



# Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (510)536-3722 Fax (510)536-3970

Robert Van Handel, OFM  
St. Francis Retreat Center  
Box 1070  
San Juan Bautista  
California 95045

November 21, 1993

Dear Robert

Peace. I hope you are well; please be assured always of my love and support.

As you know, the Santa Barbara situation is fast coming to a close. With this letter I would like to bring you up to date on happenings.

The Board of Inquiry has issued two reports: an Internal Administrative Report to me which contains all the pertinent information and details of the allegations; a public report which will be presented to the public (whoever comes) on Monday evening, November 29th, at the Goleta Valley Community Center in Santa Barbara. The public report is about eighty pages long, and it does contain a section listing the number of friars reported (12), the number of victims (35), and a description of the behavior involved. No names are used.

There is also a series of five composite portraits (sort of like case studies) of the types of abuse that occurred. This is followed by a description of the impact of the actions on the victims. There is a brief description of the actions the fraternity and the provincial minister have taken with respect to the friars reported. This is generic and I do not think anyone will be able to identify the individual friars from what has been said. With respect to yourself, the text reads, "Two friars have been completely removed from ministry and are currently enrolled in sexual offender treatment programs known to be rigorous. They are forbidden contact with minors, required to participate in therapy, and have a local monitor."

The report concludes with some recommendations to the fraternity, the laity, and the administration. Overall, it is a good document, but parts of the text are very difficult to read, very explicit and jarring. Many of us have worked long and hard to get it in this shape and to protect as much as possible the good name of the fraternity and the identity and dignity of the friars involved.

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Given the circumstances, we have done the best we could.

As you know, your name has been publicly identified in the papers, and I have no idea how much further exposure will be given. I think we have taken all the best steps to move the situation forward, and I am deeply grateful for your cooperation. Certainly, under no circumstances should you return to Santa Barbara County at this time. Probably, if the people ask there about your disposition explicitly, I will give them as much information as is warranted. I am grateful for your release in this area. I want so much to treat you with the respect and dignity you deserve. We know that this has happened, Robert; but I also know, that there is so much more to you than this--and you are good.

I know that the press will be present when the report is released; this event will probably be covered on local tv, the newspaper, possibly the LA Times, and the National Catholic Reporter. We have little control over what will be reported. It is my hope that they will indicate how well the friars have responded: the fraternity in helping the victims and friars, the composition and establishment of the Board, the willingness to be honest about this problem in our midst, the adoption of a continuing mechanism for addressing this problem, the cooperation of the friars who have been reported, etc. But, I do not know that these positive notes will be reported in the press. I do think that all of us, including yourself, can say that we did the best we could and acted in the best Christian and Franciscan way.

Thanks, Robert. Let us remember each other in prayers.

Fraternally,

  
Provincial Minister

OFM VANH 1

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# Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (510)536-3722 Fax (510)536-3970

*Nov. 11, 1993*

To Whom It May Concern  
St. Luke Institute

re: status of Rev. Robert Van Handel, OFM

REDACTED

From:

Provincial Minister *je*

1. I have been in contact with Robert Van Handel about every six weeks. This contact usually occurs when I stop at his place of residence; there has been little formal discussion, and the initiative lies with me.
2. Robert and I have a very good relationship. We had one serious discussion in which we were able to share mutual feelings about the whole circumstances which have ensued after the disclosure of his activity at St. Anthony Seminary. I found this to be a very good exchange; he seems to me to be making progress around the expression of his feelings.
3. Currently, Robert is enrolled, at my insistence and his final agreement, in a sexual offender treatment clinic in Santa Cruz, California. I believe this has moved him beyond the point where he was when discharged from St. Luke's. The approach appears to be more confrontive and is not church based. He does not engage in external sacramental ministry, but has been very useful to the province in taking on administrative projects, something I hope he can do more of in the future. He has been present at some very difficult community meetings where it was well known that he had abused children and that this has caused great difficulty for the fraternity, its public image and liabilities. The friars, I think, have received him well, and he has faced the situation with courage. I hope that progress can continue along these lines, as it is beneficial for all involved.
4. A more accurate description of his current progress can be obtained from the members of his support group. I think he needs to take more initiative in contacting people, getting involved in productive work, speaking about his feelings. The current program in Santa Cruz is absolutely essential to progress.

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## Saint Luke Institute

To: The Official Superior of Robert Vanhandle <sup>HANDCL</sup>

Robert will be returning to Saint Luke Institute in the near future to participate in a Continuing Care Workshop. In order to assist us in assessing his/her progress, we would ask that you take a short period of time to answer the following questions and to return this form to us in the accompanying envelope.

1. How often have you been in contact with the client over the past six months? Have these contacts been initiated by them or by you?
2. How would you characterize the relationship between the client and yourself? To what do you attribute the character of this relationship?
3. How would you characterize his/her progress in recovery? You may want to address some issues such as ministerial functioning, relations with those with whom they live, relationships with authorities, participation in support group or recovery oriented activities, such as Twelve Step meetings, psychotherapy, priest's/religious support groups, community activities, etc.
4. What other information are you aware of that you feel would be relevant to our assessment that has not been covered by the first three questions?

You may also wish to share your concerns with the Continuing Care client at this time. We encourage our clients to seek out and take advantage of your observations.

Thank you again for your help, and do not hesitate to contact me with your concerns at (301) 420-7395.

**REDACTED**

Sincerely,

*Michael Brenneis, MA, M.Div., CPC*

Michael Brenneis, MA, M.Div., CPC  
Coordinator, Continuing Care  
Services and Three Quarter Way  
House, Outpatient Department

Please identify yourself:

**REDACTED**

Name:

Relationship to Client:

*Grandmother*

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# Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (510)536-3722 Fax (510)536-3970

Mary Simoni  
Pacific Treatment Associates  
313 Soquel Ave. Suite B  
SantaCruz, California 95062

September 24, 1993

Dear Ms. Simoni

Let me introduce myself. I am the religious superior of one of our friars, Father Robert Van Handel, who has been referred to Pacific Counselling Associates for treatment. It is my understanding that you are his current therapist.

As you know, Father Robert was engaged in pedophilic behavior with a group of children associated with a Boys Choir which he founded in Santa Barbara. The same activity extended to some of the high school seminarians at St. Anthony Seminary. You are probably well aware of this history both from Father Robert and also from the evaluations from the treatment center in Maryland, St. Luke's Institute.

Over the past year, a Board of Inquiry established by our Province has been investigating the allegations of sexual abuse perpetrated by some of the friars in Santa Barbara. In the course of the investigation, many of Robert Van Handel's victims came forward to describe what has happened to them. The Board has compiled a profile of his behavior as they have heard it, and they have now presented that profile to me so that it might become part of his therapeutic process. I have already spoken to Robert about it, and have told him that I would be forwarding this profile to you so that it can be dealt with in the therapy. Please find this enclosed.

If you have any questions of myself, please call or write, as I want to be as available as necessary.

Thank you very much.

Sincerely

REDACTED

Provincial Minister

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I, Robert Van Handel, have been tested for HIV and the test was negative. This test was done at St. Luke Institute, Suitland, Maryland, in June, 1992.

[REDACTED] may use this information in the manner which he may choose. It is my understanding that this will be for private use rather than as part of a press release.

Admittance of having been HIV tested does not imply that I was in sexual contact with any minor in such a manner that a virus could be transmitted.

signed

Robert Van Handel

date

Nov. 3, 1993

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TO WHOM IT MAY CONCERN:

Please accept this letter as certification that I, Robert Van Handel, give permission for my name to be specifically used in the Report of the Board of Inquiry into sexual misconduct at St. Anthony's Seminary.

signed Robert Van Handel

date Nov. 3, 1993

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## INTRODUCTION TO SEX OFFENDER TREATMENT PROGRAM

The purpose of this letter is to describe to you the goals and requirements of the Pacific Treatment Associates OFFENDER PROGRAM and to give you a general idea of what you can expect during your time here. It would be a good idea to keep this letter in your personal folder so that you can refer to it in the future.

The primary goal of the Offender Program is the prevention of reoffense. Because you have committed a crime against another person or persons you are considered to be a risk to the community - there is a strong possibility that you could reoffend. Therefore, it is important that you recognize from the beginning that your presence here in this program is a privilege not a right. You, your primary counselor, and the rest of the staff will work together to decrease that risk.

The Offender Program provides group and individual counseling as well as family reunification counseling when desired and appropriate. You can expect to be in treatment for two to three years; you are required to attend group for the entire time and individual counseling for as long as necessary. Your group counselor will be your primary counselor for the duration of your treatment. He or she will be responsible for monitoring your progress. Your individual counselor will be someone other than your group counselor.

You are expected to:

- Attend all group meetings.

- Participate actively in group meetings and individual sessions.

- Do assigned work within the given period of time.

- Pay for group counseling at the beginning of each month.

- Pay for individual and family counseling before each session, unless arranged otherwise, and be responsible for other costs (see below).

- Adhere to the "personal rules" developed by you in your group.

- Take a polygraph exam six months into treatment. You may also be required to take a polygraph exam at any time.

- Comply with treatment as prescribed by your therapist

Suspension from your group or from the program will occur when there are violations of the above stated expectations. If suspension occurs the court will be notified.



Costs you can expect re:\*

*150.00 a month*  
Group - ~~\$30 per session~~, payable at the first meeting of the month for the entire month

Individual - fee set by your individual counselor

Behavioral treatment - group \$25 per hour  
- individual \$35 per hour

Letter writing & phone calls - \$50 per hour

Court appearances and visits to jail - \$75 per hour

Workshops - \$10 per hour

Additional testing -

Polygraph - Initial polygraph - \$150; follow up polygraph - \$75  
Plethysmograph - \$75 per hour

\*Individuals in the Alternative Prosecution Program may have a different fee schedule.

In most treatment programs confidentiality is guaranteed to the client. Due to the nature of the behavior for which you are being treated, this is a guarantee we cannot give you. People in the community, neighbors or employers for example, might know of your offense. Several government agencies who have become involved in your life from the moment of reporting will continue to be involved. We will be working with these agencies throughout your treatment here in order to insure that your behavior is consistent with your treatment and legal requirements. Being honest about your thoughts, feelings and behaviors may be difficult under these circumstances. However, we expect you to make this commitment. It is the first step in reconstructing your life.

Staff  
Offender Program  
PACIFIC TREATMENT ASSOCIATES

## GROUP THERAPY

The purpose of this letter is to give you some information about the goals and structure of the group you will be starting, and to help you do well in that setting. When you begin group, you are likely to hear things that shock you or make you feel uncomfortable. You might think, "I don't like this, I don't need it, I'm not as bad as these other guys." Let the group know what you're thinking and give the men a little time to let you know who they are, what they can offer, and what they expect from you.

If you are like most new men here, you'll look for differences rather than similarities between you and the others. That could slow the pace of your progress, so for now, let's look at how you're alike rather than different.

Most of the men in the program are law abiding except for their deviant sexual behavior. Generally, their sexual problems continued despite remorse, promises, anger, prayer, the realization that the behavior is wrong, and their own attempts to control the problem. Many in your group have tried to avoid experiencing the emotional fear and pain following offense by burying themselves in work, refusing to think about it, drinking, blaming and/or making excuses.

Most new men in group are convinced that they won't offend again. For most group members, the offense is contrary to their own values and beliefs. It's as though they have been leading a double life. They have probably disappointed people important to them just as you have. You are probably reluctant to be completely honest about the problem because you're embarrassed, and because you've lied already to important people and don't want to have to go back to them and tell them about the problem as it really is. You might also be concerned about legal consequences following full disclosure.

Most men in your group don't want to offend but they don't know how to stop permanently, on their own.

Let's talk now about the purpose of group therapy. Group is a weekly reminder of the problem you are working to correct. Before being caught, most men didn't think about their sexual behavior problem unless they were planning it, doing it, being angry with themselves afterwards or worrying about getting caught. The primary purpose of group is to UNDERSTAND, PREDICT, AND CONTROL your problem behavior. In group you'll learn about your warning signs, that is, what you're thinking, feeling, and doing and what's going on in your body prior to the offending. You'll learn about patterns, cycles and controls. There will be instruction, support, and confrontation when you minimize, blame or lie. You'll

get rules and assignments that will help you not to offend again.

Group encourages honesty and self-disclosure. In return you'll get treatment tools that are well-matched and helpful and you'll get a knowledgeable, supportive group to turn to when you need it. There will be good role models in group. Men who are doing well and getting what they want for themselves and their families.

In group, you'll reenact, perhaps unintentionally, some of the problems that bring you here. These might be, for example, secrecy, manipulation, withdrawal, aggressiveness, and blaming. These behaviors will be pointed out to you. You'll be encouraged to try out different, appropriate ways to get what you want: assertiveness, honesty, compassion, and a willingness to compromise and negotiate. Also, you'll learn to tolerate frustration without acting in ways that are hurtful to yourself and others.

Your group will meet once a week for two hours. There will be approximately twelve men in the group and they will all have sexual behavior problems. Some of the men are voluntary and some are ordered to be here by other agencies. There will be a therapist in the room at all times. The amount of time you spend in group is related to your honesty, effort, cooperation and progress. You will be placed in a group that is appropriate for you, given your sexual problem, lifestyle, strengths and limitations.

In group, there are candidates, members and graduates; you are a candidate. After a few weeks, when you'll be asking for membership, you'll find there are several requirements. All the members and graduates have to vote you in. In order to decide, they will be looking for the following: that you see yourself as a sex offender, that you are motivated to change, that you have been helpful to the best of your ability, and that you are demonstrating change both inside and out of the group setting. In addition, your first written assignment, a sexual autobiography, must be read to and approved by your group prior to the granting of membership status.

In order to graduate from the program, you must have your sexual deviance problem under control for some time and have a working knowledge of your patterns and controls. All assignments must be completed. There will have been healthy changes in your behavior, attitude and lifestyle. All counselors who have worked with you and your family must be in agreement that you are ready to leave the program.

About your first meeting: Group begins with a summary of the previous week's process provided by that week's leader. Then, a new leader is elected. Each man in the group will tell you about his history of sexual deviancy and then tell the leader what he'd like to accomplish in that week's agenda.

Now, it's your turn. You'll tell the group your history of sexual

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deviancy as best you can from the beginning to the present. Members of the group will ask questions so that they can help you do well. Through their questions, support and confrontations you'll learn a lot about yourself. You'll learn how you developed your problem and why you repeated your hurtful behaviors. You'll learn to predict the slide into reoffense and how to control the urge before it becomes hurtful behavior.

When you finish discussing your sexual history, the group will answer any questions you have about the program. Then, you and your group will discuss and get together your rules that will guide your behavior in and out of treatment. For example, whether you can use alcohol, live with children or drive without a destination in mind. There are many standard rules and one of the most important ones is that whatever is said in group stays in group unless the member himself says it's okay to discuss his situation with others. You will be expected to attend every session. You will be expected to be punctual and have your assignments in on time.

Immediately after the first meeting, a couple of the men will stay after with you and give you the first assignment. It's called a sexual autobiography and the content and purpose will be clearly defined for you. You will have two weeks to complete it. If you have any questions or complaints about the program, assignments, rules, or process, tell your group and your counselor right away.

The staff's suggestion is that you accept that you do have a sexual behavior problem that could come back and that you have a lot in common with the other men in your group. They have much to offer and like you, they've "been there." They know what it's like to do what you've done and to struggle to free themselves from the patterns and - they are succeeding.

The group is on your side. They don't expect perfection, but they do demand that you be honest and do what you've agreed to do. If you are honest and work hard, you'll find acceptance and community in your group. You'll learn to like yourself again and to become hopeful about your future. With the group's help, you'll stop hurting people. Perhaps you will return to your family if you are now separated. You will stop wasting your time and energy planning your offense, offending, getting angry with yourself, making false promises and then worrying about getting caught.

Whatever happens in your group, you can handle it. If your therapist has asked you to begin group, it's because he or she is convinced that you have all the necessary skills and strengths to do well and to benefit from the experience.

Staff  
PACIFIC TREATMENT ASSOCIATES

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## CONTRACT

### PACIFIC TREATMENT ASSOCIATES

I, \_\_\_\_\_, have read the description and requirements of Pacific Treatment Associates Offender Program. I understand that my participation in this program is privilege, not a right, and therefore my full and honest participation is expected and monitored by the staff.

I understand that the goals of this treatment program are:

1. to demonstrate complete responsibility for the illegal actions which have brought me to this program.
2. to understand the reasons for my behavior.
3. to understand the physical, emotional, and social impact that my behavior has had and continues to have on the victim(s), his/her family, my family, friends, and the community.
4. to accomplish the behavior and attitude changes needed to prevent reoffense in the future.

Additional goals I want to accomplish:

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I agree to attend every weekly group session (except when emergencies arise or when I have obtained group or staff permission) and to pay \$30. for each weekly group session whether I am present or not. I understand that should I miss attending two consecutive meetings without notifying the staff, or miss paying for two consecutive meetings, I will automatically be dropped from the program. Should this occur, I understand that my probation officer (or other appropriate person) will be notified.

I agree to participate in group meetings, to attend individual and other counseling session when applicable, to do assignments which have been designed to help me fulfill my treatment goals, and to respect the privacy of other group members by not revealing names or other identifying information to anyone outside of Pacific Treatment Associates.

I acknowledge that I have read and understand this contract, and that in signing it, I make a pledge to complete the entire treatment program.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_

## BOREDOM TAPES

### INTRODUCTION

Child molestation is a common sexual crime that affects one in four females in the United States. A variety of programs have been established to deal with the aftermath of child molestation, but few programs focus on preventing molestation by treating the molester himself. Those programs that do focus on this aspect have come into existence because they believe that if the incidence of child molestation is to be decreased, greater efforts need to be focused on treatment methods which will help the molester gain control over his deviant behavior.

The treatment of those who commit sex offenses (including child molestation) is a relatively new discipline. At least two factors have significantly affected the direction of sex offender treatment over the years: 1) the gradual movement away from the medical or psychiatric model, in which the preferred form is individual therapy sessions, using conventional diagnoses and 2) the new perceptions of rape that have grown out of the women's movement. Before the development of a cohesive women's movement the prevailing view about rapists were that they were sexually unfulfilled men carried away by sudden, uncontrollable surges of sexual desire. It was believed that these desires might have been unleashed by provocative victims and that rapists were psychologically sick men. Today, the majority of programs are rooted in the perception that 1) rape is basically an assaultive crime acted out sexually; 2) that such behavior is generally culturally or experientially learned; and 3) that rape victims include a powerless range of subjects such as little babies, young children, elderly women, and the infirm, as well as other more able but equally unprovocative victims--young women and young men. These ideas are now seen to be applicable to the entire range of sex offenses.

The new sex offender discipline is an integrated one which includes a variety of psychoanalytic, behavioral, cognitive, and biomedical elements and incorporates a wide range of educational and training components. The roots of current techniques can be traced back partially to the work of Masters & Johnson in treating sexual dysfunction. However, most of the concepts now in use have only been developed over the last 10 to 15 years. During this time, scientific research methods have been used to determine the effectiveness of the various approaches in changing behavior and attitudes.

### COMPREHENSIVE TREATMENT GOALS

Treatment programs currently existing, both inpatient and outpatient, use the following goals to structure treatment:

1. Each offender needs a complete, individualized assessment and treatment plan. Assessment determines individual needs and, in the case of CSATP, as well as other outpatient programs, determines the risk to the community.
2. Each offender needs to a) accept responsibility for the offense(s) in which he has been involved and b) have and understanding of the sequence of thoughts, feelings, events, circumstances, and arousal stimuli that make up the "offense syndrome" that precedes his involvement in sexually aggressive behaviors.
3. Each offender needs to learn how to a) intervene in or break into his offense pattern at its very first sign and b) call upon the appropriate methods, tools, or procedures he has learned, in order to suppress, control, manage, and stop the behavior.
4. Each offender needs to participate in a re-education and resocialization process in order to a) replace antisocial thoughts and behaviors with prosocial ones, b) acquire a positive self-concept and new attitudes and expectations of himself, and c) learn new social and sexual skills to help cultivate positive, satisfying, pleasurable, and non-threatening relationships with others.
5. Each offender needs time to assimilate new concepts, attitudes, and behaviors and a place to test them safely.
6. Each offender needs a) a post-treatment support, peer, or "rap" group and b) continual posttreatment access to therapy and support in order to maintain permanently a safe lifestyle.

#### ASSESSMENT

Assessment includes testings, clinical interview, and a measure of arousal by the plethysmograph. Richard Laws, a pioneer in the development of behavioral procedures operates on two beliefs: 1) All sex offenders have problems with deviant sexual arousal and 2) all offenders have problems with self-control of that arousal. The erection response, therefore, gives information on the kinds of things that will "turn a person on." This can help in determining risk for community-based program.

#### RESPONSIBILITY AND UNDERSTANDING

We use police reports, reports from victim therapists, interviews of family members, and polygraph testing to promote honesty and acceptance of full responsibility. At CSATP a variety of educational units are presented which help offenders to become familiar with the sequence of thoughts, feelings, events, circumstances and arousal stimuli that make up his offense.

#### INTERVENTION AND CONTROL

Interventions come in the form of simple behavioral techniques such as cognitive deterrents, impulse-charting, thought-shifting or stronger ones such as scheduled overmasturbation, monitoring of behavior and manipulation of the environment. Most researchers recommend that at least two behavioral interventions be used to decrease deviant arousal: aversive conditioning (covert sensitization) and verbal satiation (boredom tapes). Some recommend the use of Depo-provera. Covert sensitization teaches the offender to disrupt fantasies of young children by replacing them with aversive images and satiation reduces arousal by satiating or boring the offender with his own deviant sexual fantasies.

#### Satiation

This is a technique which research has shown to be extremely effective in eliminating deviant sexual arousal. It eliminates or greatly reduces fantasies which would otherwise remain in people's minds. While many child molesters claim that they can control their deviant fantasies by eliminating their use of deviant fantasy, this is effective only for short periods of time. In the long run deviant fantasies will return. Offenders can learn to develop methods that will eradicate fantasies, rather than develop strategies to avoid them. To destroy these fantasies, offenders must reach into their memories and "bring them out" while developing some method to destroy their erotic nature. The use of fantasies during satiation is NOT like the use of fantasy in the past. The use of fantasy during satiation does not increase interest and arousal to young children but instead destroys it.

#### Covert sensitization

This method pairs aversive consequences with the sexually deviant fantasy so that it becomes less pleasurable and erotic. The covert sensitization cycle consists of 1) a neutral pleasant scene followed by 2) a deviant fantasy followed by 3) an aversive consequence and 4) an escape scene.

#### RE-EDUCATION AND RE-SOCIALIZATION

In CSATP this goal is addressed through the use of Rational Thinking and other methods to overcome cultural stereotypes about the roles of men and women, to overcome misperceptions about human sexuality, to learn to increase appropriate arousal, to deal with the offender's own victimization as a child, to learn to be empathic, to learn to be an assertive person who can manage anger and other negative feelings, to increase self-esteem, and to learn the means of controlling various impulses. These goals are accomplished through various educational units such as Rational Thinking, Sexuality, Communication and Stress Management, and through various assignments such as writing an empathy paper and a reoffense paper.

#### ASSIMILATION AND PRACTICE



The length of time spent in treatment is approximately two years, which gives the offender time to assimilate material and begin changes. These changes can be practiced in, and monitored by, the group through support and confrontation.

#### POSTTREATMENT

Each offender is expected to develop and adhere to a posttreatment plan. This plan, which is approved by the offender's group and the staff, should address the continued need for support, for healthy interactions with others, and for awareness and monitoring of deviant impulses/fantasies/thoughts, as well as other issues specific to each offender. At CSATP we expect follow-up visits to group for two years following the completion of treatment and a request for additional treatment if the need arises.



# Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (510)536-3722 Fax (510)536-3970

To: Patricia Dlugokenski

From: [REDACTED]

September 9, 1993

In a memorandum dated August 19, 1993, I have received permission from Father Robert Van Handel to grant access to his personnel files to those I deem necessary for the good of the province and his defense.

I hereby grant permission for you to read this file; it is my understanding that any information contained therein will be maintained in confidence, and that no further disclosures will take place to anyone without my prior authorization.

[REDACTED]  
Provincial Minister

*Gerardine A. Carbone*  
*Witness 8/9/93*

*Patricia E. Dlugokenski*  
*9/24/93*

OFM VANH 1  
0602

Third Party Privacy Rights

[REDACTED]  
May 5, 1992

[REDACTED]  
Dear [REDACTED]

Enclosed is a copy of a letter that is being sent to Fr. Robert Van Handel, O.F.M. We are sending you this copy for your information. The City of Santa Barbara Police Department has assigned this report number [REDACTED]

Sincerely,

[REDACTED]  
OFM VANH 1  
0603

Third Party Privacy Rights

[REDACTED]  
May 5, 1992

[REDACTED]  
Dear [REDACTED]

Enclosed is a copy of a letter that is being sent to Fr. Robert Van Handel, O.F.M. We are sending you this copy for your information. The City of Santa Barbara Police Department has assigned this report number [REDACTED]

Sincerely,

[REDACTED]  
OFM VANH 1  
0604

May 11, 1992

✓

Louise Blaney - surgery for St. Luke's hospital.

1st Luke's;

Dr. Martin

next Sunday. 3 days -

come home 22<sup>nd</sup>

Robert can call

Report & instructions on they will  
make recommendations.

to Brian -

copy

# REDACTED

Dr. Steve Montana  
St. Luke Institute  
2420 Brooks Drive  
Suitland, Maryland 20746

Wellness Committee  
2300 Garden St.  
Santa Barbara, CA 93105

May 11, 1992

Re: Robert Van Handel, ofm  
Franciscan School of Theology  
1712 Euclid Ave.  
Berkeley, CA 94709

Dear Dr. Montana:

This morning I phoned to ask if Robert Van Handel, a Franciscan priest of the St. Barbara Province, could come to St. Luke Institute for diagnostic testing. We agreed that he would arrive Sunday, May 17 and leave sometime after 12:30 pm on Friday, May 22. Following your suggestion, I asked him to call Delia Manning in Admissions for further information regarding what to expect, what to bring, arrival time, etc. I told him that he could also call you if he wished. Thank you for your friendly and professional help and support.

Robert recently received a letter from parents regarding inappropriately touching their son. The letter is enclosed. This incident would have occurred several years ago. My understanding is that the family seems to have no intention of pursuing this situation except 1) I believe they are concerned that Robert get any psychological help he may need; 2) The family filed the issue with the Santa Barbara police. It is not yet clear what the police will do with the information.

Robert is very willing to come to St. Luke Institute for diagnostic testing. He is aware of the fact that you will be forwarding a report with recommendations to Rev. the Provincial of the St. Barbara Province:

REDACTED

Provincial Office  
1500 34th Ave.  
Oakland, CA 94601

All official information should go to our Provincial. My role, as a member of our Wellness Committee, is to be a support person for Robert. I am available for any follow-up support.

Thank you for your help.

sincerely,

OFM VANH 1  
0606

RECEIVED

22m

Third Party Privacy Rights

May 21, 1992

Dear [REDACTED]

I want to thank you for your concern for me at this time. I really appreciate it. And I am sorry if I seemed pushy, but I was, am rather desperate to help my family heal. It is like seeing them in an airplane that is in a tailspin, and all I can do is watch them hopelessly as they fall deeper into their pain.

I know you will reach out very lovingly to them and anything I can do to help you in this, please let me know. This is truly among the heaviest crosses I have had in my life, and the pain is felt very much for Robert also. Be assured of my prayers for you in the decisions you must make. Besides this you have all the rest of the Province to be concerned about.

I am doing O.K. in all this, and I have people I can talk to. Also, God is near and very supportive. I will keep in touch and where I feel appropriate will make suggestions. I hope you will be open to that, and at the same time, assure me, as you did last evening, that you need to work it out in your own way. These checks and balances will help us cope with this whole thing in the best manner possible.

To briefly summarize what I said on the phone last night, I see a real deterioration in [REDACTED] spirit. This is why I suggested using the team mentioned in our guidelines. I see them drifting towards external sanctions-court action if the statute of limitations is lifted by the legislature and/or civil action based on interior suffering. They do not seem to be inclined to publicize the matter at present, but I do not think the door to that is closed.

I urged them to see their counsellors, and I am trying to find out if there is a support group for those whose children have experienced child abuse. I will suggest to them that they join such a group as a means of helping them heal. I am beginning to think that people can get into such a hurting state that they lose the hope of healing, or for whatever reasons, want to stay in their hurt. I'll keep doing what I can.

Thank you, again, [REDACTED] for your help and support.

*Alvina*

OEM VANH 1

0607

[REDACTED]

Third Party Privacy Rights

June 15, 1992

[REDACTED]

Dear [REDACTED]

This letter is in response to your May 20th, 1992 letter which offered condolences and payment of counseling services for the devastating consequences of Robert's actions on [REDACTED] family and herself. [REDACTED] is currently in counseling in dealing with these issues and we have begun to receive invoices for this.

The current statement from the counselor shows four sessions dated 4/8, 4/23, 4/29, and 5/7/92 for "Individual Psychotherapy". Each session has a unit cost of \$110.00 and the total balance is \$440.00. We are requesting reimbursement for this balance. We will advise you of additional counselling balances as they arise.

Sincerely, [REDACTED]

[REDACTED]

OFM VANH 1

0608





3RD PARTY PRIVACY

# Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (510)536-3722 Fax (510)536-3970



July 10, 1992.

Dear Mr. [REDACTED]

Peace. Thank you very much for your recent letter, which has just arrived in our office yesterday.

Enclosed please find a check for 400.00 dollars to cover the counselling expenses. For our records, I would appreciate it if you could forward a copy of the invoices.

I think and pray about your family and the situation on an almost daily basis. The whole experience is terrible; and please assure [REDACTED] of my continued support and concern.

Sincerely



Provincial Minister

OFM VANH 1  
0609

Third Party Privacy Rights

Dear [REDACTED]

In your most recent letter to us you offered to pay for our counseling costs. We are responding for ourselves.

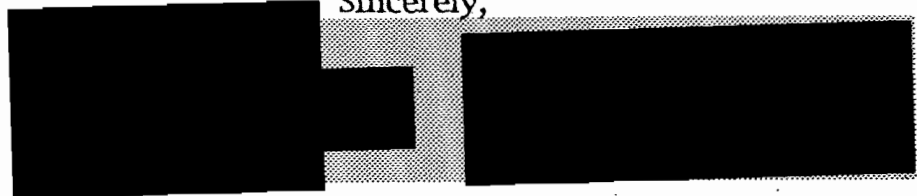
Before addressing the counseling matter we vividly recall our meeting with you and the Definitorium during the Philip Wolfe proceedings. During that meeting we presented the board with a series of attainable goals. We asked that you apprise us of the outcome of the board's deliberations regarding the goals. To-date we have not received a response from you on the resolution. We certainly feel that a response is long overdo.

As we discussed by phone, we definitely want to know the outcome of the psychological testing of Robert VanHandel, whether any further psychological treatment will be undertaken and what the plans for him will be after the aforementioned are completed.

We recall the way in which you preferred to handle the counseling costs for [REDACTED] as a result of the Philip Wolfe rape. We are following the same approach with our counseling costs as you preferred with them. We have sought professional counseling as a means of reaching the stated amount. Given this we are presenting you with a \$50,000 bill for each of us, making a total of \$100,000. This covers all counseling costs for us associated with the Wolfe

trauma, the VanHandel trauma and future counseling costs associated with both. The heavy anguish experienced by each member of this family occasioned by these events continues on a daily basis. You can have no idea of the extent of the pain and life changes that have come in their aftermath. The latest developments have increased this trauma exponentially. Should you have any questions please call us.

Sincerely,

A large rectangular area of the document is redacted with black ink, covering the signature and any accompanying text or contact information.

Third Party Privacy Rights

- Robert Van Hordak,  
Sept 10, 1992  
From - Berkeley,

① [REDACTED] to Robert,

We must do something more proactive.  
I don't want to worry; think of a way of  
handling it. But will talk it through of  
course.

He asked about names.

② Handle it "while I'm still here."

In some ways, take an active approach -  
write a letter.

X One more definitely interested -

→ 1:15 →  
Will call at 4:15 Friday. He has come to  
good point in his own mind. Think it  
through. Not handling a [REDACTED]

3RD PARTY PRIVACY

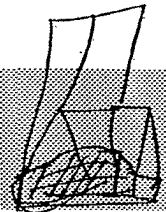
[REDACTED]

[REDACTED]

leave for a week; Shirley gone  
for a week.

x

[REDACTED]



By the Board meets it only, much.

[REDACTED]

have written; wait until 21 or 22<sup>nd</sup>  
for a letter. It should be sent, not  
to everyone — send carefully.

[REDACTED]

return 21<sup>st</sup>

4) People directly involved have  
been contacted.

Should we involve everything.

Always a risk to contact -

Talk of people & past course -

May be getting worse, reaching out  
of legal control, - mostly time  
before this. Some legal control  
we can't do anything...

① Legal contact - more &  
more domestic protection.

People contact in private, we are  
very inappropriate behavior way, we

that place" - contact people  
directly - should we contact

parents - if a child, parents  
should be contacted. If exact, contact should

② Minneapolis / St Paul very good  
in this way; positive policy.

9) If really geriatric, which may not appear  
it is shown; what don't child tackled -  
to Robert this woman inappropriate -  
What is dividing line - if line from  
perspective of Robert. Really a kind  
Some of harm is that of crossroads/  
Therapists. Must be done one by one  
- Responses can be very different.

✓ network should be made  
to west people. ↙

(2) Robert's internal  
resistance - He was being  
victimized. Betrayed but not from  
within. Could be intrusive for him  
to enter world on personal basis.  
Keep them out of the process.

\* Proven Queen - Seminars -

\* Can we have a conference call  
of Cooney & Robert regarding if names  
are requested?

\* It's doing a good job - to allow  
to hear every step, frustration.

It's not even who could - finding  
jails.

\* Dr. BWH put himself at great  
risk, let him know the difference.

\* Need to do more...

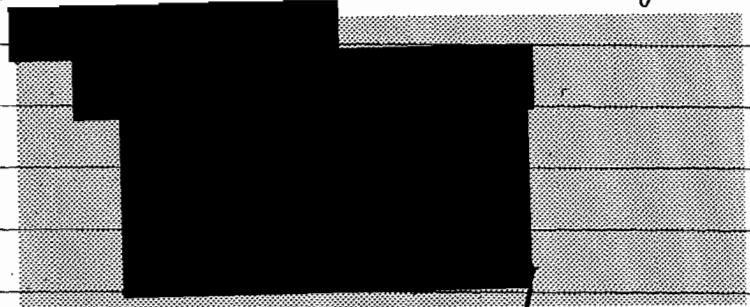


3rd PARTY PRIVACY

BUT: phone -

- ① willing to give name of one boy whom he was  
repeatedly sent of a photo & blatted looking

very limited info  
→



around 1979-80, maybe before '79

~~Robert will contact [redacted]~~

- nothing from '84; nothing in recent history, we want to know  
② all of them, "much less" - thought; let H.  
of informing the

Way to approach. Several letters - best way - least  
← → possibility we could get reverse info  
through gap.

"I have had continual difficulties & am  
receiving up to date information."

Report of several inconsistencies. Want to know more  
in by - have opportunity to come forward.

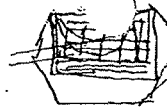
"or we could have more formal info - but he  
could forget names."

- ③ say something to person -

- ④ read letter to Beta Community

Send 1 letter to Robert

3RD PARTY PRIVACY



I write

BVH:

1:15 ① Tim will drop a letter - something

②

pay cuts for counseling

Tim West - what then -

see if we can help partially

like about how you're handling

hard in the convention - bills now  
we would like to know help payment  
further way of helping.

③

Tim to work

drafting a good letter - received by me

covered - by what

- what

= how from of money

- plan to be contacts

④

Prater University - send letter to them -

→ Be in good with another

Be in C.

CONFIDENTIAL

Robert Van Handel

September, 1992

Two draft letters have been written by Tom West, OFM, and Bob Hellman of the Santa Barbara Boys Choir. One is a general letter to all former and present members of the Choir. The other is to a specific individual who might have been abused by Robert. A mention of Robert's cooperation was added to the general letter.

A letter was also sent to the [REDACTED] family offering to pay for specific counseling bills that were submitted.

[REDACTED] has met with the friars in Santa Barbara to explain the whole situation.

OFM VANH 1

0619

Third Party  
Privacy Rights

Peace. Once again, I would like to wish you all of God's blessings. I would like to thank you for your patience and understanding, especially under the most difficult of circumstances. Please know of my constant prayers for you and desire to help.

The definitorium held an extraordinary meeting on Friday, September 11, at which we discussed your last letter to me

and many of the fears and anxieties being suffered by the broader community in Santa Barbara. It is surely our desire to address the situation, inasmuch, as possible, in a proactive way. Our heart goes out to everyone.

At this time, the province wants very much to pay for the specific counselling bills which are forwarded to us; ~~for~~ if you could do this, I would appreciate it. We would like to make these bills the base for further discussions about other costs which may be incurred. We would really like to see if the present situation cannot be used as an opportunity for us to talk. Certainly, our mutual concerns involve both financial costs and personal issues. To further the possibility of contact, I have asked Father Thomas West, one of our friars who is a specialist in the area of abuse, to contact you on my behalf.

We realize the importance of contacting the broader community of the Boys Choir in Santa Barbara. As indicated to you in my previous letter, we had, very early on, decided to take a proactive stance, creating a policy flexible enough to respond to an evolving situation. I know that Father Thomas West will be happy to discuss with you the work we have been doing in this area, the necessity at this time of a general letter, and our pastoral desire to reach out to any possible victims. We are doing our best to move forward firmly, prudently, and with sensitivity to everyone involved.

This letter brings you up to date on our discussions. I know that Father Tom will be sharing more with you; but I hope that we too can be in further contact.

May God Bless you and your family.  
Sincerely in Christ

*2 fairly new hard copy  
2 letters to [redacted]*

Third Party Privacy  
Rights

Third Party Privacy Rights

Oct 28<sup>th</sup>



10 am call from KEYT news

Letter from Persich, acquaintance of Phil Wolfe -

also called [redacted]

Thought: - trouble w/ Francis community, Ray Chow, Phil Wolfe;

there will be a follow up



Phil is very busy if being forced to doing something.

Virgil  
TV, Phil Wolfe -

Phil Wolfe -



Mel



11:30 -



KEYT - TV.

will go if it -

- Virgil knows

②



Tom West:

SAS from Dining room, 4 people responded to [REDACTED]

- [REDACTED] introduced everyone

- not given any anything -

- When is Robert - future assignments -

- We Nargayee used to be around -

- Phil Wolfen, informed about SAS.

- ① history -

- ② functions -

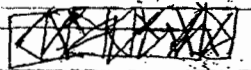
Spokane he had good mastery of English

### 3RD PARTY PRIVACY

Oct 27

Dr. Sanchez:

mtg - therapeutic function, not political one  
- not a place or time to argue



Do start mtg - 20 people (Helen L. & RSUP)

① set as reminder - person say how they have affected their

life (Helen L. & RSUP)

② questions - address them - questions for Helen

How to participate - share feelings - have side notes

Is BVH going to be provided?

Is person responsible?

Will he be allowed to contact children?

- saying b/c of

- saying at church - BVH

- [redacted] will be there ... limited resources

✓ Issue of trust

OFM VANH 1

0623

SCOTT E. GORSUCH, Ph.D.

CLINICAL PSYCHOLOGIST

1335 STATE STREET

SANTA BARBARA, CA 93101

(805) 987-3128

September 23, 1992

### SUGGESTIONS FOR PARENTS WHO WISH TO ASK THEIR CHILDREN ABOUT POSSIBLE SEXUAL INTERFERENCE

In general it best to approach these matters in a calm, relaxed, matter-of-fact way. If you are uncomfortable in asking the questions, your child will most likely be uncomfortable in answering them. An unbiased, non-judgemental approach is most likely to elicit truthful answers. Few children will want to tell their parents about something that the parents view as shocking or horrifying. Therefore, it is best to inquire about specific events in as neutral a fashion as possible.

The following example may help:

"Son, do you remember Father Robert from the Boys' Choir? Some of the boys from the choir have recently mentioned that he sometimes gave them back rubs and tummy rubs. I was just curious, did he ever give back rubs or tummy rubs to you? Did he ever invite you to play games that involved touching you, your legs, tummy, or private parts?"

If the answer is no, you might want to say something like:

"O.K., fine, I was just curious. If you think of something later just let me know. Sometimes some adults do things that aren't such a good idea, or that make you uncomfortable, and it is always important to let another adult know if something like that ever happens to you."

If the child wants to know why Father Robert (or any adult) would do such a thing, you might explain that:

"Sometimes people have problems that make them want to do things that they shouldn't. It doesn't mean that Father Robert is a bad person, but it is important that he get help for his problems. That is why it is important that other adults be told when such things have happened, so that they can help Father Robert. He is getting such help right now."



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"Sometimes people have problems that make them want to do things that they shouldn't. It doesn't mean that Father Robert is a bad person, but it is important that he get help for his problems. That is why it is important that other adults be told when such things have happened, so that they can help Father Robert. He is getting such help right now."

4) The Franciscan province has asked Fr. Tom West, M.A. to also be available to all parties concerned for spiritual or counseling assistance. He can be reached at 415 863-8111.

A few parents have expressed questions about how to best handle this subject with their sons. For individuals who are now age 14 and over, it is recommended that they be given a copy of this letter to read for themselves.

It is important that we learn if other individuals were interfered with in any way. If any young men received unwanted attention from Fr. Robert, they are asked to notify their parents, or if they prefer, they can notify Dr. Gorsuch confidentially by phone at (805) 687-3126 or in writing at 1335 State Street, Santa Barbara, CA 93101. They may also contact Fr. Tom West confidentially at (415) 863-8111 or write to him at 133 Golden Gate Ave. San Francisco, CA 94102.

Parents of younger children may wish to refer to the enclosed suggestions, or to consult Dr. Gorsuch or Fr. Tom West for assistance. Keep in mind that we have no evidence that any inappropriate activity occurred between Fr. Robert and any other boys in the choir at any time during the past eight years.

Whenever a trusted and admired figure betrays our confidence, feelings of hurt, anger and dismay are inevitable. We may initially deal with such feelings through the use of denial (disbelieving the truth) or projection (blaming the Church or other individuals or institutions). Conversely, our anger may be aimed directly at the individual in question. Any or all of these feelings are normal. In any event, most individuals and families will benefit from an open discussion of their reactions. They may wish to share their feelings and concerns with other families and individuals from the Boys Choir, or they may wish to do so privately or with a professional.

For anyone who wishes to take advantage of it, a group meeting has been scheduled for Wednesday, October 28th, at 7PM. The purpose of the meeting will be to answer questions, share common concerns, and express the many feelings that inevitably emerge in this type of situation. Please RSVP to 682-5641 if you wish to attend. [REDACTED] the Franciscan Minister Provincial, Director, Robert Helman, Fr. Tom West, and Dr. Gorsuch will be present.

Sincerely,

OFM VANH 1

0626

Fr. Joseph Chinnici,  
Provincial Minister

Santa Barbara Boys Choir,  
Board of Directors

However, if the child has answered that such incidents *did* happen to him, you might start by asking:

"Did that ever make you embarrassed or uncomfortable?"

If the child responds that yes it did:

"Well, it was wrong of Father Robert to do that, but it certainly was not your fault."

You might then explain (as above) why Father Robert would do such a thing, and suggest that:

"We talk to a Doctor about this and explain what happened so that Father Robert can get help for his problems, and so that the Doctor can help you to understand that this wasn't your fault."

If the child has answered that yes this did happen to him but no it did not make him embarrassed or uncomfortable, you should probably explain that it was not a good idea for Father Robert to do this and explain (as above) why it is important to always tell another adult when such a thing happens. If you wish, you may still suggest that:

"We explain to a Doctor what happened so that Father Robert can get help for his problems".

The above are just suggestions and you should feel free to use all, some, or none of them. I am available for consultation in person or by phone to assist you in this process, and of course to meet with you and your child if he has been the recipient of any unwanted sexual attention. If you have any questions, please call me (805) 687-3128.

Sincerely,

Scott Gorsuch, Ph.D.

Third Party Privacy Rights

[REDACTED]  
November 9, 1992

Most Reverend Roger Mahony  
Cardinal Archbishop of Los Angeles  
Archdiocese of Los Angeles  
1531 West Ninth Street  
Los Angeles, CA 90015-1194

Dear Cardinal Mahony:

You have not met us, declining our offer to meet with you in 1989, referring us instead to your auxiliary, Bishop Patrick Ziemann. Our names and our story should be familiar to you. You should remember that in September of 1989, Fr. Phillip Mark Wolfe, O.F.M. was convicted of felony sexual molestation of [REDACTED]. He admitted of like activity with [REDACTED]. Since the [REDACTED] was by then 21 years of age, the statute of limitations had already run out. Therefore, there was no legal punishment for more than three years of very serious on going sexual molestation under threat to maintain his silence.

What you must know is that in December of 1991, we learned that [REDACTED] had also been sexually molested when he was around the age of 10 by Fr. Robert Van Handel, O.F.M., founder of the Santa Barbara Boys' Choir, faculty member and sometime Rector of Saint Anthony's Seminary in Santa Barbara. A criminal complaint has been filed with the Santa Barbara Police Department.

You denied jurisdiction in the earlier cases because the priest perpetrator was a Franciscan. Once again we beg to differ with that posture, knowing that no priest can function in the archdiocese without archdiocesan permission.

The circle of pain, distrust and damage caused by these men is

growing and becoming increasingly known in our community. This is despite years and months respectively of public Church silence.

The destruction to young lives is impossible to measure or even estimate. The pain of parents, family members and other community members cannot be described in just a few words, as we consider the betrayal and manipulation by our dearly loved and trusted priests.

It is time for the official Church to publicly address this source of pain and destruction. It refuses to go away. It intrudes and weighs down all the other moments of our lives. We are attempting to continue our lives in the shadow of our children's suffering and our own pain of betrayal and loss.

We spoke of these matters with your Episcopal Vicar, Reverend Monsignor John Rohde. We asked that you be personally informed of these tragic developments and our requests for further action by you. Your support staff was not satisfied with the verbal requests as conveyed by Monsignor Rohde. They asked that we put our challenges in writing. So, once again we are writing to you hoping that you will take a more proactive approach this time. Now that this is being put in written form you will note that the letter is being shared with interested members of the community.

Cardinal Mahony, we challenge you as spiritual leader of this archdiocese, as shepherd of a wounded and wandering flock to address this horror, the destruction of our children's lives by sexual abuse by clergy. We challenge you to make a public statement regarding this matter.

Further, we challenge you to form an independent committee to formulate a policy for education, prevention, and response to this evil that includes proper reporting to civil authorities. If such a policy exists, it should be reviewed especially as it pertains to outreach and care of victims and family members. It should define a response to those molested by Order priests, who receive their permission to work in the area from the Archdiocese.

Finally, we challenge you to implement age-appropriate programs of education to teach children in Kindergarten through High School to protect themselves from all forms of sexual abuse. These programs should be in place and operational in one year. If adequately and

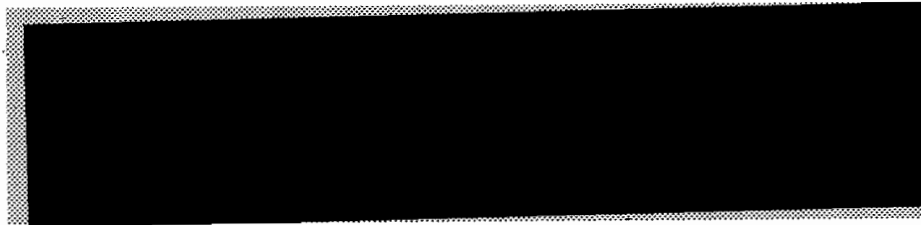
sensitively educated, the children are their own best first line of defense. There needs to be concurrent seminars for parents to educate them and foster knowledge so that the children may turn to their parents and to other adults in safety, knowing that they will be believed and threats cannot be made good to enforce their silence.

These three items can be accomplished without great difficulty or expense. They do require a firm commitment to the safety and health of our children and young people. Implementation of these measures would go a long way toward lessening the heart rending, soul slaying anguish of the horror of clerical sexual abuse.

We are ready to meet with you at any time to discuss these three items and any related matters.

You must know that the good works and ministry of the archdiocese have been undermined by this horrendous evil. No ministry has any value if its price is paid with the life of one child. The archdiocese can remain silent no longer in this matter.

Sincerely yours,



cc: Bishop Patrick Ziemann

Third Party Privacy Rights

Rev. Tom West, O.F.M.

Rev. Msgr. John Rohde

Editor Los Angeles Times

Editor National Catholic Reporter

President of Call to Action

President of V.O.C.A.L. (Victims of Clergy Abuse Link Up)

17-1

CONFIDENTIAL

Robert Van Handel

September 30, 1994

The Provincial Definitorium of the Province of St. Barbara met to discuss the status of Robert Van Handel's relation to the Order now that he has been convicted and sentenced for the sexual molestation of someone under 16 years of age. The Definitorium must consider if Robert is to be dismissed from the Order according to Canon 1395.2. The Canon does not require dismissal (si casus ferat). However, the Definitorium must review the case and offer an opinion to the Minister Provincial.

The Definitorium looked at the factors involved in this discussion: liability for the Province, scandal for the people of God, health of Robert, good of the fraternity, the gospel way of life, the timing and the situation, the reputation and morale of the local community that he might live with if he stays in the Order.

The Definitorium examined the following options available to it:

- a. do nothing
- b. dismiss him immediately
- c. decide not to dismiss
- d. request letter from Robert in which he would ask to leave the Order
- e. delay any final decision.

The Definitorium is recommending to the Provincial Minister that he not act at this time, but leave the option open for review in the future and that such a review should take place in a year. The Definitorium recommends the above action for the following reasons:

- the frail psychological state of Robert Van Handel
- the lack of further information regarding liability implications
- the expectation of the people of God that the Province oversee Robert in the future
- the desire of the majority of friars to balance justice with mercy in the treatment of Robert
- give Robert time to discern ~~his~~ his own future vocation
- the Province's plan to set up a house of containment could impact Robert's future.

CONFIDENTIAL

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- the Province's plan to set up a house of containment could impact Robert's future.

OFM VANH 1

0632



**CONFIDENTIAL**

Robert Van Handel

September 1995

██████████ reported to the Definitorium that he had visited Robert at the San Luis Obispo Men's Colony. During his visit, ██████ raised a number of issues with Robert. One such issue was Robert's future once he is released from prison. Robert and the Definitorium will need to look at a number of options.

It was also reported that individuals are coming forward at this time who say that they were abused by Robert from the years 1984 - 1989 when Robert left Santa Barbara.

It was agreed that there would be a thorough evaluation of Robert's situation at the November meeting of the Definitorium.

**CONFIDENTIAL**

Robert Van Handel

November 1995

The Definitorium reviewed the situation of Robert Van Handel. He is presently in the State Prison at Vacaville, California and has a possible release date of March 1998.

██████████ the Provincial Minister, made the following observations:

- Robert has not given any consideration as to his future after his release date;
- It is a fact that he will always be in a high risk category which means that he will always need a high level of constant care and monitoring.

In discussing the various options open to Robert, the Definitorium made the following points:

- Robert needs to work through his future vis a vis the Order; it would be preferable if he made the decision while he was in a safe environment;
- Robert as part of his decision-making process needs to understand the severity of limitations that will be placed on him if he remains in the Order.

It was agreed that this Definitorium would like to set as its goals with respect to Robert:

- help him make the decision to leave the Order on his own;
- assure him that the Order would take care of him during his probation and help him during his probation to leave the Order and get established;
- make a final decision on this issue by September 1996.

If Robert does not agree to the above, it was the tentative opinion of the Definitorium that the Canon Law regarding dismissal from the Order should be invoked in this case.

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0635

### Night Assaults at the Seminary

76-85 ,

Would come to boys at night. Rubbed their backs and bodies would masturbate them. One student believes there may have been oral copulation. One students described the "massages" as going on for hours. Another said when he feigned sleep he would go over to his roommate. One student attempted to make himself undesirable by stopping his showering etc. They would both feign sleep. One student resorted having a walkman on during the assaults. One Student. said he saw to another students room, the monks and friars were the only ones flashlights.

### Assaults in Hot Tub

1976

RVH grabbed his genitals in hot tub

### Robert Van Handal Profile

1975-1987

# of Victims interviewed as of 8/19/93=7

# of Suspected Victims not interviewed= 2-10

### Nude Photography/ Choir Members

1975-87 A. . 6-10 years old at beginning of photo sessions. BOI has seen a sampling of the pictures.

Nude Photography. Pictures taken in Choir room at Seminary, his office and at the creek on Seminary grounds. X mentioned seeing a

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*See 2 his  
best friends  
RVH.*

75-80

naked swimming with Choir Boy in pool behind mission

### Road Games

1976-

During trip in car, RVH suggested and played I-Spy where the loser would have to take off a piece of clothing, RVH would tickle the boys and "accidentally" touch genitals. On trip to Europe, boys father said his son said he played a dart/undress game with RVH.

### Suspicious

More than several people we have interviewed, mentioned the trips to Europe. The boys were isolated, in new environments, and [redacted] who was in charge of setting up the stages, attempted to keep the adult "sponsors" away from the kids. One mother said her son told her that [redacted] was rubbing their backs at night. On several trips there was a two week period of time where RVH would stay alone with a boys choir member after the rest of the choir left for home. We have an extended list of possible "special " boys RVH supposedly spent alone time with.

3RD PAGE  
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### Night Assaults at the Seminary

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Nude Photography. Pictures taken in Choir room at Seminary, his office and at the creek on Seminary grounds. X mentioned seeing a row of slide photo albums labeled with kids names in his room. Their reward was ice cream. "Don't tell, or the other boys will be jealous."

Prior to nude photography with X. , RVH told him "It's only Natural" for him to have an erection during massage. X. remembers being fondled while sitting nude in RVH lap while X. was listening to music on a walkman. One Choir Boy mentioned he would eat dinner at seminary with RVH. Mel Jursich mentioned he would get mad at RVH for having him there.

### Naked Swimming

75-80

naked swimming with Choir Boy in pool behind mission

### Road Games

1976-

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# Priest at St. Francis arrested for alleged child molestation

By JED LOGAN  
Staff Writer

A priest at the St. Francis Retreat Center was arrested by the Santa Barbara Police Department Tuesday for having allegedly molested a young boy during the 1980s.

The Rev. Robert Michael Vanhandel was arrested on suspicion of lewd or lascivious acts with a minor with a \$250,000 warrant, according to information from Lt. John Thayer of the Santa Barbara Police Department.

Vanhandel, the former head of the Santa Barbara Boys Choir at St. Anthony's Seminary in Santa Barbara, is accused of repeatedly molesting a choir member, Thayer said.

Vanhandel has been stationed at the retreat center in San Juan Bautista for the past six months where he has been working as a bookkeeper and doing other clerical tasks, according to Thayer.

"I think the church assigned him there not so much to hide (him) as to reduce his exposure to the public," Thayer said.

Before he was transferred to St. Francis, Vanhandel was sent by the Catholic Church to St. Luke's, a treatment center in Maryland, from May of 1992 to June of 1993, according to Thayer.

The alleged molestation started in March of 1983 when the boy was 8 years old and continued until September of 1989 when the boy turned 14,

according to Thayer.

The victim, who is now 18, told investigators that he frequently spent the night on a couch in Vanhandel's apartment in the seminary where Vanhandel would reportedly massage him and rub his genitals, Thayer said.

The alleged molestation continued even after the youth left the seminary in December of 1987 to transfer to Santa Barbara High School.

Vanhandel reportedly had the youth spend at least one night a week at his apartment, Thayer said.

Santa Barbara Police started the investigation earlier this

Please see PRIEST, page A6

## Priest

• Continued from page A1

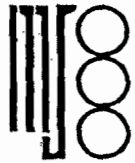
month after the victim reported Vanhandel's alleged activity.

In December of 1992, Vanhandel was accused of child molestation by another Franciscan priest who was arrested on child molestation charges.

However, Vanhandel was never prosecuted because the

statute of limitations had expired, Thayer said.

A representative of the St. Francis Retreat Center could not be reached for comment on the story.



michael john eremia, m.s.w.

**CONFIDENTIAL**

May 18, 1994

Mr. Rueben Guterrez  
Deputy Probation Officer  
Santa Barbara County Probation  
117 E. Carrillo Street  
Santa Barbara, CA 93101

**COPY**

Re: Robert Van Handel

Dear Mr. Guterrez:

I am writing on behalf of the above-named client, a self-confessed child molester currently detained at the IRC facility of Santa Barbara County Jail while awaiting sentencing. Please accept the following clinical evaluation and recommendations for your review and consideration.

Mr. Van Handel, a 5'9" tall Caucasian male weighing 156 lbs., with brown eyes, balding with brown hair, is a Franciscan priest whose meek demeanor, hunched stance, and soft-spoken voice reflect his self-reports of feelings of humiliation, guilt and inadequacy. Even while acknowledging his own capacity for being manipulative, this prisoner comes across as a kind, empathic, intelligent, and passive man. His general attitude and behavior during the twice weekly sessions since April 12 have been characterized by cooperativeness, anxiety, displays of remorse and self-pity, and--at times--despair.

The quality of Mr. Van Handel's speech suggests he is struggling for control over unwanted feelings of helplessness. While speaking spontaneously, clearly and coherently, the rate of flow indicates he is carefully thinking through his thoughts and verbal productions in an effort to reduce his anxieties about imprisonment, while making certain the interviewer obtains needed information. The client readily acknowledged that one of the most anxiety-inducing aspects of imprisonment for him is the loss of control over management of his daily life. Jail time has heightened his self-acknowledged exaggerated control needs by frustrating his abilities to function freely in society. All of Mr. Van Handel's speech has been relevant in content, with no evidence of loss of goal idea, thought blocking, or circumstantial responses.

His primary mood is depression, currently controlled by a daily intake of 25 mg. of Zoloft, reportedly prescribed by the County Jail psychiatrist, Dr. Howard Babus. Additionally, the prisoner is administered 100 mg. of Nortriptylene to reduce his bedtime anxieties and make sound sleep possible. During the

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interview sessions, Mr. Van Handel, appearing preoccupied, frequently moves his right hand across his forehead or touches the back of his neck in an apparent effort to calm or reassure himself as he discloses his life history and daily activities, thoughts and moods. The telling and re-telling of personal details of his life and anti-social behavior has been both anxiety-provoking and depressing for this man.

The onset, duration, and intensity of his depression have an escalating history dating back to 1983 when he sought private therapy with Gerald White, Ph.D., clinical psychologist. At that time, thoughts of suicide were strong and pervasive enough to cause chronic loss of sleep. Currently, obsessive thoughts about suicide do recur, but the client states he would not act on those thoughts and does not view himself as suicidal. In his presentation of self, Mr. Van Handel gave no evidence of complaints or overconcern with his physical health or body functioning. Nor did he display the symptomatic expression of ruminative thinking--repeated thoughts at the abstract ideational level. Such thinking is found in those sex offenders who are either pre-schizophrenic, in a state of denial, or simply trying to distract the interviewer--none of which apply to this client. There is some evidence of echolalia, or perseverated thinking, in Mr. Van Handel's repetitive references to his conviction that he is "a failure with nothing to live for." The client produced no thoughts or verbalizations which suggested delusions, hallucinations, or paranoid ideas of reference in which he felt he was being victimized into behaving in anti-social ways.

His description of his life history, the anti-social acts he committed, and his current mood and thoughts reveal a man of above average intelligence. He is oriented to time, place, persons and circumstances in uniformly appropriate ways. Mr. Van Handel makes good eye contact and speaks softly in measured, deliberate tones, both when speaking spontaneously and when responding to inquiries. His verbal and non-verbal communications about himself and his role indicate an awareness that he is responsible for his past compulsive actions. The client questioned whether or not he was engaging in selective perception and recall when describing interactions with minors from 1987 until 1992. He displayed good remote memory in recalling his early childhood, adult life from 1965 to 1983, and good immediate memory describing events from 1992 to the present.

Mr. Van Handel made it clear that he wanted full disclosure of his acting-out history as a step in controlling his pedophilic tendencies. He said he fully recognized that his full and candid disclosures increased the risk of additional or maximum sentencing versus the possibility of parole and outpatient treatment. However, he feels full disclosures to the best of his ability to

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recall has a therapeutic effect which outweighs the risk factor associated with the actual sentencing.

Accordingly, he furnished the following personal history. The client states he was born to an American father stationed in the military and a British colonial mother in Georgetown, Guyana, on April 2, 1947. His parents had met in Guyana during World War II, when the territory was known as British Guiana. The couple married and moved to Wisconsin where Mr. Van Handel's mother gave birth to his older sister, Sandra. His mother became depressed to the point the family returned to what is now known as Guyana. His sister, Christine, was born there April 14, 1945, and two years later he arrived on the scene. In 1949 the entire family returned to Wisconsin and began a series of moves to various military bases. By the time he was seven years old, he had lived in Kimberly, Wisconsin, Fort Wayne, Indiana, Buffalo, New York, and Atlanta, Georgia. Mr. Van Handel's father was an Air Force officer working in various Air Force finance offices.

The family moved from Van Nuys to Inglewood--then to Buena Park. When he was 6 or 7 years old (1953-54), the client states, he got in trouble for pulling down the pants of another boy. His family lived comfortably since the father worked both as a real estate appraiser and as a savings and loan officer. In 1956 the family settled in Buena Park where Mr. Van Handel attended St. Pious V Catholic Elementary School from 5th through 8th grades. Significant childhood memories during grade school years, which proved to be anxiety provoking, centered around authority figures. He recalls feeling confused and upset by having his genitals examined by a physician.

Interactions with his father were difficult and often frightening. Describing his father as having "a terrible temper due to his alcoholism," the client recalls resenting the rigid, authoritarian parenting the family was subjected to. He said his father "ruined" the good times most families took for granted. Robert was forced, as a child, to pick weeds on Saturdays, not allowed to watch TV on school nights. Father was described as "arrogant, self-centered, cheap, melancholy and concerned with religious show." Mr. Van Handel stated he was prone to being guarded around his father who would not tolerate any look of dissatisfaction on the faces of any of his children. There was to be no disagreement with any of his decrees, no back-talk, and no spontaneous dissent. His younger brother, Peter, was born in 1956. The youngest sibling, David, was born in 1958, as the family continued its traditional and routine rituals of obedience to father and mandatory church attendance.



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During his four years at Pious V Elementary School, Robert states he was a B student who was fearful of his parents. He described his mother as critical and emotionally distant. She would wring her hands when upset and say things like, "You lazy boy," "I'm going to wring your ears," or "I'm going to knock your block off." When his father was upset, the sound of his raised voice made Robert try to get out of his way as quickly as possible or to literally hide. When he was in the 8th grade, his father read him a Catholic sex education book. This proved to be a traumatic experience for him, because his sisters witnessed this happening and laughed at him during and after each forced reading.

Upon his graduation from Pious V at age 14, the family sent him to St. Anthony's Seminary in Santa Barbara to continue his education. The client stated that he wanted and welcomed the experience of getting away from his family. His father urged him by stating, "You really ought to try it." Robert declared he liked the seminary high school experience but found languages and math difficult. It was a very structured program. A lot of his friends in the high school left prematurely because of the rigidity of the academic program. He experienced anxiety when four of his friends were expelled for talking to girls. At age 15 his anxiety and confusion escalated when he was molested by an alcoholic priest at the seminary. The allegedly offending priest was unnamed but was identified as the vice-principal of the school.

According to Mr. Van Handel, the priest entered his room, pulled down his pajamas, rubbed his chest until he got an erection, then played with Robert's genitals for about 10 minutes. Robert states he was embarrassed and ashamed but didn't know who to talk to about the trauma. The priest reportedly told him "the rubbing exercise" was designed to make him perspire and thereby rid him of his "fever." The client states he was confused by the experience which did not affect his academic or social performance at the seminary. Throughout his high school years he was perceived and treated by peers and faculty as "boyishly naive."

During these years (1961-1965), his temperamental, alcoholic father visited him once a month, usually alone, because his mother suffered from car sickness. While he welcomed the infrequent visits by both parents, he was apprehensive when his father came alone. Every summer the family rented a cabin near Big Bear. Robert spent the summers from 1961 to 1965 struggling with nighttime wet dreams and guilt stemming from the foreboding warnings, "Try not to enjoy it" he read in a book written by a conservative Catholic. Upon his graduation from the high school at the seminary in 1965, he took a neighborhood girl, [REDACTED] to a movie theater. It was memorable because it was his first and

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last date, ending with a kissless "goodnight."

That fall he entered San Luis Rey College, a Franciscan seminary near Oceanside, California. He, like other seminarians whose parents couldn't subsidize them, was required to pay his own tuition. After his father was laid off, Robert began to work full-time during the summer in order to pay for his college tuition for his final two years. In his second year at San Luis Rey, fellow seminarians began to confide in one another about the frequency of their masturbation. Robert states he was "amazed" by the revelation and began to fantasize interchangeably about having sex with boys and women. He realized in 1966 for the first time that the sexual attraction to children was real after he saw a picture of a young boy swimming while in an inner tube. The client states he was aroused and startled by the experience of being aroused. When he questioned a fellow seminarian regarding his classmates' reaction to the same picture and got a neutral response, he felt uneasy at his own reaction of arousal.

From 1966 through 1969, he developed and cultivated an intense interest in music. In retrospect, he realizes he was sublimating his sexual interest into the world of music. After graduation in 1969 from the college at San Luis Rey with a Bachelor of Arts in Philosophy, Mr. Van Handel spent the summer of 1969 in Oregon. In Corvallis he worked at the Children's Farm Home as a child care worker. The client states he shared a caseload of older teenagers with [REDACTED] with whom he shared a non-sexual relationship for three months. According to him, there were no acting-out episodes on his part during this period. From there, he was transferred to the Franciscan Novitiate in Sacramento where he worked at St. Patrick's Children's Home as a child care worker during the period of August 15, 1969 to August 16, 1970. No offenses were perpetrated, he declares, in this time period.

In September 1970 he enrolled in the Franciscan School of Theology in Berkeley, California and pursued theological studies there until October 1973. During this time he started a boys' choir and found himself attracted to the young boys in the choir. During October 1973 he was sent to Oxford University in England, University of Freiburg in Germany, and then to Cambridge University to continue his graduate studies in theology. Mr. Van Handel states he was shocked and aroused by the open display of pictures of nude children and sex between children and adults in many magazines for sale in European cities.

He returned from Europe during the summer of 1974 and went to Phoenix, Arizona at the direction of his Provincial in order to enter an internship as a church deacon. Robert worked in a

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parochial school teaching singing for six months. He states he was attracted to a young boy at the school but did not act-out because of the attraction. This child, approximately 9 years old, fit the profile of so many of Mr. Van Handel's subsequent victims, he declared. He was slight, slender and appeared helpless. When encouraged to describe his own attitudes, behavior and appearance at a similar stage of psychosexual development, Mr. Van Handel wept and stated he recalls feeling frightened and needing reassurance but not knowing how to ask for it. There was a lack of comforting touching from parents.

In the spring of 1975, he completed his graduate work in Theology in Berkeley where he resumed working with the Boys' Choir which he started. On May 17, 1975, he was ordained a Franciscan priest at St. Mary's Cathedral in San Francisco. His plan and goal was to enter the graduate program in Education at U.C. Berkeley where he had applied and was accepted for admission. Robert stated he was bitterly disappointed and upset when the Provincial would not let him attend. Instead, he was sent--over his protest--to St. Anthony's Seminary in Santa Barbara. His dislike for the assignment was immediate and pervasive, and he cited several reasons for his reaction to St. Anthony's.

First, the staff had been depleted with the departure of teachers for financial and personal reasons. Mr. Van Handel was given the work of two former instructors in his first year as a teacher. Secondly, the academic climate, as well as the social milieu, had changed since he was a student at the school in the early 1960's. The stress was severe, because the student body had changed from predominantly well-mannered Caucasian children willing to pursue rigorous academic studies to a mixture of lower income minorities who refused to study Latin and Greek, and generally behaved in an unruly manner, according to him. The curriculum had changed from classical to modern, and he was not really equipped to provide first-class teaching in math and science.

Mr. Van Handel remained a teacher at St. Anthony's from 1975 until 1985. He says that the combination of his attraction to children and his frustration with work led him in 1976 to succumb to the temptation to photograph children in the nude and to tickle them. He stated this activity was self-reinforcing, because no one resisted or complained. Further, he assumed their parents knew but didn't care about what he viewed as harmless fun at the time. Mr. Van Handel appeared eager to stress that he was never naked with any of the boys, never masturbated in front of them, and never had oral sex with any of them. At the same time, he did acknowledge that he did derive sexual gratification from these activities which took place from 1975 until 1983. He named [REDACTED]

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[REDACTED] as the six young-  
sters who were recipients of his molest activities during that  
eight-year period.

These activities ceased, the client states, when he saw a 1983 article in the L.A. Times documenting the arrest of the director of the California Boys' Choir on charges of molestation. Mr. Van Handel consulted Jerry White, Ph.D., Clinical Psychologist, for about six months in 1983 and in 1987 to cope with his suicidal depression over the realization that he could be facing similar charges one day. He says he did not reveal to Dr. White the etiology of his depression, because he was aware of reporting requirements therapists are bound by in all cases of child abuse. After terminating his therapy with Dr. White, he began to take [REDACTED] an eight-year-old choir member, under his wing. The client states he did so because [REDACTED] mother was "unreliable and unpredictable." Robert took [REDACTED] into his apartment on those occasions from 1984 through 1989 when his mother was unavailable or did not show up after choir. She was a single, working mother.

According to Mr. Van Handel, [REDACTED] requested a backrub before going to bed, and this request was accommodated from 1987 through 1989. Over a three-year period, [REDACTED] was given help with homework and meals. This was culminated with nightly massages which included "inappropriate touching." In describing this aspect of his history, Robert stated that he has "a lot of terrible fears about the potential damage done." He wept as he described the personal history he wrote for the District Attorney. His explicit sexual history was outlined in a journal written specifically for his therapist, Mary Simoni, at Pacific Treatment Center in Santa Cruz. He was at the Center from August 1993 until March 1994 when he was arrested and brought to Santa Barbara County to face child sex abuse charges. The arrest interrupted a painful but effective therapeutic program which can document significant gains in controlling his latent pedophilia, he states.

The client reviewed his prior in-patient and out-patient treatment at St. Luke's Institute in Maryland. He received in-patient care from June 3, 1992 until January 15, 1993, and out-patient care from January 16, 1993 until July 15, 1993 at St. Luke's. This resulted after the family of [REDACTED] (no relation to [REDACTED]) wrote to his Provencial, alleging sexual improprieties took place between their son and Father Van Handel at the priest's initiative. Mr. Van Handel states that when he switched to the out-patient program which features art therapy as well as individual and group therapy, he got in touch with his anger at his father. In art therapy sessions, he experienced fears of monsters he was drawing as he visualized his father's face on

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the completed drawings. In August 1993, his Provincial made him return to California to enter the Pacific Treatment Program for sex offenders in Santa Cruz. This client states agency records will substantiate that his sexual urges and interests were eradicated as a result of intramuscular injections of Depo Provera used in conjunction with traditional therapies, and that he no longer poses a threat to children.

The following responses to questions posed provide clues to his current state of mind.

- (1) WHAT IS YOUR BIGGEST CONCERN OR FEAR AT THIS TIME?  
The actual and potential damage I've done to the young men, the Friars, and the Catholic Church. I'm also afraid I won't overcome my feeling of failure and that I'll never be able to function as a priest.
- (2) IS THERE ANYTHING ELSE BOTHERING YOU?  
I feel that I have nothing to live for--that everything will be horrible from here on in. I feel I'm a big embarrassment to the Friars, the Church, and to my family. I feel an anguish over the people I've harmed. I'm bothered by the fact there's nothing I can do or say to make amends that would make a difference in their lives. I don't understand how the Friars, my family, and so many other people can be so extraordinarily supportive of me.
- (3) WHAT DO YOU VISUALIZE AS THE WORST CASE SCENARIO FACING YOU?  
Having the District Attorney's office copy and circulate the sexual history I produced for my therapist, Mary Simoni, at the Pacific Treatment Center. It's a confidential medical document for use in therapy. The journal contains the names of three women I've had sex with--and their identities need to be protected. I'm just waiting for the News-Press to get a copy of the journal and identify me as just another of society's monsters, while naming those female partners who are adults. I couldn't handle that.
- (4) WHY SHOULD YOU BE TREATED DIFFERENTLY FROM ANY OTHER SEX OFFENDER?  
I don't expect to be treated differently. I do know that I am different from others labelled pedophile, because I've had sex with adults of the opposite sex. I also know that the treatment was working. The Depo Provera eliminated my drive and interests. I'm depressed at having lost the benefits of the group therapy program at Santa Cruz. The court has all those records, but I'm prepared for the social price of my actions and fully expect a jail sentence, regardless of the

psychiatrist's report or any recommendation made by you.

- (5) WHAT GAINS DID YOU MAKE DURING INTENSIVE TREATMENT AT ST. LUKE'S AND PACIFIC TREATMENT CENTER WHICH LEAD YOU TO BELIEVE YOU COULD BE CONSIDERED FOR IMMEDIATE PAROLE AND RETURN TO OUT-PATIENT TREATMENT?

The main things are the awareness of my anger, the ability to express my feelings including anger, and the fact I'm not aroused physically by an erotic stimulus--like a picture or a recording--as long as I'm on Depo Provera. I was putting the pieces together at the time of my arrest by learning not to lie in order to cover up my fears. I feel very badly that I lied to the staff at St. Luke's.

- (6) WHAT IS THE BEST CASE SCENARIO YOU VISUALIZE IN THE SENTENCING PROCESS?

A full year in jail with lengthy probation and parole, along with a return to mandatory, intensive treatment. I'm fearful of losing contact with my therapist, Mary Simoni, at Pacific Treatment Center if sent to State prison. I'd certainly welcome sessions with you if I'm sentenced to County Jail. The contact does help.

- (7) WHAT IS THE HARDEST PART OF BEING BEHIND BARS?

The painful realization I'm a convicted felon. I wake up numb to my feelings until I start talking to you. I'm in hideous pain here and expect it to get worse. My energy is focused on fighting self-pity, because it's counter-productive. I'm acknowledging real feelings of despair, but I can't let those feelings push me into a state of total helplessness. Whatever happens, happens, and I'll have to learn to develop the strength to deal with it. (Long silence and tears) ...The alternative is suicide.

- (8) WHY SUICIDE?

The most difficult part of incarceration is the recurrent, intrusive feelings of remorse and guilt over the actual molestations. When you're not in the therapy situation on a day-to-day basis, it's hard to digest those feelings. (Tears) ...I recognize I've done wrong and harmed people in the past, but there's been nothing since 1989. I understand why people are angry with me, and I accept their right to be angry. What I don't understand is why people are so unforgiving and vindictive.

- (9) ASSUMING YOUR BEST CASE SCENARIO DOES MATERIALIZE, WHAT PLANS, HOPES OR GOALS DO YOU HOPE TO PURSUE AFTER ONE YEAR IN JAIL?
- All of my work in studying for the priesthood turned out to be

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in vain. There is nothing that I aspire to. I would like to return to San Juan Baptista Retreat House and function as a bookkeeper. That way I can resume my therapy at Pacific Treatment Center in Santa Cruz. Their program is more confrontational than the program at St. Luke's. One thing is certain. With the insights I've gained and my status as a convicted felon, I will not put myself in a situation where a temptation to re-offend can occur.

- (10) DO YOU FEEL YOU HAVE OTHER ALTERNATIVES IN THE EVENT YOU ARE GRANTED IMMEDIATE PAROLE WITHOUT SERVING ADDITIONAL TIME IN JAIL?

My other option is to stay with the Franciscans and work at the Archive Library in the American Academy of Franciscan History in Berkeley, California. But really, I'd like to hide in the retreat at San Juan Baptista. (Silence and tears. Client began to tremble.) ...I don't think I can make it outside of the Franciscan order.

- (11) WHAT MAKES YOU BELIEVE THAT?

It doesn't take much for me to think about suicide. The idea seems so attractive to the cowardly side of me. I think the thoughts of suicide are attractive because it gives me the feeling of control. I don't do well when I'm not in control; I get really depressed. In jail you're under the control of people doing the job they're paid to do. They're not paid to have concern for or awareness of individual prisoners.

- (12) WHY SHOULD ANYONE GIVE CONSIDERATION TO A RECOMMENDATION FOR PAROLE WITH NO ADDITIONAL JAIL TIME?

As I said, I haven't committed any offenses since 1989 and have been very committed to the treatment programs at St. Luke's and Santa Cruz. While I appreciate such a recommendation because I know I'm no risk to children now, I have no realistic expectation that the judge would act on such a recommendation. As much as I'm terrified of it, I'm prepared for a State prison sentence.

- (13) WHY?

I have real enemies in Santa Barbara--the people I've molested and their families. (Tears) ...I felt like an animal when

\_\_\_\_\_ came into this facility and gave me hard, cold stares. I would expect the judge to make his decision based on all of the statements made by everyone affected by my actions, and not just by the many statements of support I've received.



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As you can see from the foregoing responses, Mr. Van Handel, despite his vulnerability and desperation in the jail setting, maintains his stance of accepting responsibility for his acts. He has an exaggerated negative self-image, stating he cannot accept compliments or positive statements about himself from any source. This client exhibits many of the distinctive characteristics seen in sex offenders. His self-reports and personal history reveal a basic inadequate personality. He is easily discouraged and displays a propensity for wanting to give up or quit because he feels he has nothing to live for. There is evidence of selective perception in his descriptions of recent history, although he gives his accusers the benefit of the doubt and states they "must be right" because they can remember things he cannot. His exaggerated control needs, when thwarted, reinforce his pre-existing feelings of helplessness and depression.

Mr. Van Handel is non-assertive and exhibits pervasive guilt along with his subjective judgment that his life would be unmanageable outside of the Franciscan order. He acknowledges that his peer interactions and interpersonal relations with adults outside of the Franciscan Order have been poor. From childhood, where he lived in a repressive environment, this client displaced his suppressed emotions through fantasy and, eventually, inappropriate sexual acting-out. Deviant arousal patterns and distorted sexual values propelled him obsessively-compulsively to engage in sexual activities with minors under his control from 1975 through 1989. The fourteen year history of acting-out suggests cleverness in concealing his pedophilia while dealing with the community relating to St. Anthony's Seminary and the Santa Barbara Boy's Choir. Thus, Mr. Van Handel's capacity for manipulative behavior should not be underestimated.

Despite these well documented traits, he has abstained from sexual contacts with children during the past five years. Additionally, this client has a very high level of motivation to resume his intensive and effective therapy for the treatment of pedophilia at Pacific Treatment Center in Santa Cruz. This suggests that Robert Van Handel is a better than average candidate for immediate release and parole, despite his anticipation of a lengthy state prison term. If he is released, I believe latent pedophilic tendencies can be controlled on an out-patient basis outlined in the attached treatment protocol.

OFM VANH 1

0648



Rueben Guiterrez  
Santa Barbara County Probation  
May 18, 1994  
Page 12

DIAGNOSIS: Axis I 302.20 Pedophilia; Axis II 301.60 Dependent  
Personality Disorder

Yours truly,

Michael Eremia, LCSW  
Licensed Clinical Social Worker  
AASECT Certified Sex Therapist

Enclosure

cc: Robert Sanger, Attorney-at-Law  
233 East Carrillo - Suite C  
Santa Barbara, CA 93101

OFM VANH 1  
0649



michael john eremia, m.s.w.

### **RECONDITIONING IN TREATMENT OF PARAPHILIAS**

[ADAPTED FROM THE WORK OF WILLIAM MASTERS, MD. AND VIRGINIA JOHNSON, MD. AND THE WORK OF SANDRA LIEBLUM, Ph.D. AND RAYMOND ROSEN, Ph.D.]

- (1) OBTAIN FROM YOUR PRIMARY CARE PHYSICIAN OR UROLOGIST A ONE MONTH (30 DAYS) PRESCRIPTION OF CYPROTERONE ACETATE, AN ANTIANDROGENIC DRUG WHICH LOWERS CIRCULATING TESTOSTERONE LEVELS. FOLLOW YOUR DOCTOR'S ORDERS ON THE DAILY USE OF THIS PRESCRIPTION.
- (2) ON THE FIRST DAY OF THIS COURSE OF PRESCRIBED MEDICATION, OBTAIN A TAPE RECORDER AND SEVEN (7) AUDIOCASSETTE TAPE BLANKS. EACH DAY OF THE WEEK, DESCRIBE A NON-DEVIANT SEXUAL FANTASY SCENE OUT LOUD, WHILE TALKING INTO A TAPE RECORDER AT THE SAME TIME YOU MASTURBATE TO ORGASM.
- (3) IMMEDIATELY AFTER ORGASM OCCURS, BEGIN DESCRIBING ALOUD INTO THE TAPE RECORDER ONE OF YOUR FAVORITE PARAPHILIC FANTASIES (SADO-MASOCHISM, MOLESTATION, ETC.) AND CONTINUE MASTURBATING. JUST BEFORE EJACULATING, PICTURE THE POLICE BREAKING DOWN YOUR DOOR TO ARREST YOU AT GUNPOINT. BRING THIS TAPE TO YOUR NEXT THERAPY SESSION.
- (4) REPEAT THIS SEQUENCE - A NON-DEVIANT SEXUAL FANTASY UNTIL YOU CLIMAX FOLLOWED BY A DEVIANT FANTASY AND CONTINUED MASTURBATION - EVERY DAY FOR 28 DAYS. IF THE URGE TO RESUME DEVIANT BEHAVIOR RECURS, DISCUSS WITH YOUR THERAPIST AND RETURN TO YOUR PHYSICIAN FOR A 30 DAY PRESCRIPTION OF NALOXONE, AN OPIOID RECEPTOR ANTAGONIST WHICH INHIBITS PLASMA OXYTOCIN LEVELS DURING STIMULATION OF SEXUAL AROUSAL.
- (5) USING NALOXONE UNDER THE DIRECTION OF YOUR DOCTOR, REPEAT THE EXERCISES OUTLINED IN PARAGRAPHS (2), (3), AND (4).

**St. Francis Church**  
*Franciscan Fathers*  
1112 - 26th STREET  
SACRAMENTO, CALIFORNIA 95816

BROTHER ROBERT VAN HANDEL, OFM

First votation, Feb. 16, 1970

Four affirmative votes, no negatives

Opinions of the Professed Community:

Bob seems very sincere, but about what? He impresses some as being in a bubble: every once in a while he opens it and says hello to the world. He is very conscientious about his work with the boys at St. Patrick's Home, and this means a great deal to him.

Is his prayer-life developing?

He is open and sensitive to the needs of the community; he thinks in terms of the community. - He is so taken up with this work that he might want to do this professionally; he asks himself what the priesthood would add to this. He may well be relating his present activity to what he's striving to become; we just don't know.

Bob seems lost (to some); he doesn't seem to be with us. Will he be happy next year at Berkeley? Sometimes he seems almost a stranger in the house.

*St. Francis Church*

*Franciscan Fathers*

1112 - 26th STREET  
SACRAMENTO, CALIFORNIA 95816

BROTHER ROBERT VAN HANDEL, OFM  
Discussion prior to first profession, 1970  
five affirmative votes, no negatives

Bob has made continued progress: he is frank and open, with a good sense of humor. He is conscientious in his work and considerate of others. He is very frank and genuine.

He helped out at Ascension in Portland for a number of weeks during the summer.

OFM VANH 1

0652

ROBERT VAN HANDEL

Age: 23 (April 2, 1947)

vows: Promises Sept. 14, 1970

Bob is presently in his first year of theology and in the M.A. program.

Bob seems to have a good understanding of fraternity and what it means in the practical order. He is responsible in the work that has been assigned him to do, though sometimes falling down in expectations one might have of him in the line of volunteering.

There is a kind of "absent-mindedness" that shows itself occasionally, as well as a kind of lack of "organization" and planning that will have to be worked on. On the other hand, Bob does show initiative. He is intelligent, and seems to be maturing.

His principal interest has been in the area of working with children. One of his projects has been to organize and direct a boys' choir for the Newman Center. He remains faithful to this project, despite the normal difficulties involved in <sup>such</sup> work and the built-in disappointments.

1971-1972 Semi-Annual Report # 1

VAN HANDEL, Robert

Age: 24 (April 2, 1947)

Promises: Sept. 17, 1970

In these last five months, Bob seems to have developed a real interest in his studies. He is in the M.A. program and taking it quite seriously.

Bob is very prayerful. Along with serious participation in the various community gatherings we have for prayer, Bob manages consistently to include private prayer and reflection as an important part of his day.

His work with the Boys Choir at the Newman Center, demanding as it is, is well worked into his schedule and he shows good sense in making necessary choices.

At present, we feel that there are several areas where Bob is not clear in his own mind as to where he stands; he needs some room and some time to think.

Bates Numbers 655-656 were ordered removed by the trial court.

REDACTED

REDACTED

1 THE OFFENSE:

2 Source of Information: Santa Barbara Police Department

3 Arrest Report No. 94-04212.

4 On March 1, 1994, (the  
5 victim), age eighteen, presented himself at the Santa Barbara  
6 Police Department to report a 288 PC, CHILD MOLEST, which  
7 occurred between the years of 1983 through 1989. He reported  
8 that the acts occurred when he was a member of the Santa Barbara  
9 Boys' Choir at St. Anthony's Seminary located in the 2300 block  
10 of Garden Street. The victim informed officers that the molest  
11 acts started occurring when he was eight or nine years of age and  
12 ended when he was fourteen, spanning the years 1983 through 1989.  
13 He reported that the suspect in the case was the choir director,  
14 Robert Van Handel, the defendant in this matter.

15 The victim indicated he was a  
16 member of the Santa Barbara Boys' Choir which was comprised of  
17 approximately thirty boys. He noted his father had left the  
18 family when he was approximately four years of age and that he  
19 viewed the defendant as a father figure and trusted him  
20 completely. The victim went on to state that at the time of most  
21 of the molest acts, the defendant lived on the St. Anthony's  
22 Seminary grounds. The victim also stated that he could not be  
23 specific with regard to the dates and times of the acts, but did  
24 note that they occurred on a regular basis. For the most part,  
25 the molest incidents took place in the defendant's apartment at  
26 the seminary. In addition to this, there were also some trips  
27 that he and other choir members went on at which times molest  
28 acts occurred, as well.

OFM VANH 1

0657



1 The victim went on to inform  
2 officers that he would stay in the defendant's apartment, in a  
3 dwelling known as "the Casa." He informed officers that he would  
4 always spend the night on Tuesdays and Sundays. In fact, he  
5 noted that there were times on Thursdays, and once in a while on  
6 Fridays and Saturdays, that he would also spend the night in the  
7 defendant's apartment. The victim reported that on Tuesdays, he  
8 attended the Boys' Choir practice in the afternoon at  
9 approximately 2:30 p.m. until 4:00 or 4:30 p.m. After that, he  
10 had dinner at the seminary and then attended the Men's Choir  
11 group at approximately 7:00 or 7:30 p.m., which ended at  
12 approximately 9:00 p.m. He then would stay in the defendant's  
13 apartment.

14 Officers noted that the victim's  
15 mother was a chef, working many odd shifts, and hardly ever got  
16 to see her son. The victim informed officers that there were  
17 times his mother was leaving for work very early in the morning,  
18 and there were times she worked extremely late. Consequently,  
19 the victim spent an immense amount of time at the seminary,  
20 staying with the defendant.

21 When specifically questioned  
22 regarding the molest acts, the victim stated that when he did  
23 stay at the defendant's apartment, he wore pajamas, and just  
24 before bedtime, as he was lying almost asleep on a bed, the  
25 defendant would come and start massaging his back or stomach  
26 area, depending on which way he (victim) was lying at the time.  
27 The defendant would start massaging him on top of his clothing  
28 and then eventually would start massaging him underneath his

1 pajamas. The defendant then subsequently would start massaging  
2 his genital area. The victim indicated he would simply try to go  
3 to sleep and ignore what the defendant was doing.

4 The victim believed the defendant  
5 had his clothes on while he was giving the massages, but did not  
6 know if the defendant tried to masturbate while giving the  
7 massages. The victim also noted there were no words ever spoken  
8 between them during the molestations. The molestations always  
9 occurred just before the victim went to sleep at night or during  
10 trips or when the victim took a daytime or afternoon nap.

11 The victim told officers he would  
12 get an erection when the defendant would massage his testicles  
13 and penis area. He stressed that at no time was there any oral  
14 sex involved, and at no time did he (victim) reciprocate in  
15 masturbating the defendant. These acts of massaging his genital  
16 area occurred until the victim fell asleep, and this would be at  
17 times a half hour in duration.

18 The victim went on to report that  
19 although he could not specifically remember dates or times, he  
20 did remember the defendant massaging his penis and testicles  
21 approximately three nights a week during the timespan from  
22 September, 1986, through June, 1987. In the summer of 1987, when  
23 he went to England with the Boys' Choir for approximately three  
24 weeks, the victim could not recall any acts occurring while he  
25 was there. He noted things began to slow down during that time,  
26 and the defendant would only massage his testicles and penis  
27 approximately one to two nights a week. In September of 1987,  
28 when the victim was twelve years old, he started the seventh

OEM VANH 1

0659

1 grade and recalled usually spending Sunday nights in the  
2 defendant's apartment at "the Casa." In the evening, just prior  
3 to falling asleep, the defendant would then massage his back,  
4 stomach, thighs, penis, and testicles. The victim recalled  
5 getting an erection when the defendant massaged his penis and  
6 stated it was obvious to the defendant that an erection had taken  
7 place.

8 During the period of October, 1987,  
9 through June, 1988, when the victim was twelve years old, the  
10 defendant molested him approximately one to two times a week. In  
11 the summer of 1988, the molestations tapered off to approximately  
12 once a month. When the victim was thirteen years old, he was not  
13 seeing much of the defendant and would only spend the night at  
14 his residence approximately once per month. However, each time  
15 he did spend the night, the defendant would molest him by rubbing  
16 his penis and testicles. In December of 1989, when he (victim)  
17 was placed in a drug rehabilitation program, the incidents  
18 stopped. The victim could not recall any incidents occurring  
19 after December, 1989, nor did he spend the night at the  
20 defendant's apartment after that.

21 The victim stated when the  
22 molestations first started, he did not know that what the  
23 defendant was doing to him was wrong. He looked up to the  
24 defendant because he was a priest and also a father figure for  
25 him. The victim noted that when the acts occurred, the defendant  
26 would not give him alcohol. There was no pornography shown to  
27 him during the molestations, and he was never threatened to keep  
28 silent about the incidents.

OFM VANH 1

0660

1 Additionally, the defendant never took photographs of him in the  
2 nude.

3                   During the timespan of the molestations,  
4 the defendant rubbed his (victim's) penis and testicles both with  
5 his clothes on, on top of his clothes, and under his clothes with  
6 skin-to-skin contact.

7                   The victim stated that he was  
8 emotionally bothered by the molestations and did not want to see  
9 the defendant, who was still a priest, molest any other children.  
10 He noted he had not had any contact with the defendant since he  
11 (the defendant) was given a going-away party in 1991.

12                   A warrant for the defendant's  
13 arrest was subsequently issued by the Santa Barbara Municipal  
14 Court. The defendant was thereafter arrested pursuant to this  
15 warrant on March 22, 1994, while residing at the St. Francis  
16 Retreat Center in San Juan Bautista, in San Benito County,  
17 California. The Defendant did not submit a statement to  
18 arresting officers. He was then transported to Santa Barbara  
19 County Jail where he was booked on a charge of 288(a) PC, LEWD OR  
20 LASCIVIOUS ACTS INVOLVING CHILDREN.

21  
22                   Source of Information:

23                   CII, FBI, DMV, and NCIC automated records.

24                   According to the above-mentioned  
25 bureau files, the defendant has no prior record of arrests.

26                   Additional Arrest Information:

27                   None

28                   //

OFM VANH 1  
0661

1 DEFENDANT'S STATEMENT: The defendant was interviewed in  
2 person while in custody at the Santa Barbara County Jail on  
3 July 20, 1994, and via the closed-circuit CourtVision system on  
4 July 22, 1994. The defendant submitted information regarding his  
5 social background and noted he has no prior record of arrests.  
6 Upon being informed that a copy of his sexual history profile he  
7 had produced for a therapist of his at the Pacific Treatment  
8 Center had been obtained and reviewed by this officer, the  
9 defendant became quite concerned in that it contained very  
10 sensitive and embarrassing information about members of the  
11 community in Santa Barbara. However, after being informed that  
12 the document was, in fact, going to be made part of the Probation  
13 Report in that it had been submitted as part of the statement  
14 made by Detective McGrew of the Santa Barbara Police Department,  
15 the defendant agreed to discuss it.

16 With regard to the time he was at  
17 St. Anthony's as a high school student, the defendant was asked  
18 about the molestation (1962) noted in his autobiography. He  
19 recalled falling ill and reporting to the infirmary where he was  
20 allowed to rest. At that time, a seminary priest (Father Martin  
21 McKeon) came into the room, put a towel on his (the defendant's)  
22 chest, and then started to rub his stomach and chest area. The  
23 defendant stated he subsequently obtained an erection when Father  
24 McKeon rubbed against his (the defendant's) penis. The defendant  
25 remembered being alarmed as to what was happening to him and also  
26 recalled being very concerned that he would ejaculate in that he  
27 felt it was a wrong thing to do. The defendant was very confused  
28 and embarrassed about the situation and decided to put it out of

1 his mind. The defendant added, "I have trouble dealing with the  
2 idea that I, myself, was molested, but I don't want to switch the  
3 blame for what I did to him (Father McKeon)." The defendant  
4 added that being molested by a father did not help or contribute  
5 to his confusion about sexuality. He noted that it was not until  
6 college that he was sexually stimulated by someone other than  
7 himself. The defendant admits that, now at the age of forty-  
8 seven, the molestation still affects him.

9 When questioned regarding his  
10 molesting young boys, the defendant stated in his autobiography  
11 that his first victim was either a seven- or eight-year-old boy  
12 that was in a boys' choir the defendant conducted while attending  
13 Graduate Theological Union College in Berkeley, California (1972)  
14 or his five-year-old nephew while he was visiting his sister in  
15 Oregon. However, the defendant admits that the person he feels  
16 he molested the worst was a boy named [REDACTED] who was a member of  
17 the Santa Barbara Boys' Choir. As noted in the defendant's  
18 autobiography, he acknowledged doing some "kinky" things to  
19 [REDACTED] who was approximately nine years of age at the time. For  
20 the Probation Report, the defendant stated he realized [REDACTED] is  
21 the person he molested the most and that he was much more  
22 "obvious and blatant" with what he did to this boy as compared to  
23 his other victims. The defendant felt he was "really out of  
24 control with [REDACTED] and would basically do whatever his  
25 imagination would come up with. As noted in the defendant's  
26 autobiography, he took numerous photographs of [REDACTED] in the nude.  
27 He also would photograph him in ragged clothes, making him look  
28 like an impoverished boy, and also while in the tower at St.

EXHIBIT

1 Anthony's, which has stark concrete and steel-barred windows,  
2 while he posed as a prisoner with few clothes on. The defendant  
3 also photographed tied up with rope, yet at the same time,  
4 would photograph him in choir robes against a stained glass  
5 window.

6 With regard to the molestations of  
7 the victim in the matter before the Court at this time, the  
8 defendant noted that none of the boys in the Santa Barbara Boys'  
9 Choir were students at St. Anthony's, but some of the Boys' Choir  
10 members subsequently enrolled as students. The defendant could  
11 not recall when he actually met the victim, but did remember him  
12 being an "eight-year-old, bright-eyed, spiritual boy with a nice  
13 voice." The defendant indicated that the victim's father was  
14 never present and that his mother was working two jobs. The  
15 victim appeared to him as a very needy boy, which he admits made  
16 him "particularly attractive." He then started taking care of  
17 the victim, such as helping him with his homework, washing some  
18 of his clothes, providing him with food, and letting him stay  
19 overnight in his apartment.

20 The defendant indicated he tried to  
21 play the "father substitute" and basically believes that, at the  
22 time of the molestations, he felt there were no molestations  
23 occurring. The defendant elaborated by noting he had heard of  
24 another choir director being charged with child molestation,  
25 which very much affected him, and also convinced him not to touch  
26 boys in the way he had been doing. However, the defendant  
27 acknowledged giving the victim back rubs as a way of comforting  
28 him and also tried to be tender. The defendant claims he

OFM VANH 1

0664

# REDACTED

1 sincerely tried to avoid touching the victim's genitals, and to  
2 date, does not recall actually doing this. Yet, he believes the  
3 victim is telling the truth and that the back rubs were sexually  
4 stimulating to him (the defendant). The defendant indicated  
5 that, after the massages, he would leave the victim, go to his  
6 room, and masturbate to the memories of what he had just done.  
7 He added, "I could not say I guarantee I did not touch his  
8 genitals. I don't really see it makes a difference; I still did  
9 abuse him, but I felt at the time if I were not touching his  
10 genitals, I wasn't abusing him."

11 The defendant went on to state that  
12 he never provided any of the boys he molested with alcohol or  
13 cigarettes. The defendant noted that subsequently  
14 grew out of the choir, and as he started to get older, stopped  
15 coming to visit. After the victim was entered into a drug  
16 rehabilitation program, the defendant tried to visit him, but was  
17 told he was not available. During the time he was involved with  
18 he was not touching other boys. He also wished to  
19 note that there were a lot of boys he never molested and that he  
20 never considered what he was doing to all of his victims as  
21 harming. However, the defendant wished to point that is how he  
22 felt at that time, but now acknowledges that what he did to them  
23 was certainly wrong and has impacted their lives greatly.

24 The defendant described his  
25 involvement with women as a way of "feeling or being normal, a  
26 way to try to be sexually normal." He noted that he really had  
27 no adolescence and was trying to discover things about himself  
28 and that he could, in fact, have a relationship with a woman.



REDACTED

1 The defendant pointed out that his involvement with women, in  
2 terms of re-offending, shows that he, at least, is interested in  
3 something other than boys.

4 In addition to the above, the  
5 defendant also wished to submit the following oral statement:

6 "Your honor:

7 "During the two years since I was confronted with my  
8 sexual abuse behavior, I have spent twenty-one months  
9 in treatment programs. I was a resident patient of the  
10 St. Luke Institute in Maryland for thirteen months.  
11 St. Luke's is a psychiatric hospital for the treatment  
12 of addictive behavior. At this same time, I became  
13 intensely involved with the appropriate Twelve-Step  
14 groups.

15 "Upon returning to California, I became a client of  
16 Pacific Treatment Associates in Santa Cruz as part of  
17 their behavioral and group therapy for child sex  
18 offenders. This private facility is used by the Santa  
19 Cruz County Probation Department for some of their sex  
20 offenders. In ten years of operation, no graduate of  
21 this program has ever re-offended. I was attending  
22 Pacific Treatment Associates three to four times a  
23 week. I also was a member of several close-knit  
24 groups. I understand that my arrest was necessary, but  
25 it came as an interruption to these therapy programs.

26 "I would ask the Court to allow me to return to these  
27 recovery programs at the earliest possible date.

28 "In addition, to those I have victimized and to their  
families, I would like to acknowledge that you have  
suffered great pain and distress. I know this will be  
difficult to understand, but I never realized at the  
time that I was causing harm, and I never meant to hurt  
anyone. But, I am responsible for much damage and  
suffering. I am truly sorry for the pain and hurt I  
have caused.

29 "Thank you."

REDACTED

30 VICTIM INFORMATION:

31 Victim's Statement: On June 6, 1994, was  
32 interviewed while in the office of the Santa Barbara County  
33 Probation Department. noted he was never a student of

REDACTED

REDACTED

1 St. Anthony's and did not actually live on the seminary grounds.  
2 However, he spent a considerable amount of time there after his  
3 mother signed him up to join the Boys' Choir. He noted she was  
4 always working, and his father was no longer in the family. Due  
5 to this, he then started spending a considerable amount of time  
6 with the defendant, who was the choir director.                      went  
7 on to state that he would usually stay in the defendant's  
8 apartment in a dwelling known as "the Casa," which is located on  
9 seminary grounds. He pointed out the defendant would always be  
10 busy doing work for the seminary or the choir while he was in the  
11 apartment with him. Because of this,                      would then  
12 usually play darts or play with the rest of the boys of the  
13 seminary. In retrospect,                      believes that, although he  
14 spent a considerable amount of time in the defendant's apartment,  
15 the defendant would not actually spend very much time with him in  
16 that he was always doing something involving the seminary or the  
17 Boys' Choir.

18                      With regard to the molestations,  
19                      indicated the defendant at first started giving him  
20 what he viewed as a "regular" back rub so he could fall asleep  
21 easier. However, the defendant then started touching his  
22 stomach, thighs, legs, and eventually worked up to the point of  
23 fondling his genitals. He noted the defendant would usually not  
24 say anything to him, and the defendant never undressed or exposed  
25 himself. The defendant never masturbated while he was doing the  
26 back rubs or fondling.

27                      indicated that the  
28 defendant would pretty much molest him every time he went to his

OFM VANH 1

REDACTED

1 apartment. He noted that the defendant kept a sleeping bag for  
2 him, and that he would either sleep on the floor or in the  
3 sleeping bag and that the defendant would always sleep in his own  
4 room apart from him. He pointed out that the defendant would  
5 provide him with food, clothing, and even purchased a bike for  
6 him. In addition to this, he would take him out to eat at places  
7 such as Taco Bell. indicated he enjoyed this very  
8 much in that he did not have a father figure in his life, and the  
9 defendant seemed to fit this role.

10 During the molestations,  
11 indicated that he would obtain an erection. Although he tried to  
12 hide this from the defendant, he noted that the defendant would  
13 have to be blind not to see what was going on. He noted that the  
14 molestations happened so often that it was like "taking a shower  
15 or putting on my shoes." He stated that it actually got to the  
16 point that it seemed like the "normal type of thing to do."

17 did not actually feel that anything wrong was going on in  
18 that he completely trusted the defendant. He pointed out the  
19 defendant would even give him communion during masses, at times  
20 when they were camping, or during small gatherings.

21 started drinking  
1987 22 alcoholic beverages at the age of twelve. He then started  
1988 23 smoking marijuana at the age of thirteen. By this time, the  
24 defendant was only molesting him three to four times per month.  
25 He noted he never went to visit the defendant while under the  
26 influence of alcohol or drugs, and the defendant never actually  
27 offered him any alcohol other than a sip of his drink once in a  
28 while. Once his drug use became severe, was

OFM VANH 1

0668

REDACTED

1 eventually entered into a drug rehabilitation center, which is  
2 when he stopped having any contact with the defendant.

3 With regard to his drug use,

4 said,

5 "I didn't think of it (molestations); it didn't seem to  
6 affect my life at all. But, when things started  
7 happening is when I started slipping. I guess my drugs  
8 would help me; I don't know. I guess when I popped  
9 into my drugs and alcohol, it would make me think of it  
10 (the molestations) as being something else."

11 Eventually, on or about January  
12 1994, started seeing a therapist. He noted that he  
13 first started seeing the therapist two times per week and is now  
14 attending once per week (since May of 1994). He feels that he is  
15 benefitting much from his therapy, but feels that he will most  
16 likely need a therapist for the rest of his life. He noted that  
17 his entire social life is non-existent, but that he is trying to  
18 find new friends. He acknowledges that his trust level has been  
19 extremely low and that he has basically destroyed all prior  
20 relationships. He noted that his sexuality has been hard to deal  
21 with and that drugs made it seem easier. However, now that he  
22 has totally abstained from all drug use, he finds this aspect of  
23 his life very difficult. Yet, he foresees being involved in a  
24 relationship in the future, but that the deeper he involves  
25 himself in a relationship, the more he will need therapy.

26 With regard to a sentence in this  
27 matter, believes that the defendant should be  
28 sentenced to the maximum time allowed by law. He believes that a  
maximum sentence will teach him a lesson and that if he gets less  
time, it will only appear to be like a slap on the hand. He

OFM VANH 1

0669

REDACTED

1 firmly believes that a maximum prison sentence will make it less  
2 possible for the defendant to re-offend.

3 In addition to the above statement,  
4 also submitted a two-page typewritten statement which  
5 has been read and considered by this officer in its entirety. A  
6 copy is attached for the Court's review and consideration.

7  
8 SOCIAL HISTORY

9 Source of Information: The defendant

10 Date Arrived In County: 1961 - 1965, 1975 - 1991

11 State: 1953 U.S.: 1948

12 Father: Robert Joseph Van Handel, 7234 N. Seaward, Portland, OR

13 Mother: Joyce Van Handel, 7234 N. Seaward, Portland OR

14 Marital Status: (X) Single ( ) Married  
15 ( ) Separated ( ) Divorced

16 Present Spouse/Cohabitant: None

17 Children: None

18 Education: The defendant graduated from St. Anthony's  
19 Seminary in 1965, San Luis Rey College in 1969  
20 (B.A. in Philosophy), Graduate Theological Union  
21 College in 1972 (M.A. in Theology, and Master of  
Divinity in 1975), and from UCSB in 1991 (M.A. in  
History).

22 Reported Physical Health at Present:

23 ( ) Excellent (X) Good  
24 ( ) Fair ( ) Poor

25 Additional Information:

26 The defendant suffers from allergies and high blood  
27 pressure. He is on medication for high blood pressure, as  
28 well as allergies. The defendant also is being administered  
antidepressants.

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1 Psychological: On May 18, 1994, Mr. Michael John Bremia,  
2 MSW, prepared an 11-page psychological report  
3 on the defendant. The Court is respectfully  
4 directed to said report, which is appended to  
5 the Probation Report.

4 Abuse of Alcohol or Controlled Substance:

5 Alcohol Use

6 Frequency: Minimal

7 Additional Information:

8 As part of the defendant's therapy prior to being  
9 arrested, he entered into an agreement not to  
10 drink any type of alcoholic beverages for a period  
11 of two years. However, the defendant wished to  
12 note that he feels he has never had a problem with  
13 the substance.

12 Drug Use

13 Frequency: The defendant denies ever indulging  
14 in any type of illegal narcotics or  
15 drugs.

14 Drugs of choice: Does not apply

15 Past Substance Abuse, Treatment: None

16  
17 Military History: None

18 EMPLOYMENT AND FINANCIAL STATUS

19 Employment History

20 Occupation/Job Skills: Catholic priest

21 Present Employer: Franciscans  
22 Date: 1975 to present

23 Additional Pertinent Information: Since 1975, the defendant  
24 has been supported by the  
25 Catholic Church as a  
26 Franciscan.

25 Assets:                      Debts:                      Income:                      Monthly Expenses

26 -0-                              -0-                              \$75/mo.                      -0-

27 //

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1 Ability to Pay Fine, Restitution and Probation Fees:

2 Based on the above, it would seem appropriate to assess the  
3 defendant minimum probation report and supervision fees. With  
4 regard to restitution, it is notable that the victim has been  
5 undergoing therapy and is expected to continue therapy into the  
6 foreseeable future. However, it appears that all therapy costs  
7 are being paid by the Catholic Church.

8 Other Relevant Information:

9 As noted in the defendant's statement, during the past two years,  
10 he has spent approximately 21 months in treatment programs as a  
11 resident patient of St. Luke's Institute in Maryland and then at  
12 the Pacific Treatment Associates in Santa Cruz, California, as  
13 part of their behavioral and group therapy for child sex  
14 offenders.

15 As indicated earlier, Detective McGrew submitted a document the  
16 defendant prepared for a therapy session, which is 27 pages in  
17 length, single-spaced, typewritten. In this document, the  
18 defendant mentions several boys he molested throughout his  
19 lifetime. The following are excerpts from this document, which is  
20 attached in its entirety for the Court's review.

21 "When I first joined the Boys' Choir he was young,  
22 seven or eight years old, and very vulnerable because  
23 his parents were going through a divorce. He had light  
24 brown or blond hair and blue eyes. He also sang quite  
25 well. Before long, he was singing solos and coming for  
26 extra practices. I knew his mother well, also his  
27 sisters and grandmother. The family was comfortable  
28 with me and with the care and interest I took in

29 Once, I was with I alone at a borrowed  
30 beach cabin. I had decided we were going to do a one-  
31 day look at a boy's life in pictures. I had a photo  
32 journal from which I got the idea. So, we did a  
33 sequence from rising to going to bed, complete with bath  
34 and a trip to the beach. I don't remember how Michael  
35 reacted to all of this, but he was cooperative. He  
36 trusted me. I'm sure for me the exercise was sexually  
37 stimulating. I eventually had the film developed in  
38 Germany and small prints made, which I would look at  
39 from time to time. Finally, I destroyed negatives and  
40 prints. But there is more to the story of and  
41 me. We used to wrestle, I would tickle him while paying  
42 special attention to touching his genitals. One summer  
43 he came and spent a month with me in Oregon, where the  
44 same type of activity was repeated many times. Always  
45 this was done under the cover of some 'legitimate'  
46 touching. never seemed to mind, and I wasn't  
47 about to stop on my own. He sang some solos in a mass

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following my ordination and I have been in touch with his mother for years. When my provincial requested names of those I had abused, I gave him along with a recent address. Today, is in therapy trying to recover from my molesting him."

"About this same time (during the molestation of ), or possibly before, I molested in Oregon. I was staying at my sister's home, and while she was at work, I would babysit and I also took some nude photographs of him when he was very small, as he wandered about half-naked. I also posed some photos of him pretending to be changed by his sister. But this was not the worst. One night after Christmas, I was visiting my sister; I think it might have been New Year's Eve. Certainly we had been drinking, although I was not drunk. The children were still awake and we were watching television when I realized my sister had gone to bed in her room, which was at a distance from the children's rooms. At any rate, I told my niece to go to bed, and I took my nephew to his room, helped him with his pajamas, and put him in bed. I was rubbing his back and then his chest, while touching his penis. It became erect, but I was sure he was asleep. Wondering what it would feel like, I put his penis in my mouth for perhaps five seconds. I remember thinking it was similar to sucking my thumb. A little shaken by this impulsive act, I went to bed. The next morning, my and I were watching cartoons. He asked me what I was doing to him last night. A wave of panic came over me as I realized he had not been asleep and knew exactly what had happened. I told him I was just playing a game, and not to worry about it, it was nothing. For the next several years, I was worried he would bring it up some night at the dinner table. I don't know if he ever told my sister about that night. No one has ever spoken to me about it."

was a very attractive little boy, perhaps nine years old when he first joined choir. He was very well tanned, and now that I think back on it, he was probably the most beautiful child that I molested. He also had rather effeminate mannerisms, although I did not find these particularly attractive. His mother was divorced, and he had three older sisters, so his mom was very happy at the attention I was giving him. used to come over some days after school, and often came over on weekends. He was only an average singer, so we did not do a lot of music together. I think we talked a lot, as he was fairly sophisticated. I used to play darts with him, which would end with the tickling I described



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1 above. I don't remember ever actually touching his  
2 penis, but the game was still sexually exciting. He  
3 seemed to enjoy himself, also. Somehow, I coerced him  
4 into posing for nude photographs. We would go into the  
5 music room, which locked from the inside in a way that  
6 no one could get in. Using a black stage curtain as  
7 background, I took various shots of him, either dressed  
8 or undressed. The poses were formal and not in  
9 themselves erotic, but photographing a naked boy was  
10 stimulating for me. I developed the photos myself in  
11 the school lab, with varying degrees of success. I  
12 remember one picture in particular. In it, was  
13 naked and standing sideways to the camera with his hands  
14 clasped behind his back. He was partially erect, and  
15 the contrast of him against the black background was  
16 soft with an elusive quality. It was a very good  
17 picture that I could show to no one. It was very hard  
18 for me to destroy this photo, and I tried to discover a  
19 way that I could keep the negative, but I was afraid of  
20 getting caught with it, so after some time, I burned  
21 both. As grew older, he lost interest in the  
22 choir, and I saw him less and less. I am quite sure he  
23 is one of those who responded to the call to report me,  
24 because my provincial knew about these photos even  
25 though I never told him that I photographed I  
26 don't know if he has accepted the offer of counseling  
27 which has been extended to all my victims. I hope he is  
28 recovering from the damage I did."

16 first came to choir when he was too young to  
17 join, but his two brothers were in choir, and his mother  
18 usually helped in practices with passing out music or  
19 bringing cookies. I abused both of his brothers with  
20 tickling games where I rubbed against their penises, and  
21 I did take a few nude photos of but I was  
22 really out of control with I took nude photos of  
23 him when he was quite young, perhaps seven years old.  
24 Some of these I gave to his mother as I thought they  
25 were quite artistic. Over perhaps a four-year period, I  
26 took dozens of photos of some nude, many clothed,  
27 but I never again gave nude pictures to his mother.  
28 was a very fair boy, with blond hair. Sometimes  
he was not anxious to come to St. Anthony's to see me,  
but with some pushing or promise of ice cream, he would  
usually agree. Once there, he never balked at the photo  
sessions. I would get him to undress gradually, by  
taking a picture of him first fully clothed, then  
without shirt, then without pants, and so on until he  
was nude. Sometimes we would take these pictures  
outside, in the foothills of Santa Barbara, but more  
often somewhere around the seminary. There were many  
private spots available. We would do other activities  
together, like go rowing in Santa Barbara harbor, or go

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1 for a hike, but my main interest was in seeing  
2 nude or in tickling, touching, or rubbing him. One game  
3 I would play with him, which allowed me to touch him, as  
4 well, as to see how long he could lie quietly acting as  
5 though he were asleep. Sometimes we would do this with  
6 a 'Walkman' radio over his ears. I would already have  
7 made sure he was dressed in loose-fitting shorts with no  
8 underwear. With him lying across my lap on a couch, I  
9 would pretend I was playing the piano on him, all up and  
10 down his body, or I would just lightly tickle him all  
11 over, including his genitals. This game could go on for  
12 twenty minutes or longer. Once, I rubbed his penis so  
13 intensely that he actually reached a form of orgasm, as  
14 his penis jerked by itself. This excited me a great  
15 deal, and I remember being very sexually excited by  
16 this. was still pretending to be asleep. I never  
17 again tried to bring him to orgasm, but the memory gave  
18 me many re-run experiences while masturbating by myself.  
19 I also did some 'kinky' things to . Once I rubbed  
20 his whole body with oil so that the photo lights made  
21 him look shiny. This was also, of course, an excuse to  
22 rub his penis. I took some photos of him as though he  
23 were an impoverished Appalachian boy in the depression,  
24 he wore a ragged tee shirt. Once, or perhaps more than  
25 that, I took him up into our tower which was stark  
26 concrete with steel-barred windows, and he posed as a  
27 prisoner with few clothes on. I took some photos of him  
28 tied up with a big rope. It was as though I felt I  
could do anything to him that I wanted. In marked  
contrast, I also photographed him in choir robes against  
stained glass windows. When was about eleven, one  
day I was playing the dart game with him. I told him he  
had to wear these special shorts with no underwear. He  
said he did not want to. I insisted. He started to  
cry, and that snapped something in my head. For the  
first time, I was seeing signs that he really did not  
like this. Just about then, his father drove up on a  
motorcycle, and I told him he could get dressed and go  
home. That marked the end of my molestations of  
He remained in choir, and afterwards followed his  
brothers to becoming a boarding student at St.  
Anthony's, but I did not approach him again."

"There were several other boys with whom I played these  
sexual games, like darts with sexual tickling, or  
massage including either directly rubbing their penis or  
rubbing near it. This was the case with and  
perhaps brothers, and with who  
wrote the intervention letter. Once at night, I also  
gave a 'rubdown,' which included some touching of  
his penis. He did not really want me to do this, but I  
kept asking (begging) until he consented. Sometimes, I  
would take some boys on a special outing, or on vacation

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1 COLLATERAL INFORMATION:

2 Contact was made with Deputy  
3 District Attorney Ron Zonen. He noted that by the defendant's own  
4 admission, he has been molesting children for years, and his  
5 actions are a very serious breach of trust. He also noted that  
6 the offense involved planning and sophistication; he abused his  
7 position of trust; and his victim was particularly vulnerable.  
8 Additionally, Mr. Zonen pointed out that the defendant has  
9 multiple victims to his name. Despite the fact that the defendant  
10 acknowledges culpability and has no prior record, Mr. Zonen  
11 believes that it would be unconscionable to sentence the defendant  
12 for anything less than eight years. He believes that this matter  
13 is the worst breach of trust and confidence in that it involves a  
14 priest and a penitent. He believes the defendant should be  
15 sentenced to state prison for the maximum time, and if this  
16 happens, he will be out in four years, which Mr. Zonen equates to  
17 approximately four to six months for each child he molested.

18 Contact was made with defense  
19 attorney Robert Sanger. He said,

20 "We're asking the Court to grant probation. We expect  
21 that might involve substantial time in county jail. The  
22 reason for this (probation) is that this man has made  
23 significant progress towards not only taking full  
24 responsibility, but towards rehabilitation. We always  
25 see people talking about reforming, but here we have a  
26 person who is not in denial, has been in therapy, and  
27 received a favorable report from Dr. Stulberg. It would  
28 be reasonable to grant probation."

29 In addition to the above, Mr. Sanger  
30 provided this officer with a copy of a "defendant's sentencing  
31 statement" he filed with the Court.

32 On May 24, 1994, Detective McGrew  
33 was interviewed while in the offices of the Santa Barbara County

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1 Probation Department. In addition to providing background  
2 information on the defendant, as well as details of the offense,  
3 Detective McGrew indicated he would be submitting a written  
4 statement for this report. Said statement was subsequently  
5 received, along with several documents that were recovered when a  
6 search warrant was executed at the defendant's residence, which  
7 includes a diary prepared by the defendant (January, 1993, to  
8 March, 1994), and an autobiography of the defendant's sexual life.  
9 Detective McGrew also supplied this officer with a copy of the  
10 Independent Board of Inquiry report regarding St. Anthony's  
11 Seminary, dated November, 1993. All these documents have been  
12 read and considered in their entirety and are attached for the  
13 Court's review and consideration.

14 On June 25, 1994, Dr. Michael  
15 Stulberg conducted a psychiatric evaluation of the defendant  
16 relative to the question of the advisability of a grant of  
17 probation in this case pursuant to Penal Code Section 288.1. This

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1 "I am writing this letter as psychotherapist to  
2 and and victims  
3 and parents of victims of Robert Van Handel's sexual  
predation. All have signed releases allowing me to  
disclose confidential information.

4 started seeing me twice a week in December  
5 1993. He was in the process of giving up drugs and  
6 alcohol after six years of addiction (since age 12). He  
7 revealed that he realized he had been abused by Robert  
8 when he began to stop drinking and using. He had lived  
9 on the streets, spent time in juvenile detention and  
10 rehabilitation. He was shaken, non-trusting and  
11 terrified. As therapy progressed and more feelings  
12 surfaced (combined with stress of hearings, etc.),  
13 has had difficulty staying clean and sober. So far, the  
14 use has been fairly intermittent. He completed a  
15 semester at SBCC to make up for high school he never  
16 finished. He was emotionally unable to continue this  
summer and dropped out. is on a roller coaster of  
feelings and confusions resulting in the drug use,  
inability to stay in school and having unprotected sex  
with female drug users. In addition, he is blindly  
trusting of others and has little trust in his ability  
to judge people. This makes him potential prey to any  
male authority figure which I believe is a direct result  
of his abuse. His rage is turned inward and gets acted  
out in dangerous activities. We continue to address  
these issues in therapy as well as the other ordinary  
and expected symptoms of post-traumatic stress disorder.

17 "The full scope of damage to is yet to be  
18 revealed. Although very bright and loving, he has not  
19 been able to finish high school, hold down a job, stay  
straight and sober or maintain even marginally healthy  
friendships. He has a long, painful struggle ahead of  
him.

20 arrived enraged for his therapy session  
21 one day having just seen Van Handel on TV apologizing to  
22 his victim ). He screamed, 'What about  
23 apologizing to me?' ( 's abuse did not fall within  
24 the criminal statute.) Van Handel took countless nude  
photos of as well as acting out the usual  
'father' Robert sexual abuse. agonized that he  
may have traded or sold them. He continues to have  
nightmares about Van Handel.

25 "In his first session with me, who is gay,  
26 speculated in a short undefended moment that if this  
27 (the abuse) had not happened, perhaps he would have a  
28 wife and family now. He quickly recovered his composure  
and strongly stated his beliefs in the genetics of  
homosexuality.

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1 have suffered greatly as parents of  
2 a victim. has helped resolve some of his pain  
3 through a remarkable and successful series of political  
4 actions. has not. She describes this whole thing  
5 as a nuclear explosion with never-ending fallout from  
6 which she cannot escape.

7 as Catholics, have suffered a  
8 spiritual abuse that is unimaginable. This man of God,  
9 who was rector, director, and priest betrayed their  
10 faith at the deepest level. They have turned away from  
11 the Church in different degrees. Healing the spirit is  
12 the mission of the church. Where can they go?

13 "Perhaps the greatest and longest-lasting hurt of all is  
14 the profound confusion resulting from the self-doubt and  
15 self-mistrust. Van Handel was beloved of all. He was  
16 kind, warm, understanding, charming . . . plus all the  
17 expected pastoral attributes. Both  
18 still profess their love for him. He was frequently in  
19 the home. Both weep at the  
20 memory of his refusal to speak to them, which was his  
21 way of rejecting them when they were thirteen or  
22 fourteen . . . too old for his pedophile tastes.

23 "If Van Handel started his abuse career at age of  
24 twenty, continuing until forty-five, acting out on only  
25 ten boys per year, he could easily have abused 150 boys.  
26 This very sick man needs to be safely locked away for so  
27 long as the law allows.

28 Sincerely,

Annette Goodheart, Ph.D."

19 Thirteen character reference letters  
20 were submitted on the defendant's behalf. All have been read and  
21 considered in their entirety and are attached for the Court's  
22 consideration.

23 Eighteen letters were received from  
24 members of the community wishing to voice their opinions in regard  
25 to this matter. All have been read and considered in their  
26 entirety and are attached for the Court's consideration.

27 //

28 //

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1 SENTENCING CONSIDERATIONS:

2 Offense:

3 288(a) PC, LEWD ACTS UPON A CHILD UNDER AGE 14

4 Base Term: 3 - 6 - 8 years

5 Circumstances in Aggravation (Judicial Rule 421):

6 1. The crime involved great callousness in that the  
7 defendant consciously knew, from past negative reactions he  
8 had from prior victims, that what he was doing was wrong,  
9 yet continued with the molestations.

10 2. The victim was particularly vulnerable in that the  
11 defendant knew he was from a broken home, with little or no  
12 supervision from his mother, and lacking in material things.

13 3. The manner in which the crime was carried out indicates  
14 planning in that the defendant, through his numerous  
15 molestations of other children, followed a similar modus  
16 operandi in the molestation of the victim in the instant  
17 matter.

18 4. The defendant took advantage of a position of trust or  
19 confidence to commit the offense by using his position of  
20 not only Director of the Santa Barbara Boys' Choir, but as  
21 priest and Rector of St. Anthony's Seminary, in order to  
22 convince the victim's mother to allow the victim to stay  
23 with him overnight, thus facilitating the molestations.

24 (Judicial Rule 408(a))

25 5. The defendant molested the victim on numerous  
26 occasions, over a period of years, thus leading to  
27 significant emotional and psychological trauma.

28 Circumstances in Mitigation (Judicial Rule 423):

1. The defendant has no prior record.

2. ~~The defendant was suffering from a mental or physical  
condition that could be viewed as significantly reducing his  
culpability for the crime (pedophilia).~~

3. The defendant voluntarily acknowledged wrongdoing at an  
early stage of the criminal process.

(Judicial Rule 408(a))

4. The defendant voluntarily enrolled and participated in  
extensive residential psychiatric treatment.



1                   Although factors in aggravation do  
2 not greatly outnumber those in mitigation, it is believed the  
3 aggravating factors deal directly with the type of perpetual  
4 crime committed against the victim and the social and moral  
5 conscience of the community. The selected mitigating factors  
6 either basically reflect the defendant's behavior prior to or  
7 after the molestations. Therefore, it is believed the upper term  
8 would be most appropriate.

9                   Selected Term: 8 years

10  
11 EVALUATION:

                  Before the Court stands a defendant  
12 who has submitted a plea to the charge of COMMITTING LEWD ACTS  
13 UPON A CHILD who, when first molested, was but nine years of age.  
14 The defendant continuously molested the victim for approximately  
15 three years and only stopped after the victim was committed to a  
16 drug rehabilitation program.

                  In an attempt to at least begin  
18 understanding how a person could involve himself in such an  
19 incredibly adulterated life of child sexual molestations, one may  
20 take into consideration that the defendant, himself, was a victim  
21 of same. As noted earlier, in 1962, when the defendant was a  
22 student at St. Anthony's, and during a time he was sick in bed, a  
23 priest molested him by rubbing his stomach, chest, and penis. It  
24 appears this event in the defendant's young life had a  
25 significant impact on him and, to this very day, still affects  
26 him. It is not known if this molestation, combined with the  
27 defendant's rather emotionally deprived childhood, channelled him  
28 toward the deviant sexual acts he committed on the victim;

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1 however, the similarities are remarkable.

2 It is of important significance to  
3 note the defendant started molesting young boys as early as 1972.  
4 In fact, his first victim may have been when he orally copulated  
5 his five-year-old nephew. Since 1975, it would seem safe to  
6 speculate that not a year, or for that matter a month, went by  
7 that the defendant did not involve himself in some form of sexual  
8 gratification by molesting members of the Santa Barbara Boys'  
9 Choir. As the defendant noted in his sexual autobiography,

10 "Early in the choir's history, I began involving  
11 parents in planning, fund raising, etc., but it was  
12 clearly my choir, and the fulfillment of one my fondest  
13 dreams. Now I understand that it was also a constant  
14 supply of attractive little boys."

15 It is very clear the defendant  
16 desecrated his position of trust as not only the choir director,  
17 but as a priest and Rector of St. Anthony's Seminary in order to  
18 fulfill his predatory desires. As noted in the numerous letters  
19 submitted by concerned members of the community, the defendant  
20 was very much loved and respected by all. Yet, as pointed out by  
21 his therapist, the defendant's fourteen-year history of child  
22 molestation "suggests cleverness in concealing his pedophilia  
23 while dealing with the community relating to St. Anthony's  
24 Seminary and the Santa Barbara Boys' Choir." It certainly seems  
25 the defendant manipulated the victim's mother into believing her  
26 son would be in good hands, yet he seemed to be only interested  
27 in continuing with his usual pattern of luring unsuspecting  
28 victims into his world of sexual perversion.

29 The defendant's victimization of  
30 children has reportedly been halted for the past five years.

1 However, it is important to note that it should in no means be  
2 interpreted as a voluntary realization of wrongdoing on the  
3 defendant's part. As it turns out, it seems the defendant was  
4 directed by his provincial to enter a psychiatric program in  
5 Maryland that has been specifically established by the Catholic  
6 Church for priests exhibiting behavior such as the defendant's.  
7 It is to his credit that he successfully completed that program  
8 and attended yet a second program after his return to California.  
9 It must also be remembered, however, that although he may have  
10 been able to recognize the wrongfulness and illegality of his  
11 actions, it took an arrest warrant and police officers to  
12 physically place the defendant into custody and oblige him to  
13 appear before the Court and admit his violations of state law.

14                   Upon considering the defendant's  
15 eligibility for probation, and as indicated in defense counsel's  
16 sentencing statement filed with the Court, there is little doubt  
17 he statutorily qualifies for such a consideration. It is notable  
18 that in the 288.1 PC report, the evaluating psychiatrist supports  
19 a recommendation for probation; the defendant states a  
20 willingness to comply with all probation terms and conditions;  
21 and he has also indicated remorse for his victim.

22                   However, simply because the  
23 defendant is statutorily eligible for probation, this is not  
24 viewed as sufficient grounds to grant it. As illustrated within  
25 the preceding pages of this report, the defendant has not only  
26 emotionally and psychologically traumatized the victim and his  
27 mother, but also literally devastated numerous other children and  
28 their families, for which he will not have to face any charges.

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1 In essence, one could basically state he "got away with it."  
2 Additionally, the question of deterrence of others is perhaps the  
3 focal point of this entire criminal matter. For these reasons,  
4 it is believed the defendant should, indeed, be punished with the  
5 maximum time allowed by law.

6 The selection of the upper term of  
7 eight years for a single Count of 288(a) PC is not only  
8 justified, but could arguably be viewed as lenient and a stroke  
9 of luck for the defendant. It seems that had the victim not  
10 completely fallen to his drug addiction and been subsequently  
11 institutionalized, the defendant would most likely have continued  
12 molesting him through at least the latter part of 1989. Had this  
13 occurred, he would clearly be in violation of the then-newly  
14 instated 288.5 Penal Code Section, CONTINUOUS SEXUAL ABUSE OF A  
15 CHILD, which carries a maximum term of sixteen years.

16 In light of what has been presented  
17 within the contents of this report, it is not believed the  
18 defendant should be afforded the privilege of probation  
19 supervision and should, instead, be sentenced to state prison  
20 with the hope that such a disposition will not only serve to  
21 significantly punish the defendant, but also send a clear message  
22 to others involved in similar criminal acts that their behavior  
23 will not be tolerated. It can only be hoped that upon his  
24 release from state prison, the Catholic Church will not alienate  
25 itself from the defendant and will continue to provide him with  
26 the same therapy and support that it so vigorously pursued prior  
27 to his arrest and conviction. To this end, the following  
28 recommendation is respectfully submitted.

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1 RECOMMENDATION:

2 It is, therefore, recommended that  
3 probation be denied and the defendant committed to the California  
4 Department of Corrections for the aggravated term of eight years.

5 In addition to the above, it is  
6 also recommended that the defendant be assessed a restitution  
7 fine of \$200.00 pursuant to Penal Code Section 1202.4.

8 Respectfully submitted,

9 SUSAN J. GIONERIDDO  
10 CHIEF PROBATION OFFICER

11 RUBEN G. GUTIERREZ  
12 DEPUTY PROBATION OFFICER III

13 RGG/cej/6149U  
14 Dict: 8/2/94  
15 Trans: 8/2/94

16 APPROVED:

17 NANCY J. WATSON  
18 SUPERVISING PROBATION OFFICER

19 I have read and considered  
20 the foregoing report of  
21 the Probation Officer.

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