger one would not. Dr. Gorsuch was then contacted by the older son. He is now about 22 years old. He stated that over 10 years before he was in the choir. Vanhandel met him in his office and had taken nude photographs of him. There was no mention of any actual genital touching. The boy did receive back rubs from Vanhandel. The boy's mother now had the photos that were taken. Gorsuch did not know how the mother obtained these.

Dr. Gorsuch said he does not anticipate receiving any more phone calls or referrals because a certain amount of time has elapsed. Gorsuch said that several parents of boys in the choir felt very strongly about the issue and about their sons being touched. Gorsuch had no other information suggesting that any more intrusive sexual touching had occurred.

At this time there does not appear to be any information that suggests Robert Vanhandel committed a sexual molestation that would amount to a felony filing. There is no information that suggests that any touching of an inappropriate nature occurred within the last 6 years. I recommend this case be closed at this time, sent to the D.A.'s office for review only.

Signature D.C.m.

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Case No. 92-9066 Page # 5

ADDITIONAL NAMES

Helman, Mary Ann

Telephone: 682-5473 or 682-5641

Gorsuch, Scott E., Dr.

Address: 115 W. Arrellaga St., Santa Barbara, CA

Telephone: 966-2959

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Signature O.P.M

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Kobert Van Handel #2 (Dispensed Friar) LEGAL (abuse) FILE

COMPRESION



Bates Numbers 402-406 were ordered removed by the trial court.

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Bates Numbers 408-409 wer	re removed by the Plaintiffs at	the request of the Franciscans.
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Attorney Client Privileged

MEMO TO:

FROM:

RE:

Robert's civil attorney

REDACTED

DATE:

September 22, 1994

I had a long talk with Skip Howie, Robert's civil attorney in San Jose. He had several issues on the agenda:

- Robert's name in the lawsuit: he wants to talk with Nick Heldt but he feels that Robert should default on it (I gather that means not to respond). As Skip put it: why should the friars pay an attorney to protect Robert's assets when he doesn't have assets? They can sue Robert for any amount but if he does not have anything, then they can't get anything. In addition Robert's in jail so what does he care? I believe Skip is trying to save us some money.
- He is trying to figure out for himself what he can do for Robert. He genuinely likes Robert and feels that he ought to do something. He talked about going down to Wasco. As Robert's attorney, he could get in but will that cause more problems especially if he tries to get Robert protected. He would be taking on the prison system and that might hurt Robert more. That is why he really does not know what to do.
- 3. In connection with #1, he wanted to know if the insurance carriers agreed to defend Robert. I said to the best of my knowledge each

Bates Numbers 411-413 were removed by the Plaintiffs at the request of the Franciscans.

Dear

Harl in (1) the Hardstory Reporting law and (2) a Copy of the Cace me statute of lumber of Civil suit. The statute of lumbers for Chamila last is 14k from the Late of the offers for miscorners and, usually, 3-(3-6) ups for most fetrys, quest much to theft poblic may. So, in which lace, the statute of lumbers, ken mun so matte what happened. The SBPO is not laing anything on the matte. It is closed. This answers you find a queling why as it reported and what is going to happen.

Jour third gustion - in these any obligation for see if little last - is much in my



BRIAN P. BROSNAHAN

333 Bush Street San Francisco California 94104-2878

FAX: (415) 772-6268 TEL: (415) 772-6302

HELLER EHRMAN WHITE & MAULIFFE

A PARTHERSHIP OF PROFESSIONAL CORPORATIONS

ANCHORAGE LOS ANGELES PALO ALTO FORTLAND SEATTLE TACOMA

Bates Numbers 417-420 were ordered removed by the trial court.

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SANTA BARBARA MUNICIPAL COURT OR/BR REPORT

25 MARCH 1994

DOB: 47/04-02-47

VAN HANDEL, ROBERT MICHAEL

CHARGE: 288(A) PC

OFFENSE: The subject was arrested on warrant #443356 issued at the request of the Santa Barbara Police Dept on March 17, 1994. Detective Mike McGrew began his investigation on March 7, 1994, following the complaint of a former student at St. Anthony's Seminary, Santa Barbara, CA. The warrant was issued based on the allegations of sexual abuse in violation of 288(a) PC on the former member of the Santa Barbara Boy's Choir based at St. Anthony's Seminary, Santa Barbara, CA. The multiple incidences involving the victim in this action are reported to have started in 1983 and continued unabated until 1989. The offenses appear to be limited to the repeated erotic stimulation and fondling the of boys whose ages ranged from age eight (8) to age fourteen (14). oral copulation or sodomy incidents are alleged or acknowledged to have been a part of this abuse pattern. The subject was arrested, without incident, on 03-22-94 at St. Francis Retreat House, San Juan Bauptista in San Benito County, California. The subjects bail has been set a \$250,000.00.

RESIDENCY/EMPLOYMENT: The subject was residing at the St. Francis Retreat Center at San Juan Bauptista, in San Benito County, California. The telephone number there is (408) 623-4234. He was placed there following his release from the treatment program at St. Luke Institute, Suitland, Maryland. He had been placed at St. Luke's from June 1992 for thirteen (13) months until he was transferred to St. Francis in July 1993. He remained there, entering another treatment program, until his arrest on the above charges on March 22, 1994.

When the defendant was transferred to St. Francis in San Juan Bauptista he entered the therapy program offered by Pacific Treatment Associates in Santa Cruz, CA. He attended a combination of individual and group counseling four (4) times per week. The program site is located about a 45 minute drive from St. Francis. This program is also used by the Santa Cruz County Probation Department for those persons on its caseloads that exhibit problems of a sexually deviant nature. In addition to being involved in counseling as noted above he also attends the Twelve (12) Step program through S.L.A.A. (Sex and Love Addicts Anonymous) telephone #(408)423-2377. The subject is reportedly being taught to avoid situations that would tempt him to re-enter the ranks of active child molestation. While the defendant still has sexual fantasies and thought of young boys he is now in a position to exercise control. He has been assigned duties that will not place him in a position of having an influence over or association with children. The subject states that he is never sure when his touching,

SANTA BARBARA MUNICIPAL COURT #FOUR OR/BR REPORT HEARING PAGE 2

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

RESIDENCY/EMPLOYMENT: (CONT.)

tickling, and hugging of the children would go from expressing love and happiness and began to enter the realm of molestation.

PRIOR RECORD:

The subject has no prior arrests. His NCIC, DMV, CLETS are returned clear.

ADDITIONAL INFORMATION: The subject is a Catholic Priest who was removed from active service in that office following a letter dated June 23, 1994 and mailed to the subject, plus three superiors or colleagues, from a parent of an earlier victim. The heartache and loss of faith that runs through this entire case is embodied in that letter. The letter was without rancor but expressed in no uncertain terms that the subject was badly in need of help, he should never be allowed to be in a position to have even the most casual contact with children, and that he should not function as a minister or priest ever again. According to the defendant that appears to have been the reaction of his superiors also.

The onset of the abuse, in this case only, is established as occurring on a regular basis from March 1983 and continued to September 1989. At that time the victim who was then fourteen (14) years old entered a drug rehabilitation program. According to police reports the nature of the incidents continued to involve the increasingly erotic rubbing of the victim's stomach, bare back, legs, and eventually extending beneath the clothing to the genitalia of the young victims. The defendant's victims were almost always selected from among the eight (8) to fourteen (14) year old. The subject was almost always seen by the boys as a "father figure", an authority figure, and a trusted member of the victims "extended family". This deception and molestation continued during the years of 1983 until 1989 according to this particular victim. Reportedly, the six (6) year statute of limitations has expired on approximately fifteen (15) other cases that are not considered as part of this action.

So far as this officer is aware the etiology of the exposure of this case can be attributed to one of the earlier victims whose parents wrote a letter to the defendant outlining the elements of the abuse that their son had suffered at the hands of this defendant. That letter was sent to the defendant on April 23, 1992. It was simultaneously sent to three (3) of the defendants superiors. Apparently, steps were immediately taken to remove the defendant from his priestly duties, remove him from the community,

SANTA BARBARA MUNICIPAL COURT # FOUR OR/BR HEARING REPORT PAGE 3

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION: (CONT.)

and place him in the treatment program at St. Luke's at Suitland, Maryland where he essentially remained until his transfer to St. Francis into another treatment modality. The subject reports that he is taking, by injection, an unspecified dosage of Depo-provera, which is a testosterone suppressant, as a component of his treatment. The defendant does not express a belief that he is now or will ever be "cured" of his illness. What he does state is that he is learning to anticipate and avoid situations where he might be required to make a conscious choice regarding his overt behavior. For example; he does not stroll down streets without purpose, does not go near shopping malls to just brouse. If he is required to go shopping he goes straight to where his items are located and leaves the area immediately.

When questioned in reference to his self-concept he expressed a tremendous and ever present sense of remorse, of not being able to put his life back together in a meaningful manner. He reflected on his feeling of deep sorrow on his loss of being able to help people as a priest. He acknowledges the wisdom of the restrictions that have been placed on by the church and what will most likely be imposed by the state. He anticipates a period of prison and then his eventual return to the Franciscan life as a bookkeeper for a retreat that is isolated. The subject has two masters degrees and is considered highly intelligent.

In addition to two interviews with the subject this officer has read and viewed documents and personal journals written by the defendant. That the defendant has reflections of suicidal thought processes is interwoven in his writings. This was considered as a problem solving technique or solution when he would contemplate the cost of exposure for what he has done. He has tremendous fears of going to jail and this is compounded by his realization and acknowledgement that he will be classified as a pedophile while in custody. However, this does not prevent his feelings of arousal in reference to young boys. The arresting officer notes that the defendant has several contacts and friends outside of the U.S.A. These could conceivably be considered as havens and refuges if the subject were released and succumbed to the temptation to give in to an impulse to run. The subject stated that he was not seeking a released from custody. Further he related that he has no place to go that would accept him. As previously noted the defendant expects his future to include a prison commitment. The subject was himself the subject of sexual abuse at St Anthony's as a student. He accepts responsibility for perpetuation of the tendency for the abused to later in life becoming the abuser and in turn creating

SANTA BARBARA MUNICIPAL COURT #4
OR/BR HEARING REPORT PAGE 4

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION (CONT.):

another link in a very sordid and tragic continuation of harmful behavior. There is little doubt in the mind of this writer and also in the mind of the defendant that the defendant has caused irreparable damage to many of his victims. The church has contacted all of those students who were effected by this and others and provided psychiatric and psychological counseling in an effort to contain and correct the damage in as far as they could do so.

There have been no formal reference contacts made in this defendant behalf in that the Court did not grant the Unit sufficient time to conduct a thorough investigation between arraignment and this OR/BR Hearing. An effort was made to contact them but as yet this writer has not had any response from them. This writer does not believe that the provided references are hesitant to assist the defendant, but rather there has been an insufficient amount of time allowed in this case.

The defendant is not an acceptable candidate for O.R. consideration for several reasons. The defendant was and must be returned to his treatment mode if and when he is released under any circumstances. He is not now and most likely will never be "cured" of his tendency to think and, given the circumstances, react as a pedophile. has, in his words, no place to live that is convenient to the Court for future hearings. The needed and necessary treatment modality is not available in this area. The defendants thought control is insufficient to provide an adequate deterrent to his sexual tendencies. So far as is known the church will not be able to provide reasonable supervision nor duplicate the living environment that is vital to this defendant. There is a natural tendency for the subject to want to flee this area in that it is hear that his worst nightmares were realized and even now continue to unfold. Out of his therapeutic milieu the subject is very near the consideration provided in Section 1275 of the Calif. Penal Code. The subject fears facing his victims or their parents. All of the above contribute to the reasonable considerations leading to the denial of an O.R. release.

RECOMMENDATION: THAT O.R. BE DENIED/ THAT BAIL BE SET IN AN AMOUNT OF NOT LESS THAN \$250,000.00

RESPECTFULLY SUBMITTED,

DATE: March 25, 1994

Gene Ward

Own Recognizance Supervisor

-SANTA BARBARA POLICE DEPARTMENT VICTIM CONFIDENTIALITY REQUEST

Based on Section 6254(f) of the California Government Code, as a victim of any of the crimes enumerated below, your name is a matter of public record; however, your address is confidential. Pursuant to California Penal Code Section 293(a), you may request that your name be kept confidential, to be released only to the prosecuting district attorney. If you are the victim of more than one crime, you may request that information disclosing that you have been the victim of any of the below enumerated crimes be deleted from any accompanying crime report. (Note: if the victim(s) is a minor, the parent or legal guardian may exercise the minor's right to privacy.)

(This waiver applies only to Sections 261, 264, 264, 1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6. 422.7. or 422.75 of the California Penal Code.:

I HAVE BEEN ADVISED OF MY RIGHTS	IN THIS MATTER AND:
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Signature of officer making admonishm	•
OFC G WILKING	Date 3-3-1 V

RECORDS PERSONNEL: THIS SHEET SHOULD BE KEPT ON THE TOP OF THE ACCOMPANYING CRIME = & COPIES MUST BE DISTRIBUTED WITH THIS SHEET AS THE FIRST PAGE \$880 6 25(1/93)

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SA A BARBARA POLICE DEPARTMENT CRIME/INCIDENT REPORT

Case No. 14-4211-1

· Page DIRECTIONS: For crimes social personal states offenses, choose the most serious crime classificat and 4; Felony Assault. uit), and check up to five boxes, For a with homicidel; 2. Sex Crime; 3. Rob SEX CRIMES SUSPECT ACTIONS (3 Cheices) METHODYFORCE VICTIM-SUSPECT RELATIONSHIP () Choice) TRICK USED (1 Choice) Maturbation

07 — Vic. to Sub.

08.0 Sub. to Vic.

09.0 Mutual (Same

£1.0 Vic. to Self

£2.0 Sub. to Self Intercourse/Rape C1. D Bhnafpided
C2. D Bound/Culled
C3. D Cassed
C4. D Boat Up ALD Family Friend E9.0 Vic. on Top

F1.0 Sus. Unable to Achieve Erection
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E). Vic. to Sus.

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GB. Bound/Gasped Vic.
H1. Business Takeover
H2. Britand as Customer
H3. Force Vic. to Lay on Floor
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H5. Hid in Business
H6. Hid in Business J1. __ Multiple Weapons
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K3. (2 Conducting Bus,
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K5. (3 Walking
K7. (1 to Vic. Vahicle
K8. (1 Sus. Vahicle
K9. (2 Riding Bicycle
L1. (2 A Customer
L2. (3 Other (I Choice) HEADYN IN [1 Choice]

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ARREST/SUSPECT REPOR.

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Case No. 94-04212

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Till out in

Case No. 94-04212 Page # 2

at St. Anthony's Seminary,

name at that time was .

stated he was a member of the Santa Barbara Boys Choir, which had approximately 30 members. stated his father left when he was approximately 4 years of age. went on to say that Robert VanHandel, the choir director, was a father figure to him and that he trusted him. At the time of most of these incidents, Robert Van Handel lived at the Seminary at St. Anthony's. believes he is now living in the Northern California area.

stated he was in the choir when he was 7 1/2 years of age all the way through 14 years of age. stated that the offenses occurred when he was either 8 or 9 years of age, which is 1983 or 1984. said that all of the molest acts completely ended by the time he was 13 years of age or very early when he was 14 years of age. said he went into a drug rehabilitation in December of 1989 at the age of 14. said that no acts occurred after he went into rehabilitation.

stated that he really cannot come up with specific dates and times for what had occurred because it happened so often. said at the time, he was living with his mother and sister at

and for the most part, all of these molest incidents took place in Robert VanHandel's apartment at the Seminary. said there were also some trips that he and other choir members went on which molest acts occurred as well, said that VanHandel's apartment was upstairs at "the casa," which was located on Seminary grounds.

stated that quite often he would stay at Robert VanHandel's apartment. He stated that always on Tuesday nights and on Sundays he would spend the night.

said there were sometimes on Thursdays and once in a while Fridays and Saturdays he would also spend the night at Robert VanHandel's apartment.

stated that on Tuesday nights, he attended

Signature

SA BARBARA POLICE DEPART INT

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the boys choir practice in the afternoon somewhere around 2:30 that lasted until about 4:00 or 4:30 in the afternoon. After that he went to dinner at the Seminary and then he attended the mens choir group from about 7:00 P.M. or 7:30 P.M. which ended approximately 9:00 P.M. said he would then stay at VanHandel's apartment.

In reference to the molest acts that occurred, stated that when he did stay at VanHandel's apartment, that he wore pajamas, and just before bedtime, said he was lying almost asleep on a bed and that Robert VanHandel would come up and start massaging his back or his stomach area, whichever way was lying at the time. went on to say that Robert VanHandel would start by massaging him on top of his clothing and then eventually he would start massaging him underneath his pajamas. said that VanHandel would start massaging his genital area.

said he was trying to go to sleep and ignored what VanHandel was doing.

believed that VanHandel had his clothes on while he was giving a massage. did not know if VanHandel tried to masturbate while giving a massage. said that there were no words spoken between them.

said this occurred always just before he went to sleep at night or when they were on trips when he took a daytime or afternoon map.

massaging his testicles and his penis area. stressed that at no

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Case No. 94-04212 Page # 4

time was there any oral sex involved and at no time did reciprocate in masturbating VanHandel. said these acts of massaging his genital area occurred until he fell asleep, and this would be at times a half hour duration.

stated he did not tell anyone about what had happened, and at the time, he did not believe that VanHandel was doing anything wrong because this was coming from someone who he trusted and looked up to.

In reference to out of town trips, stated that he traveled with Robert VanHandel to Canada and believes it was Expo 1986 when they were in ; said they traveled in a Canada for approximately three weeks. camper with two to three other boys who were in the choir. VanHandel was the only adult. ; said that the massaging of his genitals happened while they were in the camper when he (sleep next to VanHandel. said between the years 1984 to 1987, that he went with Robert VanHandel to Yosemite three to four times. This was also in a camper, and it was mainly during the Thanksgiving weekend and one time during the Easter break. During these trips to Yosemite, again, VanHandel would sleep next to and again would molest him by massaging his genitals.

England and traveled Europe. stated he could not specifically remember VanHandel molesting him while they were in Europe.

Robert VanHandel's apartment. stated there is a person by the first name of was a student at the Seminary and was living in the same apartment as Robert VanHandel but in a different bedroom. lived there for approximately one year. said he would be able to get an address and telephone number of through his therapist.

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TA BARBARA POLICE DEPAREMENT CRIME/INCIDENT CONTINU. ON

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Case No. 94-04212 Page # 5

stated he would also play with a boy by the first name of , who lived in an adjacent apartment to VanHandel at "the casa." did not know what the mother's name was but believed she had something to do with the Waldorf School. said that recently played a part in the movie "Hocus Pocus." believed that Santa Barbara Police Department Officer Debbie Daily would know who mother is.

In terms of the Statute of Limitations, it is believed that Robert VanHandel spent some time out of the State of California. Somewhere between 1982 and 1983, VanHandel took a six month sabbatical to England and stayed at Abingdon near Oxford, although I'm not sure of the name of the school there. Also, between May of 1992 through June of 1993, the Catholic Church sent Robert VanHandel to a treatment center in Suitland, Maryland, which is just outside of Washington D.C., a place called St. Luke's.

Current president of the St. Anthony's Boys Choir is Marianne Hellman. Her husband, Robert Hellman, is the current choir director. They live on Cheltenham Road and have access to scrapbooks of the boys choir which may give more specific dates and times as to when the acts occurred.

also believes there is another choir member by the name of , who may also have been a victim of Robert VanHandel's. believes that Marianne Hellman might be able to supply the address and telephone number of to verify.

Refer to Investigative Division.

/mr

Signature

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ARBARA POLICE DEPARTMENT MISDEMEANOR CRIME/INCIDENT REPORT Page _ EPO Offered Cives 그런 IATTEME EPO Issued Cives 그레이 Civ 기사 EYes KNo CIRWINSTRIXE 3F05 EET SANTA BALBALA SOUBLE HEALTH STA 4-23-92 SANGA BALBALA 1.00 Pm 2100 LAS LUNAS Date: 1-me Day of 78/6 NAME TYPE: RACE CODE: V = Victim C = Complaintant O = Owner Reg. Q = Questioned W ≈ Whae l = Indian F = Filipino M = Motorist D = Discovered Crime L = Law Enforcement Officer W = Witness M = Maxican C = Chinese O = Other F = Finder I= involved S = Suspect N = Negro R = Reporting Party J = Japanese A = Arrested Name Type Last Hame for Businessy DO.B. Sex Cry Sireet Apl State logiess iffes-percei Zo Telephone IResidence cly Address (Bus School) Number Shree * Z: THEORONG I BUSINESSE MIRLHOA WARNING GIVEN Days Of Work Hours Interpreter Required/Language C Ym DNo. Addeona Names DYes XING CYM CNo Time В, Damaged Property Amount Stolen Property Amount ADDITIONAL NAMES Last Name for Business) DOB Street ACL Cay State 20 Telephone (Residence) POORDE ENGINEE Street ACE Cay Ze Telephone (Business) Days Of MERANDA WARNING GIVEN . TYES interpreter DAYTIME VARY () Yes DQ+o Time 3, lame Type Last Name for Business) 0.08 Age II. Address (Residence) APL City State Ze Telephone (Residence) ddress (Bus. School) Mande Telephone (Business) Cir ADL 500 Zo Days Off Recurred/Language MANDA WARNING GIVEN **B**(40 ☐ Yes DOR ROBERT EAUCAS/A 1.7.12 EUCLID 94709 94601-3091 AKKAND 2500 QYes 1 . Tene **;,** · Recommended/Current Status Dimmon Assigned D Active/Active Arrest Exceptional Clearance Closed/Referral ☐ Unfounded Closed Arrest ☐ Administrative Clearance/Warrara Issued Div. Na. LD, No. 2920 Detectives O SO-PD C~~~ CI ABC Licensed Dist Aty. C **** Other

SBPD Form 32.1 (6/89)

NARRATIVE

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WHEN VICTIM WAS APPROXIMATELY 8-10 YEARS OF AGE ON
SEVERAL OCCASIONS REV. ROBERT VAN HANDEL OFM, GAVE
"BACK RUBS" THAT INVOLVED STROKING BACK: CHEST STOMM
LOWER ADDOMEN AND THIGHS IN THE GROIN AREA CLOSE
TO AND ARCUND THE GENITALS BUT NOT TOUGHING
THE GENITHUS. THIS OCCURED AT VICTIM'S RESIDENCE
AT FR. VAN HANDELS OFFICE AT ST. ANTHONY'S SEMINARY
2700 GARDEN ST. SANTA BARDARA, AND ONCE WHILE
ON FAMILY VACATION. PLEASE KEFERENCE ATTACHED
LETTER FOR MORE DETAINS.
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OFM VANH 1 0436

I (swear) (certify) or (declare) under penalty of perjury that the information contained in pigreport, consisting of pages, is true and correct except as to shose matters the feinstated on information and belief, and as to shose matters I believe them to be true.

REDACTED

Dear Robert,

To begin, let me remind you that while I was recovering from my illness, I told you that I needed to talk to you. The time for the talk never came because I was still weak and you had the demands of a hectic schedule and move facing you.

Had that talk occurred, I would have told you that we had learned that a member of your Franciscan community, in addition to Phil Wolfe, had engaged in sexually inappropriate behavior with one of our boys when he was quite small that was upsetting to him at the time it was occurring. The memory remains with him.

I would have told you and I wished to tell and the others of your organization that it is clear that many of the activities you men undertake are too dangerous to young people and yourselves to be continued. The risks are too great. The potential for damage to even one young person outweighs any good these may accomplish. The price of the life of even one child is too high.

I would have told you that the Boys Choir, as it is presently structured, should not be continued and you should not be involved in similar organizations in the future. There is too much opportunity for unsupervised time between one child and one greatly trusted adult. Tragically, we have all lived the danger inherent in the all male seminary high school boarding school, where authority, trust and love can and did become destructively mixed with drives for sexual power, satisfaction and institutional authority. Gender-segregated and therefore gender-imbalanced activities are simply too dangerous to continue. They are imbalanced and too easily lead to aberration.

I would have told you that solo visits to your residence and "overnights" by youngsters must be stopped. They are too dangerous to you and the children.

This is what we learned at Christmas time. When one of our boys was a little boy, on various occasions when you put him to bed you gave "back rubs." The "back rubs" involved stroking the back, chest, stomach, lower abdomen and thighs in the groin area. He recalls that the stroking occurred very close to and around the genitals. He recalls his discomfort and embarrassment on one occasion that his lightweight knit pajamas would reveal the erection that your "back rub" had stimulated. He remembers the color and style of the pajamas. I do, too. He was probably around ten years old when he wore them.

We also learned at Christmas that when he visited your office on certain occasions you and he played darts. The stakes were that if he won he would get money. If you won, you could give him a "back rub" as described above. He recalls you offered him a pair of "thin shorts" to change into during the back rub. He said he was not comfortable with that and refused to change into them.

There should be no need for further comment on the obvious inappropriate use of the child or the sexual seductiveness of this type of physical touching and game playing. It should be enough simply to say we have all suffered too much because of matters such as this to make frivolous charges of this nature.

Robert, you know how we have loved you and trusted you with our lives. We gave our lives and our love to support what you believed in and wanted. Everything we owned was yours. That couldn't extend to that which we as parents don't even own—that is the right to touch our children's bodies in a sexually seductive or using manner.

Our concern extends beyond our family to the wide opportunity you have for individual one-on-one time with many little boys. When I spoke to you about Phil Wolfe's terrible molestation of our sons, you must remember I told you your order must talk of these matters openly so that those with such inclinations can obtain psychological help before they destroy themselves and others. Robert, have you received such help? Adequate help? Are you refraining from these dangerous times alone with children? I should tell you I have lost confidence in the expertise and impartiality in this special area of concern of a mental health professional in Santa Barbara known to both of us. While he is good

in many ways, I don't believe his professional help in this particularly demanding area is adequate help.

Because we have shared our lives (and had hoped to continue this sharing) you know how much we have loved you. You must be able to guess the pain that surrounds this letter. We can only guess your pain in receiving it. We hope it will reinforce the desperate imperative you have to obtain help and remove yourself from potentially dangerous contacts with young boys.

Our purpose in writing this letter is to protect other children. A copy is being sent to to help you and him as Provincial Minister to keep the seriousness of this matter and the obligation for appropriate follow up in treatment and assignment clearly defined for you both. We also carbon Bishop Ziemann. He must know the full scope of the problems in this area of concern. None of us can afford to live in a fool's paradise any longer in so far as these matters are concerned.

Sincerely,

REDACTED

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CONCUR

REDACTED

TED/CTED

Rev. Melvin Jurisich

Bishop Patrick Ziemann Rev.

TA BARBARA POLICE DEPARTENT CRIME/INCIDENT FOLLOW UP

RECEVIED

Page 1

Case No. 92-9066 Date February 19, 1993/pb

		[] file Only.
*	Name Type Last Name (or Business) first Middle Additional Names V	to be indexed
	Original Offense Update Additional Cases Reclassify to: Statute Crime Classification, SUSP CIRCS	Offense Code
	Reporting Detective I.D.No. Div.No. Date Dictated Det. P. McCaffrey 6051 40 02-09-93 Special Instructions to Records REDACT	ED
•	Special Instructions to Records REDAC!	
	Narrative:	
	I was contacted by Dep. Chief J. McCoy who had information reg	arding a
,	possible molestation victim. Chief McCoy requested I contact	
	, and obtain a statement.	
		. :
	I contacted by phone. referred to a rep	ort made
	by alleging molestation. stated that he is	a former
	member of the seminary school at St. Anthony's Seminary, 2300 Ga	rden St.
	said approximately 8 or 9 years before, he had been	touched
1	inappropriately by a priest named Robert Vanhandel. was r	eluctant
'	to discuss exactly what happened. said he would be wi	lling to
	write a statement that would be included in a report previously made	-
	parents of	
	I received a handwritten letter from The letter relates	that on
	several occasions, Robert Vanhandel had given him back rubs and tu	
	while was staying in the seminary dorm. There was no	_
	genital contact. said that eventually he would just p	
	covers over his head which stopped Vanhandel from bothering him.	
	said this happened when he was either 14 or 15.	
	Data only happened when he was etther 14 of 15.	
	I (swear) (certify) or (declars) under penalty of perjury that	
	the information contained in this report, consisting of 5 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe	•
	them to be true. Signature Q. MCffile.	
	Recommended/ []Active/Active Arrest []Exceptional Clearance S-2Closed/Referral Current Status []Closed Arrest []Inactive []Administrative Clearance/Nar	l Junfounded rant Issued
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Case No. 92-9066 Page # 2

I then reviewed Case 92-9066. The report consists of a letter sent by , age 50 years, who is the mother of

The letter discloses that told his mother about inappropriate sexually related touching committed by Robert Vanhandel. felt

was about 10 years old when this happened (approximately 12 years ago). The touching consisted of back rubs, stomach and abdomen rubs, and touching of the thighs and groin area. There was no disclosure that there was any genital contact. The letter sent to SBPD is only a copy of a letter sent to different Franciscan priests who supervise Robert Vanhandel.

I contacted father of He was involved in a committee that was looking into the allegations of sexual abuse committee by Franciscan priests at St. Anthony Seminary. Note that in 1989, another Franciscan priest, Phillip Wolfe, was arrested and convicted for molesting and his brother, See Case 89-5806.

was concerned that there may be many other victims of sexual abuse who had attended either the seminary or participated in the Santa Barbara Boys Choir which was directed by Robert Vanhandel until May 1992. said that the committee organized to investigate these incidents included a psychiatrist, a lawyer, and a Franciscan priest. The spokes person for the group is Geoffrey Stearns, a Santa Barbara attorney. suggested I contact him for update information.

I contacted Geoffrey Stearns by phone. His group was looking into the allegations that occurred to members of the seminary only and not to members of the choir. Stearns said the seminary school had disbanded in June 1987. This was not because of any allegation of sexual abuse. Stearns said the group is interested in finding victims of sexual abuse so that counseling could be provided. Individual members will have an option of contacting the police department if these choose. Stearns said he would be mandated to report any incidents of sexual abuse per California state reporting requirements. Stearns was aware that generally there is a six year statute of limitations regarding sexual molestation cases. Stearns

Signature D. P. M.

S/ "A BARBARA POLICE DEPART" 'YT CRIME INCIDENT FOLLOW-UP CONTINUATION

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Case No. 92-9066 Page # 3

said that because the school had closed nearly six years ago, there would not be many students who had been possibly molested, which could result in criminal prosecution. To his knowledge, any student who had made allegations, were from previous years and were well beyond any statute of limitations. At this time, Stearns only knew of incidents of inappropriate touching which did not include any acts of oral copulation or genital contact. Stearns said he and the committee are in the process of drafting a letter to be sent to all known former members of the seminary. All students who contact him will be told that they have an option to contact police.

I contacted the lay director of the Santa Barbara Boys Choir, Mary Ann Helman. She was aware of all the allegations. She felt that

and the parents had blown the incidence of sexual molestation regarding Robert Vanhandel out of proportion. She believes that inappropriate touching did take place; but that the affected parents were trying to blame all their children's problems on these fairly minor incidents. Helman said that she was part of a committee that had sent a letter to all known former choir members or their parents in October 1992. The committee included Dr. Scott Gorsuch and Father director of the Franciscan church. The letter explains that Robert Vanhandel possibly touched boys inappropriately in a sexual manner. parents of former choir members were instructed to contact Gorsuch for advise or counseling. This counseling was paid for by the Franciscans. Helman was not aware of any other incidence of sexual abuse than and To her knowledge, these acts had occurred ten years ago or

I contacted Dr. Scott Gorsuch by phone. Dr. Gorsuch said that he had been contacted in regards to two students who alleged being touched inappropriately by Vanhandel. Gorsuch said the allegations did not meet the state's requirements of reporting the incidents to the police dept. Gorsuch said that because of his doctor/client privilege, he would not

longer.

Signature D.C.M



S' A BARBARA POLICE DEPART NT CRIME INCIDENT FOLLOW-UP CONTINUATION

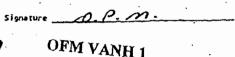
Case No. 92-9066
Page # 4

divulge the names of the students, but would relay the nature of the incident. Gorsuch said a letter had been sent to all former choir members. He received about 12 phone calls from parents expressing concern and asking for advise on how to question their children. He later received a call from a father of a former choir member. The father said his son is now 21 or 22 years old and is attending college in the bay area. The father had questioned his son who stated that Vanhandel had played a strip game with him. This involved the boy meeting Vanhandel in his office. They would then play a game of darts. If the boy won, he received 25 cents. If he lost, he had to strip down to his underwear. The boy did not expose his genitals, nor was he touched by Vanhandel.

Gorsuch received a call from a mother who stated both her sons had been molested. The older one would speak with Gorsuch, but the younger one would not. Dr. Gorsuch was then contacted by the older son. He is now about 22 years old. He stated that over 10 years before he was in the choir. Vanhandel met him in his office and had taken nude photographs of him. There was no mention of any actual genital touching. The boy did receive back rubs from Vanhandel. The boy's mother now had the photos that were taken. Gorsuch did not know how the mother obtained these.

Dr. Gorsuch said he does not anticipate receiving any more phone calls or referrals because a certain amount of time has elapsed. Gorsuch said that several parents of boys in the choir felt very strongly about the issue and about their sons being touched. Gorsuch had no other information suggesting that any more intrusive sexual touching had occurred.

At this time there does not appear to be any information that suggests Robert Vanhandel committed a sexual molestation that would amount to a felony filing. There is no information that suggests that any touching of an inappropriate nature occurred within the last 6 years. I recommend this case be closed at this time, sent to the D.A.'s office for review only.



SAME A BARBARA POLICE DEPARTMENT CRIN. ICIDENT FOLLOW-UP CONTIL ATION

Case No. 92-9066
Page # 5

ADDITIONAL NAMES

THEDACTED

Helman, Mary Ann

Telephone: 682-5473 or 682-5641

Gorsuch, Scott E., Dr.

Address: 115 W. Arrellaga St., Santa Barbara, CA

Telephone: 966-2959

REDACTED

Signature D.P.M

Bates Numbers 445-449 were ordered removed by the trial court.

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Bates Numbers 451-452 were removed by the Plaintiffs at the request of the Fr	anciscans.

* * *

MEMO TO:

FROM:



Robert's civil attorney

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DATE:

RE:

September 22, 1994

I had a long talk with Skip Howie, Robert's civil attorney in San Jose. He had several issues on the agenda:

- 1. Robert's name in the lawsuit: he wants to talk with Nick Heldt but he feels that Robert should default on it (I gather that means not to respond). As Skip put it: why should the friars pay an attorney to protect Robert's assets when he doesn't have assets? They can sue Robert for any amount but if he does not have anything, then they can't get anything. In addition Robert's in jail so what does he care? I believe Skip is trying to save us some money.
- 2. He is trying to figure out for himself what he can do for Robert. He genuinely likes Robert and feels that he ought to do something. He talked about going down to Wasco. As Robert's attorney, he could get in but will that cause more problems especially if he tries to get Robert protected. He would be taking on the prison system and that might hurt Robert more. That is why he really does not know what to do.
- 3. In connection with #1, he wanted to know if the insurance carriers agreed to defend Robert. I said to the best of my knowledge each of the carriers has denied that they have an obligation to defend the individual friars. That is why he thought it best for Robert to default.

Bates Number 454 was ren	noved by the Plaintif	fs at the request of the	ne Franciscans.	
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45.30 ments, my 10, 1992

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Bates Numbers	s 458-460 were rei	noved by the P	laintiffs at the	request of the F	ranciscan

Bates Numbers 461-464 were ordered removed by the trial court.

SANTA BARBARA COUNTY MUNICIPAL COURT STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff

Case No. 940304737

Crt. No.

443356

FELONY COMPLAINT

ROBERT MICHAEL VANHANDEL

Defendant(5)|

Santa derivara Municipai Court FILED

The undersigned is informed and believes that:

MAR 2 1 1994

ALISTAIR A.G. CAPAIICHAEL

COUNT 1

2/1/13

8/30/95 By

On and between February 1, 1987 and September 30, 1989, in the above named Judicial District, the crime of LEWD ACT UPON A CHILD, in violation of PENAL CODE SECTION 288(a), a Felony, was committed by ROBERT MICHAEL VANHANDEL, who did willfully, unlawfully, and lewdly commit a lewd and lascivious act upon and with the body and certain parts and members thereof of JOHN DOE, a child under the age of fourteen years, with the intent of arousing, appealing to, and gratifying the lust, passions, and sexual desires of the said defendant(s) and the said child. It is further alleged that the above offense is a serious felony within the meaning of Penal Code Section 1192.7(c)[6].

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290. Willful failure to register is a crime."

"NOTICE: Pursuant to the provisions of PC Section 293.5 the use of pseudonyme."Jane or John Doe", if it appears in the complaint or information, is for purposes of protecting the privacy of the alleged victim."

4/21

Page 1

Pursuant to Penal Code section 1054 . Aby the People are hereby informally requesting that detense counsel provide discovery to the People as centered by Penal Code Section 1954.3.

Further, attached hereto-and incorporated herein are official a documents of a law enforcement agency which the undersigned and probable dause for the arrest of defendant(s) ROBERT MICES amove listed crimes.

DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT THE COMPLAINT CONSISTS OF 1 COUNT(S).

Executed at SANTA BARBARA, California, on March 321, 1994

DEPUTY DISTRICT ATTORNEY

DEFENDANT VANHANDEL, ROBERT MI

4/02/47

SANTA BARBARA MUNICIPAL COURT OR/BR REPORT

25 MARCH 1994

DOB: 47/04-02-47

VAN HANDEL, ROBERT MICHAEL

CHARGE: 288(A) PC

OPPENSE: The subject was arrested on warrant #443356 issued at the request of the Santa Barbara Police Dept on March 17, 1994. Detective Mike McGrew began his investigation on March 7, 1994, following the complaint of a former student at St. Anthony's Seminary, Santa Barbara, CA. The warrant was issued based on the allegations of sexual abuse in violation of 288(a) PC on the former member of the Santa Barbara Boy's Choir based at St. Anthony's Seminary, Santa Barbara, CA. The multiple incidences involving the victim in this action are reported to have started in 1983 and continued unabated until 1989. The offenses appear to be limited to the repeated erotic stimulation and fondling the of boys whose ages ranged from age eight (8) to age fourteen (14). No oral copulation or sodomy incidents are alleged or acknowledged to have been a part of this abuse pattern. The subject was arrested, without incident, on 03-22-94 at St. Francis Retreat House, San Juan Bauptista in San Benito County, California. The subjects bail: has been set a \$250,000.00.

RESIDENCY/EMPLOYMENT: The subject was residing at the St. Francis Retreat Center at San Juan Bauptista, in San Benito County, California. The telephone number there is (408) 623-4234. He was placed there following his release from the treatment program at St. Luke Institute, Suitland, Maryland. He had been placed at St. Luke's from June 1992 for thirteen (13) months until he was transferred to St. Francis in July 1993. He remained there, entering another treatment program, until his arrest on the above charges on March 22, 1994.

When the defendant was transferred to St. Francis in San Juan Bauptista he entered the therapy program offered by Pacific Treatment Associates in Santa Cruz, CA. He attended a combination of individual and group counseling four (4) times per week. The program site is located about a 45 minute drive from St. Francis. This program is also used by the Santa Cruz County Probation Department for those persons on its caseloads that exhibit problems of a sexually deviant nature. In addition to being involved in counseling as noted above he also attends the Twelve (12) Step program through S.L.A.A. (Sex and Love Addicts Anonymous) telephone #(408)423-2377. The subject is reportedly being taught to avoid situations that would tempt him to re-enter the ranks of active. child molestation. While the defendant still has sexual fantasies and thought of young boys he is now in a position to exercise control. He has been assigned duties that will not place him in a position of having an influence over or association with children. The subject states that he is never sure when his touching,

SANTA BARBARA MUNICIPAL COURT #FOUR OR/BR REPORT HEARING PAGE 2

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

RESIDENCY/EMPLOYMENT: (CONT.)

tickling, and hugging of the children would go from expressing love and happiness and began to enter the realm of molestation.

PRIOR RECORD:

The subject has no prior arrests. His NCIC, DMV, CLETS are returned clear.

ADDITIONAL INFORMATION: The subject is a Catholic Priest who was removed from active service in that office following a letter dated June 23, 1994 and mailed to the subject, plus three superiors or colleagues, from a parent of an earlier victim. The heartache and loss of faith that runs through this entire case is embodied in that letter. The letter was without rancor but expressed in no uncertain terms that the subject was badly in need of help, he should never be allowed to be in a position to have even the most casual contact with children, and that he should not function as a minister or priest ever again. According to the defendant that appears to have been the reaction of his superiors also.

The onset of the abuse, in this case only, is established as occurring on a regular basis from March 1983 and continued to September 1989. At that time the victim who was then fourteen (14) years old entered a drug rehabilitation program. According to police reports the nature of the incidents continued to involve the increasingly erotic rubbing of the victim's stomach, bare back, legs, and eventually extending beneath the clothing to the genitalia of the young victims. The defendant's victims were almost always selected from among the eight (8) to fourteen (14) year old. The subject was almost always seen by the boys as a "father figure", an authority figure, and a trusted member of the victims "extended family". This deception and molestation continued during the years of 1983 until 1989 according to this particular victim. Reportedly, the six (6) year statute of limitations has expired on approximately fifteen (15) other cases that are not considered as part of this action.

So far as this officer is aware the etiology of the exposure of this case can be attributed to one of the earlier victims whose parents wrote a letter to the defendant outlining the elements of the abuse that their son had suffered at the hands of this defendant. That letter was sent to the defendant on April 23, 1992. It was simultaneously sent to three (3) of the defendants superiors. Apparently, steps were immediately taken to remove the defendant from his priestly duties, remove him from the community.

SANTA BARBARA MUNICIPAL COURT # FOUR OR/BR HEARING REPORT PAGE 3

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION: (CONT.)

and place him in the treatment program at St. Luke's at Suitland, Maryland where he essentially remained until his transfer to St. Francis into another treatment modality. The subject reports that he is taking, by injection, an unspecified dosage of Depo-provera, which is a testosterone suppressant, as a component of his treatment. The defendant does not express a belief that he is now or will ever be "cured" of his illness. What he does state is that he is learning to anticipate and avoid situations where he might be required to make a conscious choice regarding his overt behavior. For example; he does not stroll down streets without purpose, does not go near shopping malls to just brouse. If he is required to go shopping he goes straight to where his items are located and leaves the area immediately.

When questioned in reference to his self-concept he expressed a tremendous and ever present sense of remorse, of not being able to put his life back together in a meaningful manner. He reflected on his feeling of deep sorrow on his loss of being able to help people as a priest. He acknowledges the wisdom of the restrictions that have been placed on by the church and what will most likely be imposed by the state. He anticipates a period of prison and then his eventual return to the Franciscan life as a bookkeeper for a retreat that is isolated. The subject has two masters degrees and is considered highly intelligent.

In addition to two interviews with the subject this officer has read and viewed documents and personal journals written by the defendant. That the defendant has reflections of suicidal thought processes is interwoven in his writings. This was considered as a problem solving technique or solution when he would contemplate the cost of exposure for what he has done. He has tremendous fears of going to jail and this is compounded by his realization and acknowledgement that he will be classified as a pedophile while in custody. However, this does not prevent his feelings of arousal in reference to young boys. The arresting officer notes that the defendant has several contacts and friends outside of the U.S.A. These could conceivably be considered as havens and refuges if the subject were released and succumbed to the temptation to give in to an impulse to run. The subject stated that he was not seeking a released from custody. Further he related that he has no place to go that would accept him. As previously noted the detendant expects his future to include a prison commitment. The subject was himself the subject of sexual abuse at St himself is a student. He accepts responsibility for perpetuation of the tendency for the abused to later in life becoming the abuser and in turn creating

SANTA BARBARA MUNICIPAL COURT #4
OR/BR HEARING REPORT PAGE 4

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION (CONT.):

another link in a very sordid and tragic continuation of harmful behavior. There is little doubt in the mind of this writer and also in the mind of the defendant that the defendant has caused irreparable damage to many of his victims. The church has contacted all of those students who were effected by this and others and provided psychiatric and psychological counseling in an effort to contain and correct the damage in as far as they could do so.

There have been no formal reference contacts made in this defendant behalf in that the Court did not grant the Unit sufficient time to conduct a thorough investigation between arraignment and this OR/BR Hearing. An effort was made to contact them but as yet this writer has not had any response from them. This writer does not believe that the provided references are hesitant to assist the defendant, but rather there has been an insufficient amount of time allowed in this case.

The defendant is not an acceptable candidate for O.R. consideration for several reasons. The defendant was and must be returned to his treatment mode if and when he is released under any circumstances. He is not now and most likely will never be "cured" of his tendency to think and, given the circumstances, react as a pedophile. He has, in his words, no place to live that is convenient to the Court for future hearings. The needed and necessary treatment modality is not available in this area. The defendants thought control is insufficient to provide an adequate deterrent to his sexual So far as is known the church will not be able to provide reasonable supervision nor duplicate the living environment that is vital to this defendant. There is a natural tendency for the subject to want to flee this area in that it is hear that his worst nightmares were realized and even now continue to unfold. Out of his therapeutic milieu the subject is very near the consideration provided in Section 1275 of the Calif. Penal Code. The subject fears facing his victims or their parents. All of the above contribute to the reasonable considerations leading to the denial of an O.R. release.

RECOMMENDATION: THAT O.R. BE DENIED/ THAT BAIL BE SET IN AN AMOUNT OF NOT LESS THAN \$250,000.00

RESPECTFULLY SUBMITTED,

DATE: March 25, 1994

Gene Ward

Own Recognizance Supervisor

SANTA BARBARA POLICE DEPARTMENT VICTIM CONFIDENTIALITY REQUEST

Based on Section 6254(f) of the California Government Code, as a victim of any of the crimes enumerated below, your name is a matter of public record; however, your address is confidential. Pursuant to California Penal Code Section 293(a), you may request that your name be kept confidential, to be released only to the prosecuting district attorney. If you are the victim of more than one crime, you may request that information disclosing that you have been the victim of any of the below enumerated crimes be deleted from any accompanying crime report. (Note: if the victim(s) is a minor, the parent or legal guardian may exercise the minor's right to privacy.)

(This waiver applies only to Sections 261, 264, 264, 1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, or 422.75 of the California Penal Code.

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SANTA BARBARA POLICE DEPARTMENT

Case No. 14-4212

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ARREST/SUSPECT REPOR

NTA BARBARA POLICE DEPARTMENT ARREST/SUSPECT REPOR

Case No 24 - 4212.

		PI	HYSICAL DESCRIPT	ORS		
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B. D. Receding	B. C Braided	B. C Crooked	A C 5150 WIC	B. C. Medium	B. C Full Beard	B. C Pocked
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	H G Processed	H. C. Gapped	of Use.of		H C Sideburns	H. C. Tanned
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B. C Prescription Wire	B. C. Tation-Letters C. C. Tation-Emblem	C. D Chest	B. C. Wig C. D Mask	B. C. Lisped C. C. Mumbled	B. C. Business C. C. Casuat	B. C Minor Injury C. C Broken Bon
C. C Prescription	O. Talloo-Picture		D. D. Uniform	D. D Offensive	0. Diny/Unkempt	D. C. Severe Lac.
Plaste	E D Scar-Small	F. Upper Arm Right	E. C. Coat Jacket	E. Cloud	E. C Disgussed	C Puncy Cone
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E. D Sunglasses	H. C. Mole	I C Foream-Left	H. D Shorts	H. C. Slow	H. D Well Groomed	F D Death
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CRIME/INCIDENT CONTINUATION

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Case No. 94-04212
Date/Time Reported: 03/01/94, 1400 MOURS
[] File Only

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Name Type Last Name	(or Business)	Fir	rst	liddle	Additional Names t	o be Indexed
Original Offense 288 PC	Update Additional Cases MO	Reclassify	to: Statute	Crine	Classification 0	ffense Code
Reporting Officer WILKINS	1.0.No. 9462		Date Dictated 03/01/94			•
Special Instructions	s to Records				•	
Warrative:					•	
On 03/01/94	at approximatel	y 1400 h	ours,	-	, came to th	e Santa
Barbara Poli	ice Department to	o report	a 288 PC,	Child Mo	lest, which o	ccurred
between the	years of 1983 t	hrough 19	89.			
the statute acts occurred Anthony's Sewhen of age, span	of limitations of limitations ed when he was a eminary located a was 8 or nning the years irector, Robert told me that w	member o at 2300 Ga 9 years o 1983 thro VanHandel	is f the San orden Stre of age and ugh 1989.	now 18 ta Barba et. The d ended to	years of age ra Boys Choir molest acts o when he was 1 pect in the o	at St. occurred 4 years case was
Choir, his	name at that tim	. '		, , , , , , , , , , , , , , , , , , , ,	went on to	
he has since	e changed his na	me, and he	e now uses	his mot	her's maiden	name of
•	went on to	tell me t	he reason	he has	done that is	that he
feels that	he is starting h	nis life (over now	and the	change of nam	e gives
	start. Even the			-	as a las	
it should b	e noted that dur	ring all	of the in	cidents (that mostly o	ccurred
the information cor is true and correct) or (declare) under penal ntained in this report, co t except as to those matter belief, and as to those m	nsisting of rs therein stat	pages,	ture		
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Case No. 94-04212 Page # 2

at St. Anthony's Seminary,

' name at that time was

approximately 30 members. stated his father left when he was approximately 4 years of age. went on to say that Robert VanHandel, the choir director, was a father figure to him and that he trusted him. At the time of most of these incidents, Robert Van Handel lived at the Seminary at St. Anthony's. believes he is now living in the Northern California area.

stated he was in the choir when he was 7 1/2 years of age all the way through 14 years of age. stated that the offenses occurred when he was either 8 or 9 years of age, which is 1983 or 1984. said that all of the molest acts completely ended by the time he was 13 years of age or very early when he was 14 years of age. said he went into a drug rehabilitation in December of 1989 at the age of 14. said that no acts occurred after he went into rehabilitation.

stated that he really cannot come up with specific dates and times for what had occurred because it happened so often. said at the time, he was living with his mother and sister at #6, and for the most part, all of these molest incidents took place in Robert VanHandel's apartment at the Seminary. said there were also some trips that he and other choir members went on which molest acts occurred as well: said that VanHandel's apartment was upstairs at "the casa," which was located on Seminary grounds.

stated that quite often he would stay at Robert VanHandel's apartment. He stated that always on Tuesday nights and on Sundays he would spend the night.

said there were sometimes on Thursdays and once in a while Fridays and Saturdays he would also spend the night at Robert VanHandel's apartment.

stated that on Tuesday nights, he attended

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SA BARBARA POLICE DEPART , T

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Case No, 94-04212 Page # 3

the boys choir practice in the afternoon somewhere around 2:30 that lasted until about 4:00 or 4:30 in the afternoon. After that he went to dinner at the Seminary and then he attended the mens choir group from about 7:00 P.M. or 7:30 P.M. which ended approximately 9:00 P.M. said he would then stay at VanHandel's apartment.

stated he didn't have a father and his mother was a chef working many, many odd shifts, and he hardly saw her. There were times when his mother was leaving for work very, very early in the morning and there were times she worked extremely late.

said he spent an immense amount of time at the Seminary staying with Robert VanHandel.

In reference to the molest acts that occurred, _____stated that when he did stay at VanHandel's apartment, that he wore pajamas, and just before bedtime, said he was lying almost asleep on a bed and that Robert VanHandel would come up and start massaging his back or his stomach area, whichever way was lying at the time. went on to say that Robert VanHandel would start by massaging him on top of his clothing and then eventually he would start massaging him underneath his pajamas.

said that VanHandel would start massaging his genital area. said he was trying to go to sleep and ignored what VanHandel was doing.

believed that VanHandel had his clothes on while he was giving a massage. did not know if VanHandel tried to masturbate while giving a massage. said that there were no words spoken between them.

said this occurred always just before he () went to sleep at night or when they were on trips when he took a daytime or afternoon map.

stated that he) did get an erection when VanHandel was massaging his testicles and his penis area. stressed that it no



SA BARBARA POLICE DEPAR NT CRIME/INCIDENT CONTINUATION

Case No. 94-04212 Page # 4

time was there any oral sex involved and at no time did reciprocate in masturbating VanHandel. said these acts of massaging his genital area occurred until he fell asleep, and this would be at times a half hour duration.

stated he did not tell anyone about what had happened, and at the time, he did not believe that VanHandel was doing anything wrong because this was coming from someone who he (___) trusted and looked up to.

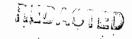
In reference to out of town trips, stated that he traveled with Robert VanHandel to Canada and believes It was Expo 1986 when they were in said they traveled in a Canada for approximately three weeks. camper with two to three other boys who were in the choir. Robert VanHandel was the only adult. said that the massaging of his genitals happened while they were in the camper when he (said between the years 1984 to 1987, that sleep next to VanHandel. he went with Robert VanHandel to Yosemite three to four times. This was also in a camper, and it was mainly during the Thanksqiving weekend and one time during the Easter break. During these trips to Yosemite, again, VanHandel would sleep next to and again would molest him by massaging his genitals.

stated that during the summer of 1987, the entire choir went to England and traveled Europe. stated he could not specifically remember VanHandel molesting him while they were in Europe.

said there are people who cou	ld verify he spent a lot of time at
Robert VanHandel's apartment.	stated there is a person by the first
name of was a stude	nt at the Seminary and was living in
the same apartment as Robert VanHandel	but in a different bedroom.
lived there for approximately one yes	ar. said he would be able to
get an address and telephone number of	through his therapist.

OFM VANH 1 0479 9

Signature



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stated he would also play with a boy by the first name of who lived in an adjacent apartment to VanHandel at "the casa." did not know what the mother's name was but believed she had something to do with the Waldorf School. said that recently played a part in the movie "Hocus Pocus." believed that Santa Barbara Police Department Officer Debbie Daily would know who mother is.

In terms of the Statute of Limitations, it is believed that Robert VanHandel spent some time out of the State of California. Somewhere between 1982 and 1983, VanHandel took a six month sabbatical to England and stayed at Abingdon near Oxford, although I'm not sure of the name of the school there. Also, between May of 1992 through June of 1993, the Catholic Church sent Robert VanHandel to a treatment center in Suitland, Maryland, which is just outside of Washington D.C., a place called St. Luke's.

Current president of the St. Anthony's Boys Choir is Marianne Hellman. Her husband, Robert Hellman, is the current choir director. They live on Cheltenham Road and have access to scrapbooks of the boys choir which may give a more specific dates and times as to when the acts occurred.

also believes there is another choir member by the name of
who may also have been a victim of Robert VanHandel's.
believes that Marianne Hellman might be able to supply the address and
telephone number of to verify.

Refer to Investigative Division.

/mr

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MISDEMEANUR CRIME/INCIDENT REPORT EPO Offered Tyes Zho | Arrest EPO Issued Tyes Zho | Ty CY 93 CH Perated Case No 1908-BAKDEN STEET SANTA BANBANA 1:00 Pm 4-23-92 SANTA BALBARA 2100 LASTUNAS Oay of Date-Time Day of 1978/6 NAME TYPE: RACE CODE: C ≈ Complaintant O = Owner Reg. 'Q'= Questioned W = White F = Filipino I = Indian V = Victim . M = Mexican D = Discovered Crime L = Law Enforcement Officer W = Waness M = Motorist ... C = Chinese O = Other F = Finder I= Involved S = Suspect N = Negro R = Reporting Party J = Japanese A = Arrested 00.B. me Type Žφ Telephone (Residence) Steel dortas (Bus (Schon)) Territoria enororessi MIRANDA WARNING GIVEN Days Of Interpreser Required/Language ork Hours Live C No] [] Yas DYes KNO C'Mo Bý . ho Stoten Propen Amount Damage ADDITIONAL NAMES DOB Last Name for Business) Fest . T **ADL** City Zφ . . dres (Bus School AX · City Teleprone (Business) MERANDA WARNING GIVEN . E Yes Oays Of Interpreser Required/Language VARG Q Yes DAYTIME **1200** inne Type Last Name for Business! 0.0.A Age Telephone (Persidence) ddress (Flesidence) APL. daress (Bus. School Syret. nterpreter Pequired/Language C Yes 8K(140 Time ٠3٧. ROBERT CAUCAS/A VAN HANDEC EUCLID AVE. 94709 500 ALLAND Days Of .□ Yes DX.No Recommended/Current Status Division Assigned Exceptional Clearance C) Closest Retained

C) Administrative Clearance/Waitant Issued Unfounded 37 ~ NV ☐ Closed Arrest Dir. Na. I.D. No. 2392 30 29W Copies To. DPLO OFM VANH 1 DSQ PD

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SANDARA POLICE DEPARTMENT

NARRATIVE

MANNATIVE
WHEN VICTIM WAS APPROXIMATELY 8-10 YEARS OF AGE ON
SEVENAL OCCASIONS REV. LOBERT VAN HANDEL OFM GAVE
"BACK RUBS" THAT INVOLVED STROKING BACK; CHEST STOMM
LOWER ADDOMEN AND THIGHS IN THE GROIN AREA CLOSE
TO AND ARCUND THE GENITALS BUT NOT TOUCHING
THE GENITHLS. THIS OCCURED AT VICTIM'S RESIDENCE
AT FR. VAN HANDELS OFFICE AT ST. ANTHONY'S SEMINARY
2700 GARDEN ST., SANTA BARBARA, AND ONCE WHILE
ON FAMILY VACATION. FLEASE REFERENCE ATTACHED
LETTER FOR MORE DETAILS.

OFM VANH 1 0482

REDACTED



April 23, 1992

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Dear Robert.

To begin, let me remind you that while I was recovering from my illness, I told you that I needed to talk to you. The time for the talk never came because I was still weak and you had the demands of a hectic schedule and move facing you.

Had that talk occurred, I would have told you that we had learned that a member of your Franciscan community, in addition to Phil Wolfe, had engaged in sexually inappropriate behavior with one of our boys when he was quite small that was upsetting to him at the time it was occurring. The memory remains with him.

I would have told you and I wished to tell and the others of your organization that it is clear that many of the activities you men undertake are too dangerous to young people and yourselves to be continued. The risks are too great. The potential for damage to even one young person outweighs any good these may accomplish. The price of the life of even one child is too high.

I would have told you that the Boys Choir, as it is presently structured, should not be continued and you should not be involved in similar organizations in the future. There is too much opportunity for unsupervised time between one child and one greatly trusted adult. Tragically, we have all lived the danger inherent in the all male seminary high school boarding school, where authority, trust and love can and did become destructively mixed with drives for sexual power, satisfaction and institutional authority. Gender-segregated and therefore gender-imbalanced activities are simply too dangerous to continue. They are imbalanced and too easily lead to aberration.

I would have told you that solo visits to your residence and "overnights" by youngsters must be stopped. They are too dangerous to you and the children.

This is what we learned at Christmas time. When one of our boys was a little boy, on various occasions when you put him to bed you gave "back rubs." The "back rubs" involved stroking the back, chest, stomach, lower abdomen and thighs in the groin area. He recalls that the stroking occurred very close to and around the genitals. He recalls his discomfort and embarrassment on one occasion that his lightweight knit pajamas would reveal the erection that your "back rub" had stimulated. He remembers the color and style of the pajamas. I do, too. He was probably around ten years old when he wore them.

We also learned at Christmas that when he visited your office on certain occasions you and he played darts. The stakes were that if he won he would get money. If you won, you could give him a "back rub" as described above. He recalls you offered him a pair of "thin shorts" to change into during the back rub. He said he was not comfortable with that and refused to change into them.

There should be no need for further comment on the obvious inappropriate use of the child or the sexual seductiveness of this type of physical touching and game playing. It should be enough simply to say we have all suffered too much because of matters such as this to make frivolous charges of this nature.

Robert, you know how we have loved you and trusted you with our lives. We gave our lives and our love to support what you believed in and wanted. Everything we owned was yours. That couldn't extend to that which we as parents don't even own—that is the right to touch our children's bodies in a sexually seductive or using manner.

Our concern extends beyond our family to the wide opportunity you have for individual one-on-one time with many little-boys. When I spoke to you about Phil Wolfe's terrible molestation of our sons, you must remember I told you your order must talk of these matters openly so that those with such inclinations can obtain psychological help before they destroy themselves and others. Robert, have you received such help? Adequate help? Are you refraining from these dangerous times alone with children? I should tell you I have lost confidence in the expertise and impartiality in this special area of concern of a merital health professional in Santa Barbara known to both of us. While he is good

in many ways, I don't believe his professional help in this particularly demanding area is adequate help.

Because we have shared our lives (and had hoped to continue this sharing) you know how much we have loved you. You must be able to guess the pain that surrounds this letter. We can only guess your pain in receiving it. We hope it will reinforce the desperate imperative you have to obtain help and remove yourself from potentially dangerous contacts with young boys.

Our purpose in writing this letter is to protect other children. A copy is being sent to to help you and him as Provincial Minister to keep the seriousness of this matter and the obligation for appropriate follow up in treatment and assignment clearly defined for you both. We also carbon Bishop Ziemann. He must know the full scope of the problems in this area of concern. None of us can afford to live in a fool's paradise any longer in so far as these matters are concerned.

Sincerely,

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REDACTED

CONCUR

PLAGTED

CC

Rev. Melvin Jurisich

Bishop Patrick Ziemann

OFM VANH 1 0485

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. A BARBARA POLICE DEPARTMENT CRIME/INCIDENT FOLLOW UP

RFDACTE

Case No. 92-9066 Date February 19, 1993/pb [] File Only

Name Type Last Name (or Business	Hane	Type	Last	Name	(or	Bus	iness)	
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Additional Names to be Indexed

original Offense SUSP CIRCS

Update Additional Cases

Reclassify to: Statute

Crime Classification Offense Code

`n :

cc. i

Reporting Detective Det. P. McCaffrey

I.D.No. .4021

Div.No. 40 -

Date Dictated 02-09-93

Special Instructions to Records

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Warrative:

I was contacted by Dep. Chief J. McCoy who had information regarding a possible molestation victim. Chief McCoy requested I contact , age 25 years, and obtain a statement.

; by phone. I contacted referred to a report made , alleging molestation. stated that he is a former by : member of the seminary school at St. Anthony's Seminary, 2300 Garden St. said approximately 8 or 9 years before, he had been touched inappropriately by a priest named Robert Vanhandel. was reluctant to discuss exactly what happened. ; said he would be willing to write a statement that would be included in a report previously made by the parents of .

I received a handwritten letter from The letter relates that on several occasions, Robert Vanhandel had given him back rubs and tummy rubs was staying in the seminary dorm. There was never any while said that eventually he would just pull the genital contact. covers over his head which stopped Vanhandel from bothering him. said this happened when he was either 14 or 15.

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of J. pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them.to be true.

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SE BARBARA POLICE DEPART CRIME/INCIDENT FOLLOW-UP CONTINUATION

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I then reviewed Case 92-9066. The report consists of a letter sent by

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age 50 years, who is the mother of , 22 years.

The letter discloses that told his mother about inappropriate sexually related touching committed by Robert Vanhandel. felt was about 10 years old when this happened (approximately 12 years ago). The touching consisted of back rubs, stomach and abdomen rubs, and touching of the thighs and groin area. There was no disclosure that there was any genital contact. The letter sent to SBPD is only a copy of a letter sent to different Franciscan priests who supervise Robert Vanhandel.

I contacted father of He was involved in a committee that was looking into the allegations of sexual abuse committee by Franciscan priests at St. Anthony Seminary. Note that in 1989, another Franciscan priest, Phillip Wolfe, was arrested and convicted for molesting and his brother, See Case 89-5806.

was concerned that there may be many other victims of sexual abuse who had attended either the seminary or participated in the Santa Barbara Boys Choir which was directed by Robert Vanhandel until May 1992.

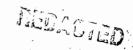
Said that the committee organized to investigate these incidents included a psychiatrist, a lawyer, and a Franciscan priest. The spokes person for the group is Geoffrey Stearns, a Santa Barbara attorney.

1 suggested I contact him for update information.

I contacted Geoffrey Stearns by phone. His group was looking into the allegations that occurred to members of the seminary only and not to members of the choir. Stearns said the seminary school had disbanded in June 1997. This was not because of any allegation of sexual abuse. Stearns said the group is interested in finding victims of sexual abuse so that counseling could be provided. Individual members will have an option of contacting the police department if these choose. Stearns said he would be man atom to report any incidents of sexual abuse per california state reporting requirements. Stearns was aware that generally there is a six year statute of limitations regarding sexual molestation cases. Stearns

Signature D. P. M.

S/ BARBARA POLICE DEPART* CRIME INCIDENT FOLLOW-UP CONTINUATION



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said that because the school had closed nearly six years ago, there would not be many students who had been possibly molested, which could result in criminal prosecution. To his knowledge, any student who had made allegations, were from previous years and were well beyond any statute of limitations. At this time, Stearns only knew of incidents of inappropriate touching which did not include any acts of oral copulation or genital contact. Stearns said he and the committee are in the process of drafting a letter to be sent to all known former members of the seminary. All students who contact him will be told that they have an option to contact police.

I contacted the lay director of the Santa Barbara Boys Choir, Mary Ann Helman. She was aware of all the allegations. She felt that:

parents had blown the incidence of sexual molestation and the regarding Robert Vanhandel out of proportion. She believes that inappropriate touching did take place, but that the affected parents were trying to blame all their children's problems on these fairly minor incidents. Helman said that she was part of a committee that had sent a letter to all known former choir members or their parents in October 1992. The committee included Dr. Scott Gorsuch and Father The letter explains that Robert director of the Franciscan church. Vanhandel possibly touched boys inappropriately in a sexual manner. parents of former choir members were instructed to contact Gorsuch for advise or counseling. This counseling was paid for by the Franciscans. Helman was not aware of any other incidence of sexual abuse than To the knowledge, these acts had occurred ten years ago or and longer.

I controted Dr. Scott Gorsuch by phone. Dr. Gorsuch said that he had been contacted in regards to two students who alleged being touched inappro riately by Vanhandel. Gorsuch said the allegations did not meet the state's requirements of reporting the incidents to the police dept.

Gorsuch said that because of his doctor/client privilege, he would not

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S. AARBARA POLICE DEPART CRIME INCIDENT FOLLOW-UP CONTINUATION

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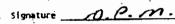
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divulge the names of the students, but would relay the nature of the incident. Gorsuch said a letter had been sent to all former choir members. He received about 12 phone calls from parents expressing concern and asking for advise on how to question their children. He later received a call from a father of a former choir member. The father said his son is now 21 or 22 years old and is attending college in the bay area. The father had questioned his son who stated that Vanhandel had played a strip game with him. This involved the boy meeting Vanhandel in his office. They would then play a game of darts. If the boy won, he received 25 cents. If he lost, he had to strip down to his underwear. The boy did not expose his genitals, nor was he touched by Vanhandel.

Gorsuch received a call from a mother who stated both her sons had been molested. The older one would speak with Gorsuch, but the younger one yould not. Dr. Gorsuch was then contacted by the older son. He is now about 22 years old. He stated that over 10 years before he was in the choir. Vanhandel met him in his office and had taken nude photographs of him. There was no mention of any actual genital touching. The boy did receive back rubs from Vanhandel. The boy's mother now had the photos that were taken. Gorsuch did not know how the mother obtained these.

Dr. Gorsuch said he does not anticipate receiving any more phone calls or referrals because a certain amount of time has elapsed. Gorsuch said that several parents of boys in the choir felt very strongly about the issue and about their some being touched. Gorsuch had no other information suggesting that any more intrusive sexual touching had occurred.

At this time there does not appear to be any information that suggests Robert Vanhandel committed a sexual molestation that would amount to a felony iling. There is no information that suggests that any touching of an inappropriate nature occurred within the last 6 years. I resommend this case he closed at this time, sent to the D.A.'s office for review only.



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Case No. 92-9066 Page # 5

ADDITIONAL NAMES

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Gorsuch, Scott E., Dr.

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Telephone: 966-2959

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