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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SANTA BARBARA

11 [REDACTED]

12 Plaintiff,

13 vs.

14 ROBERT VAN HANDEL, et al.

15 Defendants.

Case No. [REDACTED]

AMENDED MEMORANDUM OF POINTS
AND AUTHORITIES IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT
AND SUMMARY ADJUDICATION

DATE: February 22, 2000

TIME: 8:30 a.m.

DEPT: 4

TRIAL DATE: August 4, 2000

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OEM VANH 1
0210

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. STATEMENT OF FACTS	2
III. SUMMARY OF ARGUMENT	4
IV. CAUSES OF ACTION THAT HAVE NOT BEEN AND CANNOT BE PLEAD ..	5
A. Premises Liability:	5
B. Second Generation Molestation	6
C. Aider and Abettor Liability	7
V. SUMMARY ADJUDICATION OF EACH CAUSE OF ACTION AGAINST THE PROVINCE AND THE ARCHBISHOP SHOULD BE GRANTED.	12
A. The Third Cause of Action of Intentional Infliction of Emotional Distress .	12
B. The Fourth Cause of Action For Negligent Infliction of Emotional Distress	13
C. The Fifth Cause of Action for Negligent Hiring	15
D. The Sixth Cause of Action for Negligent Supervision	17
E. The Seventh Cause of Action for Breach of Fiduciary Duty	17
F. The Eighth Cause of Action for Negligent Per Se	17
G. The Ninth Cause of Action for Negligent Misrepresentation	18
V. SUMMARY JUDGMENT SHOULD BE GRANTED TO THE ARCHBISHOP ...	19
VI. CONCLUSION	19

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OFM VANH 1
0211

- i -

TABLE OF AUTHORITIES

Page

FEDERAL CASE

Central Bank of Denver, N.A. v. First Interstate Bank of Denver, N.A. (1994) 511 U.S. 164, 114 S.Ct. 1439, 128 L.Ed.2d 119	8
---	---

STATE CASES

Bradley v. Ray (Mo.App.1995) 904 S.W.2d 302	10, 11
Chaney v. Superior Court (1995) 39 Cal.App.4th 152	16
Cully v. Bianca (1986) 186 Cal.App.3d 1172	8, 9
Eric J. v. Betty M. (1999) 76 Cal.App.4th 715	5, 6, 11
Evan F. v. Hughson United Methodist Church (1992) 8 Cal.App.4th 828	7
Fiol v. Doellstedt (1996) 50 Cal.App.4th 1318	8, 9
Gallagher v. California Pacific Title & Trust Co. (1936) 13 Cal.App.2d 482	13
Hooks v. Southern Cal. Permanente Medical Group (1980) 107 Cal.App.3d 435	5
IT Corp. v. Superior Court (1978) 83 Cal.App.3d 443	5
In Re Estate of Fletcher (1940) 36 Cal.App.2d 567	12
Jeffrey E. v. Central Baptist Church (1988) 197 Cal.App.3d 718	7
John R. v. Oakland Unified School District (1989) 48 Cal.3d 438	7
Joslin v. Marin Municipal Water Dist. (1967) 67 Cal.2d 132	5
Koepke v. Loo (1993) 18 Cal.App. 4th 1444	14, 15, 17

OFM VANH 1

0212

- ii -

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TABLE OF AUTHORITIES
(continued)

		<u>Page</u>
1		
2		
3		
4	Kramer v. State Farm Fire and Cas. Co. (1999) 76 Cal.App.4th 332	6
5	Martin v. Roman Catholic Archbishop (1958) 158 Cal.App.2d 64	17
6		
7	Mendoza v. City of Los Angeles (1998) 66 Cal.App.4th 1333	14, 17
8	Montgomery v. Bank of America (1948) 85 Cal.App.2d 559	12
9		
10	Pasadena Unified School District v. Pasadena Federation of Teachers (1977) 72 Cal.App.3d 100	8
11	People v. Weber (1948) 84 Cal.App.2nd 126	10
12		
13	Randi W. v. Muroc Joint Unified School Dist. (1997) 14 Cal.4th 1066	18
14	Reusche v. California Pacific Title Ins. Co. (1965) 231 Cal.App.2d 731	12
15		
16	Rita M. v. Roman Catholic Bishop (1986) 197 Cal.App.3d 1453	7
17	Roman Catholic Bishop v. Superior Court (1996) 42 Cal.App.4th 1556	17
18		
19	Saunders v. Superior Court (1994) 27 Cal.App.4th 832	8
20	Sindell v. Abbott Laboratories (1980) 26 Cal.3d 588	9, 10
21		
22	Tarasoff v. Regents of University of California (1976) 17 Cal.3d 425	10
23	McChristian v. Popkin (1946) 75 Cal.App.2d 249	13
24	Volandi v. Hlobil (1959) 170 Cal.App.2d 656	12

STATE STATUTES AND RULES

26	Penal Code §11166	17, 18
----	-------------------------	--------

OTHER AUTHORITIES

28	Restatement Second of Torts, Section 876	8-11
----	--	------

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OFM VANH 1

I.

INTRODUCTION

Plaintiff [REDACTED] alleges in this action that he was sexually assaulted in 1982 and 1983 by Robert Van Handel, the Director of the Santa Barbara Boys Choir. Plaintiff has sued Robert Van Handel. Plaintiff has also sued the Franciscan Friars of California, Inc. (hereinafter the "Province"), the Roman Catholic Archbishop of Los Angeles (hereinafter referred to as the "Archbishop"), and the Santa Barbara Boys Choir (hereinafter the "Choir"). Against the Province and the Archbishop, plaintiff has alleged Seven Causes of Action seeking compensatory damages.¹

Plaintiff alleges he was a member of the Santa Barbara Boys Choir and Robert Van Handel was its Director. Although Robert Van Handel was a friar, a member of the Province, and a member of the faculty of St. Anthony's Seminary, he was off-duty, engaged in after school activities when he served as a Director of the Choir. The Santa Barbara Boys Choir was not operated by the Province and had no relationship to the Province. Undisputed facts show that the plaintiff never had any relationship with the Province, he did not rely on any representations by the Province, and he was never in the care or custody of the Province.

In this motion, the Province asks the court to summarily adjudicate six issues. These six issues dispose of all causes of action against the Province and the Archbishop in this case. Defendant asks, therefore, that summary judgment be granted in favor of the Archbishop and the Province.²

¹ Plaintiff has not included a claim of punitive damages against the Province or the Archbishop.

² When it originally filed this motion the Province asked only that the court grant summary adjudication in favor of the Province. Although the issues to be summarily adjudicated would have entitled the Province to summary judgment, the Province had chosen, for religious reasons, to consent to Entry of Judgment against the Province on the Sixth Cause of Action, without proof of the liability of the Province, if the jury were to find that plaintiff was sexually assaulted by Robert Van Handel and if the jury assessed compensatory damages in a trial in which evidence of the liability of the Province were not received. At plaintiff's request, and over the objection of the Province, this Consent to Entry of Judgment was

(continued...)

OFM VANH 1

II.

STATEMENT OF FACTS

Plaintiff alleges that in 1982, when he was approximately nine years old, he joined the Santa Barbara Boys Choir. [Third Amended Complaint ("TAC") 8:6-7] Plaintiff alleges that while he was a member of the Boys Choir he was sexually assaulted twice by its Director, Robert Van Handel. [TAC 11:27-12:4] Plaintiff claims that one assault occurred while he and other members of the Choir were watching a video tape in a room at St. Anthony's Seminary. [Plaintiff's deposition 39:7-24 (Exh. A)] Plaintiff claims that the second sexual assault occurred when he was at a summer camp near San Simeon, California with other members of the choir. [Plaintiff's deposition 46:5-18 (Exh. B)]

Robert Van Handel was ordained as a priest in 1975. [Declaration of Robert Van Handel ("Dec. RVH") ¶2] He was a member of the Province of St. Barbara. [Dec. RVH ¶2] He was assigned by his Provincial Minister to teach at St. Anthony's Seminary in Santa Barbara. [Dec. RVH ¶3] Soon after Robert Van Handel arrived in Santa Barbara, he founded the Santa Barbara Boys Choir with the assistance and cooperation of the parents of some boys who wished to participate in the choir. [Dec. RVH ¶4] The Santa Barbara Boys Choir was a private, non-denominational choir. [Dec. RVH ¶4] It was not created by the Province or operated by the Province. [Dec. RVH ¶5; Declaration of Mel Jurisich ("Dec. MJ") ¶¶3-5] While serving as the Director of the Choir, Robert Van Handel was not in the course and scope of his duties as a faculty member of St. Anthony's or as a member of the Province. [Dec. RVH ¶7; Dec. MJ ¶¶4 and 5] Robert Van Handel's activities for the Santa Barbara Boys Choir were conducted in his off-duty time. [Dec. RVH ¶7; Dec. MJ ¶4]

The Santa Barbara Boys Choir was incorporated as a nonprofit, public benefit corporation in 1980. [Dec. RVH ¶4] Parents of boys in the Choir served on the Board of Directors of the Corporation. [Dec. RVH ¶4] The Boys Choir maintained its own bank accounts and raised its own operating funds. [Dec. RVH ¶5] The Boys Choir received no

²(...continued)

stricken from the Province's answer.

OFM VANH 1
0215

- 2 -

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1 financial assistance from the Province. [Dec. RVH ¶5; Dec. MJ ¶5] The Choir rented a
 2 rehearsal room from St. Anthony's Seminary and paid \$100 per month rent for this room.
 3 [Dec. RVH ¶5; Dec. MJ ¶5] From time to time the Choir also conducted other activities on
 4 the property at St. Anthony's, such as rummage sales or patrons' dinners. When this
 5 occurred, the Choir paid rent to St. Anthony's for the use of the property. [Dec. RVH ¶6]

6 Robert Van Handel's participation in the Santa Barbara Boys Choir was not
 7 encouraged by the Province. [Dec. RVH ¶8; Dec. MJ ¶4] In fact, the Rector of St.
 8 Anthony's Seminary, Father Mel Jurisich, felt that Robert Van Handel's participation in the
 9 Santa Barbara Boys Choir detracted from Van Handel's commitment to St. Anthony's
 10 Seminary, in particular to the Seminary choir consisting of students at St. Anthony's. [Dec.
 11 RVH ¶8; Dec. MJ ¶4] These sentiments were communicated to Robert Van Handel. [Dec.
 12 RVH ¶8; Dec. MJ ¶4] Despite this discouragement by the Rector of St. Anthony's, Robert
 13 Van Handel was free to use his own time to pursue his activities with the Santa Barbara Boys
 14 Choir and he did so. [Dec. RVH ¶8; Dec. MJ ¶4]

15 Plaintiff and his family are not and never were Catholic. [Depo. of plaintiff
 16 29:3-8 (Exh. E; Declaration of [REDACTED] ("Depo. SLA") 80:1-2 (Exh. I); Deposition
 17 of [REDACTED] ("Depo. JCA") 37:6-7 (Exh. L). Before Plaintiff joined the Santa
 18 Barbara Boys Choir, plaintiff and his family knew no Franciscans. [Depo. SLA 100:19-
 19 102:21 (Exh. J); Depo. JCA 58:1-4 (Exh. P)] They spoke to no Franciscans concerning the
 20 Santa Barbara Boys Choir. In fact, before plaintiff joined the Santa Barbara Boys Choir
 21 neither he nor his family had any communications with any person, either written or oral
 22 concerning the Santa Barbara Boys Choir except plaintiff's mother had spoken with her
 23 friend, [REDACTED] a lay person (not a Franciscan) about the fact that [REDACTED] was
 24 in the choir and the choir rehearsed at St. Anthony's and plaintiff's father had spoken with his
 25 friend, [REDACTED] a lay person (not a Franciscan) about the fact that [REDACTED]
 26 [REDACTED] was in the choir. [Depo. of plaintiff 116:9-14 (Exh. H); Depo. SLA 50:1-51:21 (Exh. K);
 27 Depo. JCA 10:16-11;15 (Exh. N)] Other than these conversations with [REDACTED]
 28 and [REDACTED] neither plaintiff nor his parents had any communication with any person or

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1 entity concerning the Santa Barbara Boys Choir before plaintiff joined the choir. [Depo. of
2 plaintiff 116:9-14 (Exh. H); Depo. SLA 50:25-51:15 (Exh. K); Depo. JCA 11:10-15 (Exh. N)]
3 Neither plaintiff nor his parents had any understanding that the Choir was operated by the
4 Franciscans or by the Archbishop. [Depo. of plaintiff 41:26-42:9 (Exh. C); Depo. SLA
5 100;11-101:12 (Exh. J); Depo. JCA 15:4-23 (Exh. M)] Certainly the plaintiff and his parents
6 did not have any understanding, based on anything that had been said or represented by the
7 Province, that plaintiff would be in the care and protection of the Province while he
8 participated in the Santa Barbara Boys Choir. [Depo. of plaintiff 41:26-42:9 (Exh. C); Depo.
9 SLA 100;11-101:12 (Exh. J); Depo. JCA 15:4-23 (Exh. M), 42:12-14 (Exh. Q)]

10 Plaintiff has never been in the care or custody of the Province or the
11 Archbishop. Plaintiff has never been a member of or a participant in any activity in which
12 the Province or the Archbishop was responsible for his care.

13 III.

14 SUMMARY OF ARGUMENT

15 The relationship, or more precisely the lack of any relationship, between the
16 plaintiff and the Province and the Archbishop, or between Robert Van Handel and the
17 Province or the Archbishop while Robert Van Handel acted as the Director of the Santa
18 Barbara Boys Choir is a sufficient basis to summarily adjudicate each of the causes of action
19 against the Province and the Archbishop in this case. Although there was clearly a
20 relationship between Robert Van Handel and the Province in Van Handel's capacity as a
21 member of the faculty of St. Anthony's Seminary, Van Handel's status as a member of the
22 faculty of St. Anthony's Seminary has no casual relationship with plaintiff joining the Choir
23 or with plaintiff's claims that he was molested while a member of the Choir.

24 The propriety of summary adjudication of each of the causes of action that has
25 been plead against the Province and the Archbishop is separately addressed in Section V,
26 below. But before turning to the Causes of Action that have been plead, defendant will show
in Section IV, below, that certain allegations in the complaint, relating to prior molestation of
Robert Van Handel and relating to the behavior of other friars at Saint Anthony's Seminary

OFM VANH 1

0217

1 have not been alleged as the basis for any cause of action and can not be so alleged.

2 It is the responsibility of a defendant moving for summary judgment to negate
3 only the causes of action raised by the complaint. Joslin v. Marin Municipal Water Dist.
4 (1967) 67 Cal.2d 132, 148; Hooks v. Southern Cal. Permanente Medical Group (1980)
5 107 Cal.App.3d 435, 442. A defendant is "not required to refute liability on some theoretical
6 possibility not included in the pleadings." IT Corp. v. Superior Court (1978) 83 Cal.App.3d
7 443, 451.

8 IV.

9 CAUSES OF ACTION THAT HAVE NOT BEEN AND CANNOT BE PLEAD

10 The Third Amended Complaint alleges that Robert Van Handel was sexually
11 molested by a Franciscan Friar sometime between 1961 and 1965 and that this made it
12 probable that he would repeat this behavior as a perpetrator. [TAC 5:5-23] The Third
13 Amended Complaint also alleges that eleven other friars perpetrated sexual abuse on minor at
14 St. Anthony's seminary between 1964 and 1967 and that "the defendants did nothing to
15 investigate, deter or prevent such conduct by the friars." [TAC 9:24-10:12] These
16 allegations, found in the general preamble to the complaint, are incorporated by reference in
17 all of the causes of action alleged, but are not specifically referred to as the basis for liability
18 in any of those causes of action. And, in fact, these allegations are insufficient to state a
19 cause of action against the Province or the Archbishop as shown below.

20 A. Premises Liability:

21 Plaintiff alleges that one of the two incidents of sexual assault upon him by
22 Robert Van Handel occurred at St. Anthony's seminary. [TAC 11:27-12:4] Plaintiff has not
23 asserted a cause of action for premises liability, nor could he. In Eric J. v. Betty M. (1999)
24 76 Cal.App.4th 715, the court held that there was no cause of action for premises liability
25 against the owner of premises where molestation occurred, even if the owner actually knows
26 that a person was a convicted child molester and that he had brought a child onto the
premises. Unless the owner of the premises stands in some custodial relationship to the child
or has a duty arising from some other source to control the conduct of the defendant

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OFM VANH 1
0218

1 no liability based on the fact that molestation occurred on premises:

2 Under the circumstances of this case, premises liability is a make-weight
3 because there was no relationship between the harm and any premises owned
by family members on which the harm occurred.

4 Eric J. v. Betty M. (1999) 76 Cal.App.4th 715, 717. The court held that to state a cause of
5 action for premises liability there must be some causal relationship between the premises and
6 the harm and there was no such causal relationship in that case.

7 A similar result was reached in Kramer v. State Farm Fire and Cas. Co. (1999)
8 76 Cal.App.4th 332. In that case the issue was whether an insurance policy that covered
9 claims "arising from the ownership, maintenance, or use of the insured premises," covered
10 sexual molestation of a child on the premises. The court held that there must be a causal
11 relationship between the use of the premises and the molestation in order for the harm to arise
12 out of the use of the premises. And because the molestation in that case (just as in this case)
13 had occurred at other locations in addition to premises owned by the defendants, it was clear
14 there was no causal relationship:

15 The covered residences in this case were merely two of several locations at
16 which the Kramers had custody and control of the children. The required
causal relationship between use of those particular premises and the tortious
17 activity causing the injury therefore was lacking.

18 Kramer, supra, 76 Cal.App.4th 341.

19 Thus, the mere allegation that plaintiff was sexually molested at premises
20 owned by the Province is insufficient to state a cause of action. There are no allegations that
21 some feature of the property was causally related to the harm in this case. Indeed, there could
22 be no such allegation, where plaintiff also asserts that he was molested at a private
23 campground, not owned by any defendant in this case.

24 **B. Second Generation Molestation:**

25 Plaintiff alleges that Robert Van Handel was himself molested by a Franciscan
26 Friar sometime between 1961 and 1965. Plaintiff further alleges that it was therefore
foreseeable that Robert Van Handel would repeat this behavior.

28 The allegation that Robert Van Handel was molested by a Franciscan 35 to 40

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1 years ago, even if proven true, cannot form the basis of liability in this case for two reasons.
2 First, if a Franciscan sexually molested Robert Van Handel 35 to 40 years ago, that
3 Franciscan was not in the course and scope of his employment as a matter of law. John R. v.
4 Oakland Unified School District (1989) 48 Cal.3d 438; Jeffrey E. v. Central Baptist Church
5 (1988) 197 Cal.App.3d 718; Rita M. v. Roman Catholic Bishop (1986) 197 Cal.App.3d 1453.
6 Second, there is no causal relationship between any alleged molestation of Robert Van Handel
7 and any later alleged molestation by Robert Van Handel as a matter of law. In Evan F. v.
8 Hughson United Methodist Church (1992) 8 Cal.App.4th 828, a girl named Eyrene was
9 molested by her brother Evan. Eyrene claimed that her brother Evan had, in turn, been
10 molested by Dwayne Murphy who was employed by Hughson United Methodist Church.
11 Eyrene sued Dwayne Murphy and Hughson United Methodist Church, but the court granted
12 summary judgment in favor Murphy and the church. This was affirmed on appeal because
13 the court concluded, "on policy grounds, that Eyrene's injury was not proximately caused by
14 [the church]." Evan F., supra, 8 Cal.App.4th 838, n1.

15 Thus, even if plaintiff could establish as a fact that Robert Van Handel was
16 molested by a Franciscan Friar 35 to 40 years ago, this would not entitle plaintiff to recover
17 against either that individual Franciscan or against the Province. This assertion is causally
18 unrelated to plaintiff's alleged injury as a matter of law.

19 **C. Aider and Abettor Liability:**

20 Plaintiff alleges that between 1964 and 1967 at least 11 friars at St. Anthony's
21 seminary sexually assaulted minors. The third amended complaint plaintiff alleges that,
22 "defendants did nothing to investigate, deter or prevent such conduct by the friars." [TAC
23 10:7-8] Plaintiff does not allege that the friars rendered "substantial assistance or
24 encouragement" to Robert Van Handel, or that Robert Van Handel was even aware of
25 misconduct by other friars.

26 Even if plaintiff could prove that the Franciscans were aware of sexual
27 misconduct of other friars, and even if plaintiff could allege that Robert Van Handel was
28 aware of misconduct by other friars (a fact that plaintiff has not alleged) California law

1 clearly holds that this is insufficient to state a cause of action.

2 Restatement Second of Torts, Section 876, provides:

3 For harm resulting to a third person from the tortious conduct of another, a
4 person is liable if he (a) orders or induces such conduct, knowing of the
5 conditions under which the act is done or intending the consequences which
6 ensue, or (b) knows that the other's conduct constitutes a breach of duty and
7 gives substantial assistance or encouragement to the other so to conduct
8 himself, ...

9 This rule as stated in the Restatement of Torts, has been adopted as the law of the State of
10 California. Pasadena Unified School District v. Pasadena Federation of Teachers (1977) 72
11 Cal.App.3d 100, 113. The California courts recognize that section 876 of the Restatement is
12 liability for one who "aids and abets the commission of an intentional tort" by another person.
13 Saunders v. Superior Court (1994) 27 Cal.App.4th 832-846. The United States Supreme
14 Court has explained that Section 876 of the Restatement of Torts, "accepts a doctrine with
15 rough similarity to criminal aiding and abetting." Central Bank of Denver, N.A. v. First
16 Interstate Bank of Denver, N.A. (1994) 511 U.S. 164, 181, 114 S.Ct. 1439, 1450, 128
17 L.Ed.2d 119.

18 Plaintiff has not alleged that any other defendant "substantially assisted or
19 encouraged" Robert Van Handel to molest plaintiff. Mere knowledge that other friars have
20 molested other children, or even knowledge that Robert Van Handel had molested plaintiff,
21 together with a failure to prevent this, does not constitute aiding and abetting:

22 Mere knowledge that a tort is being committed and the failure to prevent it
23 does not constitute aiding and abetting. [citation omitted] "As a general rule,
24 one owes no duty to control the conduct of another."

25 Fiol v. Doellstedt (1996) 50 Cal.App.4th 1318, 1326. That case went on to state that, "mere
26 failure to act does not constitute the giving of 'substantial assistance or encouragement' to the
27 tortfeasor." Fiol, supra, 50 Cal.App.4th 1326.

28 In Cully v. Bianca (1986) 186 Cal.App.3d 1172, the court considered whether
liability could be imposed on passengers in a car operated by an intoxicated driver. In that
case the passengers had ridden to and from the liquor store where the liquor was purchased
with the driver and had ridden to and from the area where the liquor was consumed with the

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0221

1 driver. After the liquor was consumed, one of the passengers was riding with the intoxicated
2 driver at the time of the accident with the plaintiff. Immediately after the collision the
3 passenger yelled "go" to the intoxicated driver and the two left the scene. The Court held
4 that this was insufficient to impose liability on the passenger saying:

5 We believe that proof of such facts would fall short of establishing the
6 "substantial assistance or encouragement" required by Restatement §876.

7 Cully v. Bianca (1986) 186 Cal.App.3d 1172, 1178.

8 In Sindell v. Abbott Laboratories (1980) 26 Cal.3d 588, the California Supreme
9 Court considered whether plaintiff had alleged a cause of action under Restatement
10 §876. Plaintiff in that case alleged that all of the manufacturers of the drug DES had
11 performed inadequate testing, knew that their testing was inadequate, relied on one another's
12 testing, yet entered into a "tacit understanding" not to warn that the testing was inadequate.
13 Based on those alleged facts, plaintiff asserted that all manufacturers of DES were generally
14 liable to her because the marketing of DES was a concerted action by all of the defendants
15 and that each of the defendants had substantially assisted and encouraged each of the other
16 defendants to improperly market the drug. The Supreme Court held that plaintiff had failed
17 to state a cause of action under Restatement §876:

18 In our view, this litany of charges is insufficient to allege a cause of action
19 under the rules stated above. The gravamen of the charge of concert is that
20 defendants failed to adequately test the drug or to give sufficient warning of its
21 dangers and that they relied upon the tests performed by one another and took
22 advantage of each other's promotional and marketing techniques. These
allegations do not amount to a charge that there was a tacit understanding or a
common plan among defendants to fail to conduct adequate tests or give
sufficient warnings, and that they substantially aided and encouraged one
another in these omissions.

23 Sindell, supra, 26 Cal.3d 605. It is well established that, "mere failure to act does not
24 constitute the giving of 'substantial assistance or encouragement' to a tortfeasor." Fiol v.
25 Doellstedt (1996) 50 Cal.App.4th 1318, 1326. In Sindell, the Supreme Court went even
26 further, however, and expressed doubt that there could be liability as an aider and abetter even
if it were proven that there was a "tacit understanding to fail to perform an act."

It seems dubious whether liability on the concert of action theory can be

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1 predicated upon substantial assistance and encouragement given by one alleged
2 tortfeasor to another pursuant to a tacit understanding to fail to perform an act.

3 Sindell, supra, 26 Cal.3d 606.

4 A sexual assault upon a child is a crime. But unless the defendant stands in
5 some special relationship to the criminal or the victim, the defendant has no duty to prevent
6 the crime even if the defendant knows the crime is occurring.

7 It should be emphasized that all crimes are against the state and no citizen
8 except those officials charged with the duty to do so, is required to take any
affirmative action to prevent the commission of a public offense....

9 It is well settled that aiding and abetting the commission of a crime require
10 some affirmative action. The mere knowledge or belief that a crime is being
11 committed or likely to be committed, and the failure on the part of the one
having such knowledge or belief to take some steps to prevent it, in no sense
amounts to aiding and abetting.

12 People v. Weber (1948) 84 Cal.App.2nd 126, 130.

13 A case decided by the Missouri Court of Appeals is factually very similar to
14 the allegations plaintiff makes in this case. In Bradley v. Ray (Mo.App.1995) 904 S.W.2d
15 302, a child was molested by her stepfather. The child alleged that her mother became aware
16 of the abuse and arranged to have the stepfather treated by two psychiatrists. Neither the
17 mother nor either of the psychiatrists made a report of child abuse to any law enforcement
18 authority as required by the Missouri Child Abuse Reporting Act. Plaintiff alleged that after
19 the stepfather began treatment with the two psychiatrists he continued to abuse her as a result
20 of the psychiatrist's failure to report the abuse. The child alleged three causes of action
21 against the psychiatrists: (a) negligence per se based on failure to comply with the reporting
22 act; (b) common law negligence for failure to warn; and (c) aiding and abetting, under the
23 authority of Restatement §876. The court of appeal held that plaintiff had stated a cause of
24 action for common law negligence for failure to warn pursuant to Tarasoff v. Regents of
25 University of California (1976) 17 Cal.3d 425. But the Court of Appeal held that the causes
26 of action for negligence per se and for aiding and abetting were properly dismissed for failure
to state a cause of action. As to the claim of aiding and abetting, the Court stated that under
Restatement §876, "The defendant must affirmatively act to aid the primary tortfeasor; neither

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1 failure to object to the tortious act nor defendant's mere presence at the commission of the
2 tort is sufficient to charge one with responsibility." Bradley v. Ray, supra, 904 S.W.2d at
3 315. The Court held that plaintiff had not pled facts sufficient to state a cause of action under
4 Restatement §876:

5 [P]laintiff did not plead facts which support a claim of aiding and abetting
6 against defendants. Plaintiff merely states that Drs. Ray and Strnad were in
7 agreement with Ms. Kopan [plaintiff's mother] "to shield and protect said
8 Lester N. Pope [the stepfather] from further discovery, reporting and criminal
9 prosecution regarding his said abuse of Kelly with the intent to thereby aid and
10 abet said Lester N. Pope...." These facts do not establish that defendant
11 affirmatively acted by giving substantial assistance or encouragement to Mr.
12 Pope to abuse Kelly. Judgment of dismissal as to Count I is affirmed.

13 Bradley v. Ray, supra, 904 S.W.2d at 315.

14 In this case plaintiff alleges, in essence, that the Province did not vigilantly
15 police the behavior of other friars at St. Anthony's seminary and that this laxness by the
16 province encouraged Robert Van Handel to molest the plaintiff. But this is insufficient to
17 state a cause of action. Even if the allegation was made that the Province knew Robert Van
18 Handel (as opposed to other friars) was molesting children, mere failure of the Province to
19 take action to prevent further wrongdoing cannot be a basis of liability against the Province
20 unless there is a duty on the province to take action.³

21 Absent a "special relationship," one cannot be held liable for
22 mere nonfeasance, such as not protecting another from a criminal
23 attack by a third party.

24 Eric J. v. Betty M. (1999) 76 Cal.App.4th 715, 727. In that case the Court of Appeal
25 affirmed a nonsuit against a sexually molested child because, "The tort law of California does
26 not impose mandatory Good Samaritanism." Id.

27 Thus, no matter how rampant the sexual molestation of children may have been
28 by other friars, and no matter how much the Province may have known about misconduct by

³ Plaintiff attempts to allege the basis of a duty based on an employment relationship
between Robert Van Handel and the Province, and based on allegations that plaintiff was
under the custodial care of the Province. Those allegations are addressed in Section V which
follows.

1 other friars,⁴ mere failure to act on the part of the Province is not a basis for liability in this
2 case.

3 V.

4 SUMMARY ADJUDICATION OF EACH CAUSE OF ACTION AGAINST THE
5 PROVINCE AND THE ARCHBISHOP SHOULD BE GRANTED.

6 There are seven causes of action in the third amended complaint asserted
7 against the province and the archbishop. One or more essential element of each of those
8 causes of action is indisputably missing.

9 A. The Third Cause of Action of Intentional Infliction of Emotional Distress:

10 In the Third Cause of Action plaintiff alleges intentional infliction of emotional
11 distress against Van Handel based on his alleged molestation of plaintiff when he served,
12 during his free time, as Director of the Choir. Plaintiff alleges that the Province is liable for
13 this intentional infliction of emotional distress based on the allegation that the Franciscans
14 allegedly ratified Van Handel's behavior. Before a defendant can be held liable based on
15 ratification it must be shown that the defendant had actual knowledge of what was done.
16 Volandri v. Hlobil (1959) 170 Cal.App.2d 656.

17 A principal is not bound by the unauthorized act of his agent
18 unless he had knowledge of the agent's violation of his authority.

19 Montgomery v. Bank of America (1948) 85 Cal.App.2d 559, 564; See, also, In Re Estate of
20 Fletcher (1940) 36 Cal.App.2d 567. Constructive knowledge is insufficient to support a claim
21 of ratification. Reusche v. California Pacific Title Ins. Co. (1965) 231 Cal.App.2d 731;
22 Volandi v. Hlobil (1959) 170 Cal.App.2d 656.

23 "As a general rule, in order that a ratification of an unauthorized
24 act of an agent may be valid and binding it is essential that the
25 principal have full knowledge at the time of the ratification of all
26 material facts and circumstances relative to the unauthorized act
or transaction . . . unless the principal is wilfully ignorant or
purposely refrains from seeking information." [citation omitted]

27 ⁴ The Province by no means admits that it had knowledge of rampant sexual
28 molestation by other friars at St. Anthony's Seminary before plaintiff claims he was molested
by Robert Van Handel. The evidence is to the contrary. See Declaration of [REDACTED]

1 "The doctrine of constructive knowledge of material facts or
2 imputation of knowledge of such facts does not generally obtain
3 in the case of ratification, as ordinarily it is what the principal
4 knows, and not what he has mere legal notice of, that is to be
5 considered in determining whether there has been ratification
A principal's failure to use diligence to make discovery" (i.e.
that one is doing unauthorized acts in his name) "is not such
negligence as will charge him with constructive knowledge of
what he might have discovered by such inquiry."

6 Gallagher v. California Pacific Title & Trust Co. (1936) 13 Cal.App.2d 482, 493.⁵

7 Plaintiff has testified in his deposition in this case that he told no one that he
8 had been molested by Van Handel before 1997. [Plaintiff deposition, 57:6-26; Exhibit F to
9 Declaration of Heldt.] Undisputed evidence shows that the Province had no actual knowledge
10 that Van Handel had molested anyone until 1992. When the Province was first informed that
11 Van Handel had molested a child, he was immediately removed from all responsibilities, sent
12 to an in-patient facility for evaluation and treatment, and he has never been returned to any
13 pastoral duties for the Franciscans (or for anyone else for that matter). [Declaration of [REDACTED]
14 [REDACTED] "Dec. JC") ¶¶6 and 7] Robert Van Handel is no longer a member of the Franciscan
15 order. [Dec. RVH ¶14]

16 Plaintiff cannot shown this court a scintilla of admissible evidence of
17 ratification. [Issue No. 2 to be summarily adjudicated.]

18 **B. The Fourth Cause of Action For Negligent Infliction of Emotional Distress:**

19 In the Fourth Cause of Action plaintiff alleges that, "the selection, approval,
20 employment and supervision of Van Handel and Does 1-5 at St. Anthony's Seminary and the
21 Santa Barbara Boy's Choir," caused plaintiff to suffer severe emotional distress. The
22 evidentiary shortcoming of this allegation is that there is no evidence that the Province had
23 anything to do with the selection, approval employment and supervision of Van Handel at
24 "the Santa Barbara Boy's Choir," which was a distinct entity that Van Handel participated in
25

26 ⁵ Occasionally a failure to investigate a specific complaint of assault is treated as the
equivalent of actual knowledge [McChristian v. Popkin (1946) 75 Cal.App.2d 249, 256] but
no case has held that ratification can be found in the absence of actual knowledge and in the
absence of a specific complaint of wrongdoing.

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1 while he was off duty.⁶ [Issue No. 4 to be summarily adjudicated] With regard to Van
2 Handel's "selection, approval, employment and supervision at St. Anthony's Seminary," the
3 defect in plaintiff's claim is that Van Handel's employment at the Seminary has no causal
4 relationship with any harm suffered by the plaintiff. [Issue No. 3 to be summarily
5 adjudicated]

6 In Mendoza v. City of Los Angeles (1998) 66 Cal.App.4th 1333, the court of
7 appeal affirmed summary judgment in favor of the City who employed a police officer who
8 shot a family member while off duty. The court recognized that "liability for negligent hiring
9 and supervision," exists only, "in factual settings where the plaintiff's injury occurred in the
10 work place, or the contact between the plaintiff and the employee was generated by the
11 employment relationship." Mendoza, supra 66 Cal.App.4th at 1339-1340. The court
12 recognized that, "failing to require a connection between the employment and the injured
13 party would result in the employer becoming an insurer of the safety of every person with
14 whom its employees come into contact, regardless of their relationship to the employer."
15 Mendoza, supra, 66 Cal.App.4th at 1341. The court of appeal went so far as to say,
16 "Assuming the evidence was sufficient to support the finding of negligence (and even if we
17 held it had a duty in this factual setting not to be), it was insufficient to support the finding of
18 causation." Mendoza, supra, 66 Cal.App.4th at 1342. Because there was no connection
19 between the victim who had been shot while the police officer was off duty, and the shooter's
20 employment as a police officer, the court of appeal reversed a judgment based on a jury
21 verdict against the City of Los Angeles.

22 Another case in which the existence of an employment relationship between the
23 defendant and a criminal wrongdoer was held to be legally irrelevant to the case was Koepke
24

25 ⁶ Although Van Handel was discouraged from directing the choir because the time
26 devoted to it detracted from his other duties, the Province had no reason to think that Van
Handel's work with the choir was a bad thing. At various times, other friars referred to Van
Handel's work with the choir as "good witness" of his faith and "excellent ministry." These
complements (which are the kind that could be given to any layperson by any friend who
shared his faith) do not make Van Handel an agent of the Province while serving as the
Director of the Choir.

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1 v. Loo (1993) 18 Cal.App. 4th 1444. In that case, the plaintiff was shot by her ex-boyfriend
2 who was employed by the defendant. The defendant had actual knowledge that the employee
3 was alcoholic, owned a gun and had threatened the plaintiff. The employer went so far as to
4 take away the employee's gun, arrange for counseling, and warn the plaintiff. Later,
5 however, the employer returned the employee's gun without warning the plaintiff. The
6 employee then used this gun to shoot the plaintiff. The trial court granted summary judgment
7 to the employer and the Court of Appeal affirmed. Why? Because the missing ingredient
8 was any connection between the employment and the plaintiff; plaintiff's relationship with the
9 employee was unconnected with his employment.

10 We reject with little discussion the concept that the Loo-Logan
11 [employer-employee] relationship gave rise to a duty to warn
12 Koepke [plaintiff]. Since Logan's [employee's] actions were in
13 no way related to his employment by Loo, the employer-
employee relationship which existed between them cannot give
rise to a duty.

14 Koepke v. Loo (1993) 18 Cal.App. 4th 1444, 1452.

15 Thus, plaintiff can never prevail on his allegations of the fourth cause of action
16 against the Province.

17 C. The Fifth Cause of Action for Negligent Hiring:

18 In the Fifth Cause of Action plaintiff alleges that the Province was negligent
19 when they "hired Van Handel and Does 1-5 as employees of St. Anthony's Seminary and the
20 Santa Barbara Boy's Choir," because the Province "knew, or in the exercise of reasonable
21 diligence should have known," that Van Handel was incompetent and unfit. This cause of
22 action suffers the same infirmities as the fourth cause of action. The Province did not hire
23 Van Handel to serve as director of the choir; and Van Handel's employment on the faculty of
24 St. Anthony's Seminary has no causal relationship to his contact with plaintiff.

25 Furthermore, no evidence exists that the Franciscans were negligent when they
26 hired Van Handel to serve on the faculty of St. Anthony's Seminary. California law is very
clear that before any person can be found negligent for failing to take steps to protect a child
from the deviant propensities of another person, plaintiff must show that the defendant

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1 charged with negligence "must know" of the deviant propensities, not merely have a basis to
2 suspect. This was the precise question confronted by the court in Chaney v. Superior Court
3 (1995) 39 Cal.App.4th 152. In that case a wife was sued for negligence after her husband
4 sexually abused children. The court of appeal stated in its opinion, "The question now is
5 what facts are required to be alleged to show a defendant wife's knowledge that her husband
6 harbors deviant propensities which would cause him to sexually molest a child." Chaney,
7 supra, 39 Cal.App.4th at 157. The court held that "actual knowledge" is required before a
8 defendant can be charged with negligence:

9 Without knowledge of her husband's deviant propensities, a wife
10 will not be able to foresee that he poses a danger and thus will
11 not have a duty to take measures to prevent the assault.
12 Although a wife's knowledge may be proven by circumstantial
13 evidence, such inference must reflect the wife's actual knowledge
14 and not merely constructive knowledge or notice.

15 Chaney v. Superior Court (1995) 39 Cal.App.4th at 157. The court in Chaney then went on to
16 examine the allegations of the complaint to determine if the allegations measured up to the
17 standard of "actual knowledge" if they were proven. The plaintiff in that case alleged that the
18 wife had "special and confidential information" about her husband's "deviant sexual
19 preferences and desires" which she failed to "recognize, accept and interpret." Plaintiff
20 alleged that the husband was "excessive" in his gift giving to the child and paid "excessive"
21 attention to her. The court of appeal held that these allegations were insufficient to withstand
22 a demurrer saying, "It is not enough to allege that the sexual misconduct was conceivable
23 [citation omitted]. The plaintiff must allege facts showing that it was foreseeable, i.e., facts
24 from which it can be inferred that the defendant wife must have known that her husband was
25 engaging in, or wished to engage in, acts of sexual misconduct with a minor." Chaney, supra,
26 39 Cal.App.4th at 159 (emphasis in original).

27 In this case, undisputed evidence shows that the Province did not have actual
28 knowledge of Van Handel's deviant propensities until 1992 when the first accusation of
sexual misconduct was made against him. This was roughly 10 years after plaintiff says he
was molested.

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1 **D. The Sixth Cause of Action for Negligent Supervision:**

2 In the Sixth Cause of Action plaintiff alleges that the Province was negligent in
3 its supervision of Van Handel "in their employment" of him. This cause of action suffers the
4 same infirmities as the third and fourth causes of action. The Province did not employ Van
5 Handel as the director of the choir and had no duty to supervise him in that capacity. With
6 regard to Van Handel's employment on the faculty at St. Anthony's Seminary, this
7 employment has no causal relationship or connection to the plaintiff in this case. Mendoza v.
8 City of Los Angeles (1998) 66 Cal.App.4th 1333. Koepke v. Loo (1993) 18 Cal.App. 4th
9 1444.

10 **E. The Seventh Cause of Action for Breach of Fiduciary Duty:**

11 In the Seventh Cause of Action plaintiff alleges a breach of fiduciary duty on
12 the basis that plaintiff was in the Province's "custody and control" on an ongoing basis during
13 1982 and 1983 while "participating in activities of the Santa Barbara Boy's Choir." The
14 factual defect of this cause of action is that the Province has no connection with the Santa
15 Barbara Boys Choir, nor did plaintiff or his family ever think that the Province had any
16 connection with the Santa Barbara Boys Choir. Plaintiff was not in the custody and control
17 of the Province while he was participating in activities of the Boy's Choir.

18 In addition to this glaring factual defect, the court has also previously sustained
19 a demurrer to this cause of action because the law does not recognize a fiduciary duty arising
20 out of either a pupil-school relationship [see, Martin v. Roman Catholic Archbishop (1958)
21 158 Cal.App.2d 64, 68] nor on the basis of a priest-parishioner relationship [Roman Catholic
22 Bishop v. Superior Court (1996) 42 Cal.App.4th 1556-1568 ("There is no special relationship
23 here creating a heightened duty of care based on a priest/parishioner relationship.")] Plaintiff
24 has attempted to amend this cause of action but the amendments are merely cosmetic. This
25 cause of action is susceptible both to summary adjudication and to judgment on the pleadings.

26 **F. The Eighth Cause of Action for Negligent Per Se:**

27 In the Eighth Cause of Action plaintiff alleges that the Province is guilty of
28 negligence per se because it failed to make reports of suspected child abuse pursuant to Penal

1 Code §11166. Leaving aside that there is no evidence that the Province failed to make any
2 mandatory report required by the Penal Code before plaintiff alleges he was molested, the
3 California Supreme Court has also held that the reporting scheme of Penal Code §11166 "was
4 intended to protect only those children in the custodial care of the person charged with
5 reporting the abuse, and not all children who may at some future time be abused by the same
6 offender." Randi W. v. Muroc Joint Unified School Dist. (1997) 14 Cal.4th 1066, 1087. In
7 that case the plaintiff had never been in the custodial care of the former employer of the
8 person she accused of molestation; therefore the Supreme Court held she could not state a
9 cause of action for negligence per se against that former employer of the alleged molester.
10 The same is true in this case. Plaintiff has never been in the custodial care of the Province or
11 the Archbishop. Therefore plaintiff has no standing to pursue a negligence per se cause of
12 action against the Province or the Archbishop based on an allegation that the Province or
13 Archbishop failed to report suspected child molestation by Van Handel.

14 G. The Ninth Cause of Action for Negligent Misrepresentation:

15 In the Ninth Cause of Action plaintiff alleges that the Province negligently
16 represented that plaintiff "would be under the protection and in the care of" the Franciscans
17 while he participated in the Choir; that the "Santa Barbara Boys Choir director" was of "high
18 religious, moral and scholastic character," and that the Franciscans "accepted and assumed
19 responsibility for the religious, physical, emotional, psychological, educational and moral
20 well-being of [REDACTED] while he was in defendant's custody and/or control." The glaring factual
21 deficiency of this case of action is that neither the plaintiff nor his parents had heard anything
22 said on any subject by any Franciscan before plaintiff joined the Boys Choir. Plaintiff and his
23 family did not know any Franciscans before plaintiff joined the Choir and had never
24 communicated with any Franciscan. Plaintiff and his family were not Catholics. Plaintiff and
25 his family had not seen any written materials concerning the choir before plaintiff joined the
26 Choir. Plaintiff and his family had talked only to two persons about the Choir before plaintiff
27 joined the Choir. These two persons, [REDACTED] a personal friend of plaintiff's father, and
[REDACTED] a personal friend of plaintiff's mother, are both lay people who were, at that

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3RD PARTY PRIVACY

1 time, members of the board of directors of the Boy's Choir. Neither [REDACTED] nor
2 [REDACTED] had any relationship with the Franciscans that would permit them to speak on
3 behalf of the Province. Thus, the cause of action for misrepresentation is susceptible to
4 summary adjudication because no representations on any subject were ever made to the
5 plaintiff or her parents by the Franciscans.

6 V.

7 SUMMARY JUDGMENT SHOULD BE GRANTED TO THE ARCHBISHOP

8 The Archbishop truly has no legally cognizable relationship to the events of
9 this case. Robert Van Handel was never an employee of the Archbishop. St. Anthony's
10 Seminary was not operated or controlled by the Archbishop. The Santa Barbara Boys Choir
11 was not operated by the Archbishop. Plaintiff was never in the care or custody of the
12 Archbishop. The Archbishop never made any representations to plaintiff or his family about
13 anything related to the Santa Barbara Boys Choir, St. Anthony's Seminary, or Robert Van
14 Handel. Plaintiff and his family are not even Catholic. In the absence of all these facts, the
15 Archbishop owes no duties to plaintiff that will support any of the causes of action of the
16 complaint.

17 It is proper for the Province to request entry of summary judgment in favor of
18 the Archbishop because plaintiff has alleged that the Archbishop is the agent of the Province.
19 [TAC 4:6-11]

20 VI.

21 CONCLUSION

22 For the reasons set forth above, undisputed evidence shows that one or more
23 essential elements is missing from each cause of action against the Province and the
24 Archbishop. Defendant asks therefore that the court grant summary judgment in favor of the
25 Province and the Archbishop.

26 ///

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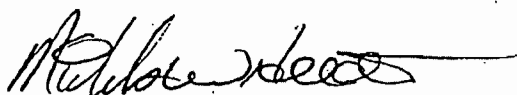
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Proposed Orders are submitted with this motion.

DATED: January 24, 2000

SEDGWICK, DETERT, MORAN & ARNOLD

By: 
NICHOLAS W. HELDT
Attorneys for Defendant
Franciscan Friars of California, Inc

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1 [REDACTED] Van Handel, et al.

2 Santa Barbara County Superior Court; Case No. 228296

3 **PROOF OF SERVICE**

4 I am a resident of the State of California, over the age of eighteen years, and not a
5 party to the within action. My business address is One Embarcadero Center, 16th Floor, San
6 Francisco, California 94111. On January 25, 2000, I served the within documents:

7 **AMENDED MEMORANDUM OF POINTS AND AUTHORITIES IN
8 SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND SUMMARY
9 ADJUDICATION**

10 ☐ by transmitting via facsimile the document(s) listed above to the fax number(s)
11 set forth below on this date before 5:00 p.m.

12 ☐ by placing the document(s) listed above in a sealed envelope with postage thereon
13 fully prepaid, in the United States mail at San Francisco, California addressed as
14 set forth below.

15 ☐ by causing personal delivery by _____ of the document(s) listed above to
16 the person(s) at the address(es) set forth below.

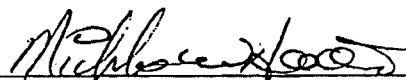
17 ☒ by personally delivering the document(s) listed above to the person(s) at the
18 address(es) set forth below.

19 ☐ by overnight courier of the document(s) listed above to the person(s) at the
20 address(es) set forth below.

21 David L. Nye, Esq.
22 Karen K. Peabody, Esq.
23 Carrington & Nye
24 33 West Mission St., Suite 201
25 Santa Barbara, CA 93101

26 Stanley M. Roden, Esq.
27 Hatch and Parent
28 21 E. Carillo Street
P.O. Drawer 720
Santa Barbara, CA 93102-0720

29 I declare under penalty of perjury under the laws of the State of California that the
30 above is true and correct. Executed on January 25, 2000, at San Francisco, California.

31 
32 Nicholas W. Heldt

33 **SEDGWICK,
34 DETERT, MORAN
35 & ARNOLD**

36 One Embarcadero Center
37 Sixteenth Floor
38 San Francisco, California
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40 Tel. 415.781.7900

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**OFM VANH 1
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1 [REDACTED] Van Handel, et al.

2 Santa Barbara County Superior Court; Case No. 228296

3 PROOF OF SERVICE

4 I am a resident of the State of California, over the age of eighteen years, and not a
5 party to the within action. My business address is One Embarcadero Center, 16th Floor, San
6 Francisco, California 94111. On January 24, 2000, I served the within documents:

7 AMENDED MEMORANDUM OF POINTS AND AUTHORITIES IN
8 SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND SUMMARY
9 ADJUDICATION

10 ☐ by transmitting via facsimile the document(s) listed above to the fax number(s)
11 set forth below on this date before 5:00 p.m.

12 ☒ by placing the document(s) listed above in a sealed envelope with postage thereon
13 fully prepaid, in the United States mail at San Francisco, California addressed as
14 set forth below.

15 ☐ by causing personal delivery by _____ of the document(s) listed above to
16 the person(s) at the address(es) set forth below.

17 ☐ by personally delivering the document(s) listed above to the person(s) at the
18 address(es) set forth below.

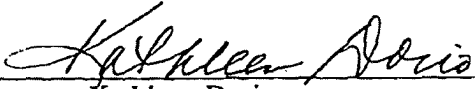
19 ☐ by overnight courier of the document(s) listed above to the person(s) at the
20 address(es) set forth below.

21 David Ring, Esq.
22 McNicholas & McNicholas
23 10866 Wilshire Boulevard, Suite 1400
24 Los Angeles, CA 90024

Robert G. Howie, Esq.
Howie & Associates
1450 Chapin Avenue, Suite 200
Burlingame, CA 94010

25 Tina Mangerpan, Esq.
26 FORD, WALKER, HAGGERTY & BAHAR
27 One World Trade Center, 27th Floor
28 Long Beach, CA 90831-2700

29 I declare under penalty of perjury under the laws of the State of California that the
30 above is true and correct. Executed on January 24, 2000, at San Francisco, California.

31 
32 Kathleen Dorio

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Attorneys for Defendant

5 FRANCISCAN FRIARS OF CALIFORNIA, INC.

6
7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF SANTA BARBARA

10
11) Case No. [REDACTED]
12)

12) Plaintiff,

12) **RESPONSE TO PLAINTIFF'S**
13) **REQUESTS FOR ADMISSION**

13) vs.

13) DATE: January 24, 2000

14 ROBERT VAN HANDEL, et al.

14) TIME: 4:30 p.m.

15) DEPT: 4

15) Defendants.

15) TRIAL DATE: August 4, 2000

16
17 PROPOUNDING PARTY: PLAINTIFF [REDACTED]

18 RESPONDING PARTY: DEFENDANT FRANCISCAN FRIARS OF CALIFORNIA, INC.

19 SET NUMBER: ONE

20 Defendant Franciscan Friars of California, Inc., hereby responds to the Requests
21 for Admission as follows:

22 REQUEST FOR ADMISSION NO. 1:

23 That in 1982 and 1983 Robert Van Handel was a Franciscan Friar.

24 RESPONSE TO REQUEST FOR ADMISSION NO. 1:

25 *

26 REQUEST FOR ADMISSION NO. 2:

27 That in 1982 and 1983 Robert Van Handel was an employee of the Franciscan
28 Friars.

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1 RESPONSE TO REQUEST FOR ADMISSION NO. 2:

2 *

3 REQUEST FOR ADMISSION NO. 3:

4 That in 1982 and 1983 Robert Van Handel was an agent of the Franciscan
5 Friars.

6 RESPONSE TO REQUEST FOR ADMISSION NO. 3:

7 *

8 REQUEST FOR ADMISSION NO. 4:

9 That St. Anthony's Seminary in Santa Barbara was owned and operated by the
10 Franciscan Friars.

11 RESPONSE TO REQUEST FOR ADMISSION NO. 4:

12 *

13 REQUEST FOR ADMISSION NO. 5:

14 That in 1982 and 1983 Robert Van Handel was a member of the faculty of
15 St. Anthony's Seminary in Santa Barbara.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 5:

17 *

18 REQUEST FOR ADMISSION NO. 6:

19 That in 1982 and 1983 Robert Van Handel was an employee of St. Anthony's
20 Seminary.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 6:

22 *

23 REQUEST FOR ADMISSION NO. 7:

24 That in 1982 and 1983 Robert Van Handel was an attorney of St. Anthony's
25 Seminary.

26 RESPONSE TO REQUEST FOR ADMISSION NO. 7:

27 *

A/C Privilege - Attorney Work Product

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je - Attorney Work Product

1 That in 1982 and 1983 Robert Van Handel resided on a full-time basis on the
2 grounds of St. Anthony's Seminary.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 8:

4 *

5 REQUEST FOR ADMISSION NO. 9:

6 That Robert Van Handel formed the Santa Barbara Boys Choir.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 9:

8 *

9 REQUEST FOR ADMISSION NO. 10

A/C Privilege - Attorney Work Product

10 That, in order to form the Santa Barbara Boys Choir, Robert Van Handel was
11 required to obtain permission to do so from the Franciscan Friars.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 10:

13 *

14 REQUEST FOR ADMISSION NO. 11:

15 That Robert Van Handel did obtain permission from the Franciscan Friars to
16 form the Santa Barbara Boys Choir.

17 RESPONSE TO REQUEST FOR ADMISSION NO. 11:

18 *

19 REQUEST FOR ADMISSION NO. 12:

20 That the regular activities of the Santa Barbara Boys Choir were conducted on
21 the grounds of St. Anthony's Seminary.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 12:

23 *

24 REQUEST FOR ADMISSION NO. 13:

VC Privilege - Attorney Work Product

25 That the rehearsals of the Santa Barbara Boys Choir were held on the grounds
26 of St. Anthony's Seminary.

27 RESPONSE TO REQUEST FOR ADMISSION NO. 13:

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OFM VANH 1

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1 REQUEST FOR ADMISSION NO. 14:

2 That in 1982 and 1983 Robert Van Handel was the Director of the Santa
3 Barbara Boys Choir.

4 RESPONSE TO REQUEST FOR ADMISSION NO. 14:

5 *

6 REQUEST FOR ADMISSION NO. 15:

7 That, in order to serve as the Director of the Santa Barbara Boys Choir, Robert
8 Van Handel was required to obtain permission to do so from the Franciscan Friars.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 15:

10 *

11 REQUEST FOR ADMISSION NO. 16:

12 That Robert Van Handel did obtain permission from the Franciscan Friars to
13 serve as the Director of the Santa Barbara Boys Choir.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 16:

15 *

16 REQUEST FOR ADMISSION NO. 17:

VC Privilege - Attorney Work Product

17 That, in order to take the Santa Barbara Boys Choir on overnight trips off the
18 grounds of St. Anthony's Seminary, Robert Van Handel was required to obtain permission to
19 do so from the Franciscan Friars.

20 RESPONSE TO REQUEST FOR ADMISSION NO. 17:

21 *

22 REQUEST FOR ADMISSION NO. 18:

23 That Robert Van Handel did obtain permission from the Franciscan Friars to
24 take the Santa Barbara Boys Choir on overnight trips off the grounds of St. Anthony's
25 Seminary.

26 RESPONSE TO REQUEST FOR ADMISSION NO. 18:

27 *

28 REQUEST FOR ADMISSION NO. 19:

OFM VANH 1
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1 That Robert Van Handel's activities with the Santa Barbara Boys Choir were in
2 the course and scope of his employment with the Franciscan Friars.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 19:

4 *

5 REQUEST FOR ADMISSION NO. 20:

6 That Robert Van Handel's activities with the Santa Barbara Boys Choir were in
7 the course and scope of his employment with St. Anthony's Seminary.

8 RESPONSE TO REQUEST FOR ADMISSION NO. 20:

9 *

10 REQUEST FOR ADMISSION NO. 21:

11 That [REDACTED] was a member of the Santa Barbara Boys Choir in 1982-
12 1983.

13 RESPONSE TO REQUEST FOR ADMISSION NO. 21:

14 *

15 REQUEST FOR ADMISSION NO. 22:

16 That Robert Van Handel sexually molested [REDACTED] during the time that
17 [REDACTED] was a member of the Santa Barbara Boys Choir.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 22:

19 *

20 REQUEST FOR ADMISSION NO. 23:

21 That Robert Van Handel sexually molested [REDACTED] at St. Anthony's
22 Seminary.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 23:

24 *

25 REQUEST FOR ADMISSION NO. 24:

26 That Robert Van Handel sexually molested [REDACTED] while on a Boys
27 Choir camping trip in the San Simeon area.

28 RESPONSE TO REQUEST FOR ADMISSION NO. 24:

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REQUEST FOR ADMISSION NO. 25 Privilege - Attorney Work Prod

That Robert Van Handel molested at least 5 boys while he was a Franciscan Friar at St. Anthony's Seminary.

RESPONSE TO REQUEST FOR ADMISSION NO. 25:

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REQUEST FOR ADMISSION NO. 26 Privilege - Attorney Work Produ

That Robert Van Handel molested at least 5 boys who were members of the Santa Barbara Boys Choir.

RESPONSE TO REQUEST FOR ADMISSION NO. 26:

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DATED: January 24, 2000

SEDGWICK, DETERT, MORAN & ARNOLD

By: _____
Nicholas W. Heldt
Attorneys for Defendant
Franciscan Friars of California, Inc.

OFM VANH 1
0241

3RD PARTY PRIVACY

Privilege - Attorney Work Product

1 SEDGWICK, DETERT, MORAN & ARNOLD
2 NICHOLAS W. HELDT (Bar No. 83601)
3 One Embarcadero Center, 16th Floor
4 San Francisco, CA 94111-3628
5 Telephone: (415) 781-7900
6 Facsimile: (415) 781-2635

7 Attorneys for Defendant
8 FRANCISCAN FRIARS OF CALIFORNIA, INC.

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 FOR THE CITY AND COUNTY OF SANTA BARBARA

11 [REDACTED]
12 Plaintiff,

13 vs.

14 ROBERT VAN HANDEL, et al.
15 Defendants.

Case No. [REDACTED]

RESPONSE TO DEMAND FOR
INSPECTION AND PRODUCTION OF
DOCUMENTS

17 PROPOUNDING PARTY: Plaintiff [REDACTED]

18 RESPONDING PARTY: Defendant FRANCISCAN FRIARS OF CALIFORNIA, INC.

19 SET NO: REVISED SET TWO

20 Comes now Defendant, Franciscan Friars of California, Inc., and responds to Plaintiff's
21 revised second demand for inspection and production of documents as follows:

22 DEMAND NO. 71:

23 WITHDRAWN

24 RESPONSE TO DEMAND NO. 71:
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OFM VANH 1
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1 DEMAND NO. 72:

2 Any and all documents created, received or maintained by the Provincial Definitorium relating
3 to allegations of sexual misconduct by clergy members against members of the Santa Barbara
4 Boys Choir alleged to have occurred between 1964 and 1987.

5 RESPONSE TO DEMAND NO. 72:
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8 DEMAND NO. 73:

9 Any and all documents created, received or maintained by the Provincial Definitorium relating
10 to allegations of sexual misconduct by clergy members against members of the St. Anthony's
11 Seminary alleged to have occurred between 1964 and 1987.

12 RESPONSE TO DEMAND NO. 73:
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15 DEMAND NO. 74:

16 Any and all documents created, received or maintained by the Board of Assessment pertaining
17 to Robert Van Handel.

18 RESPONSE TO DEMAND NO. 74:
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21 DEMAND NO. 75:

22 Any and all documents created, received or maintained by the Board of Assessment pertaining
23 to allegations of sexual misconduct by clergy members involving members of the Santa
24 Barbara Boys Choir alleged to have occurred between 1964 and 1987.

25 RESPONSE TO DEMAND NO. 75:
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OFM VANH 1
0243

1 DEMAND NO. 76:

2 Any and all documents created, received or maintained by the Board of Assessment pertaining
3 to allegations of sexual misconduct by clergy members involving members of the St.
4 Anthony's Seminary alleged to have occurred between 1964 and 1987.

5 RESPONSE TO DEMAND NO. 76:
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8 DEMAND NO. 77:

9 Any and all documents created, received or maintained by the Provincial Counsel pertaining
10 to Robert Van Handel.

11 RESPONSE TO DEMAND NO. 77:
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14 DEMAND NO. 78:

15 Any and all documents created, received or maintained by the Provincial Counsel pertaining
16 to allegations of sexual misconduct by clergy members involving members of the Santa
17 Barbara Boys Choir alleged to have occurred between 1964 and 1987.

18 RESPONSE TO DEMAND NO. 78:
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21 DEMAND NO. 79:

22 Any and all documents created, received or maintained by the Provincial Counsel pertaining
23 to allegations of sexual misconduct by clergy members involving members of the St.
24 Anthony's Seminary alleged to have occurred between 1964 and 1987.

25 RESPONSE TO DEMAND NO. 79:
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A/C Privilege - Attorney Work Product

1 DEMAND NO. 80:

2 Any and all records of payments made by the Franciscan Friars to counselors, psychologists,
3 psychiatrists or any other mental health professionals for treatment provided to Robert Van
4 Handel during the years 1961 through the present time.

5 RESPONSE TO DEMAND NO. 80:

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A/C Privilege - Attorney Work Product

8 DEMAND NO. 81:

9 Any and all Provincial policies regarding employment outside of the Franciscan Friars.

10 RESPONSE TO DEMAND NO. 81:

13 DEMAND NO. 82:

14 Unredacted copies of all writings prepared by Attorney t Van Handel wherein he makes any
15 mention of his involvement in sexual children.

16 RESPONSE TO DEMAND NO. 82:

19 DEMAND NO. 83:

a/c privilege-atty work product

20 WITHDRAWN

21 RESPONSE TO DEMAND NO. 83:

24 DEMAND NO. 84:

25 Robert Van Handel's Attorney file.

26 RESPONSE TO DEMAND NO. 84:

OFM VANH 1
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1 DEMAND NO. 85:

2 A complete copy of the Board of Inquiry e - Attorney Went to [REDACTED] but that
3 was not released to the public.

4 RESPONSE TO DEMAND NO. 85:

7 DEMAND NO. 86:

8 Any and all correspondence received by anyone associated with the Franciscan Friars from
9 Robert Van Handel during that period of time that Robert Van Handel was incarcerated for
10 his conviction for child molesting.

11 RESPONSE TO DEMAND NO. 86:

14 DEMAND NO. 87:

15 Any and all correspondence between anyone associated with the Franciscan Friars and any
16 member of the Board of Inquiry.

17 RESPONSE TO DEMAND NO. 87:

20 DEMAND NO. 88:

21 Any document reflecting questions posed by [REDACTED] with respect to the actions of the
22 Independent Response Team on friar confidentiality (see page 143 of earlier document
23 production).

24 RESPONSE TO DEMAND NO. 88:

28 OFM VANH 1
0246

1 DEMAND NO. 89:

2 Any document reflecting the response of an American canonist, David Deibel, to a
3 memorandum from [REDACTED] as referenced on 143 of the earlier document production.

4 RESPONSE TO DEMAND NO. 89:

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6 A/C Privilege - Attorney Work Product

7 DEMAND NO. 90:

8 Any document reflecting the notes of [REDACTED] from conversation with Gilles Bourdeau
9 as referenced on page 143 of the earlier document production.

10 RESPONSE TO DEMAND NO. 90:

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13 DEMAND NO. 91:

14 Any and all correspondence or other documents evidencing communications with the Vicar
15 General concerning the sexual molestation of children by the Franciscan Friars at St.
16 Anthony's Seminary alleged to have occurred between 1964 and 1987.

17 RESPONSE TO DEMAND NO. 91:

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20 DEMAND NO. 92:

21 Any and all correspondence or other documents evidencing communications with the Vicar
22 General concerning the sexual molestation of children by Robert Van Handel alleged to have
23 occurred between 1964 and 1987.

24 RESPONSE TO DEMAND NO. 92:

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28 OFM VANH 1
0247

1 DEMAND NO. 93:

2 Any and all records provided to the Franciscan Friars or its agents by any health care provider
3 for psychological or psychiatric counselling, treatment or assessment of Robert Van Handel.

4 RESPONSE TO DEMAND NO. 93:

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7 DEMAND NO. 94:

8 Any and all bills and invoices provided to the Franciscan Friars or its agents by any health
9 care provider for psychological or psychiatric counselling, treatment or assessment of Robert
10 Van Handel.

11 RESPONSE TO DEMAND NO. 94:

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14 DEMAND NO. 95:

15 Any and all reports provided to the Franciscan Friars or its agents by any health care provider
16 for psychological or psychiatric counselling, treatment or assessment of Robert Van Handel.

17 RESPONSE TO DEMAND NO. 95:

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20 DEMAND NO. 96:

21 Any and all correspondence and other documents received by the Franciscan Friars or its
22 agents from St. Francis Retreat concerning Robert Van Handel.

23 RESPONSE TO DEMAND NO. 96:

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OFM VANH 1
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1 DEMAND NO. 97:

2 Any and all correspondence and other documents received by the Franciscan Friars or its
3 agents from St. Francis Retreat concerning the molestation of children by clergy assigned to
4 the St. Anthony's Seminar.

5 RESPONSE TO DEMAND NO. 97:
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8 DEMAND NO. 98:

9 Any and all correspondence and other documents received by the Franciscan Friars from
10 Pacific Treatment Associates concerning Robert Van Handel.

11 RESPONSE TO DEMAND NO. 98:
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14 DEMAND NO. 99:

15 Any and all correspondence and other documents received by the Franciscan Friars or its
16 agents from Pacific Treatment Associates concerning the molestation of children by clergy
17 assigned to the St. Anthony's Seminar alleged to have occurred between 1964 and 1987.

18 RESPONSE TO DEMAND NO. 99:
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21 DEMAND NO. 100:

22 Any and all correspondence and other documents received by the Franciscan Friars or its
23 agents from St. Luke Institute concerning Robert Van Handel.

24 RESPONSE TO DEMAND NO. 100:
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OFM VANH 1
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Third party privacy

1 DEMAND NO. 101:

2 Any and all correspondence and other documents received by the Franciscan Friars or its
3 agents from St. Luke Institute concerning the molestation of children by clergy assigned to the
4 St. Anthony's Seminar alleged to have occurred between 1964 and 1987.

5 RESPONSE TO DEMAND NO. 101:

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8 DEMAND NO. 102:

9 Any and all correspondence and other documents received by the Franciscan Friars or its
10 agents from Michael John Eremia concerning Robert Van Handel.

11 RESPONSE TO DEMAND NO. 102:

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14 DEMAND NO. 103:

15 Any and all correspondence and other documents received by the Franciscan Friars or its
16 agents from Michael John Eremia concerning the molestation of children by clergy assigned
17 to the St. Anthony's Seminar alleged to have occurred between 1964 and 1987.

18 RESPONSE TO DEMAND NO. 103:

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21 DEMAND NO. 104:

22 Any and all photographs depicting activities involving the Boys Choir taken between 1980
23 and 1985.

24 RESPONSE TO DEMAND NO. 104:

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1 DEMAND NO. 105:

2 Any and all photographs taken by Robert Van Handel at any time while he was a Friar at St.
3 Anthony's Seminar that depicts a child under the age of 18 years.

4 RESPONSE TO DEMAND NO. 105:

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VC Privilege - Attorney Work Product

7 DEMAND NO. 106:

8 Any and all newsletters published by St. Anthony's Seminar between 1975 and 1985.

9 RESPONSE TO DEMAND NO. 106:

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12 DEMAND NO. 107:

13 Any and all minutes of meetings of the clergy at the St. Anthony's Seminar between 1975
14 and 1985.

15 RESPONSE TO DEMAND NO. 107:

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18 DEMAND NO. 108:

19 A full and complete copy of the 1917 Canon Law.

20 RESPONSE TO DEMAND NO. 108:

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23 DEMAND NO. 109:

24 A full and complete copy of the 1983 Canon Law.

25 RESPONSE TO DEMAND NO. 109:

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1 DEMAND NO. 110:

2 Any and all correspondence or other documents sent to or received from the National
3 Conference of Catholic Bishops - United States Catholic Conference regarding Robert Van
4 Handel.

5 RESPONSE TO DEMAND NO. 110:

8 DEMAND NO. 111:

9 Any and all correspondence or other documents sent to or received from the National
10 Conference of Catholic Bishops - United States Catholic Conference regarding the molestation
11 of children by clergy at the St. Anthony's Seminary alleged to have occurred between 1964
12 and 1987.

13 RESPONSE TO DEMAND NO. 111:

16 DEMAND NO. 112:

17 Any and all statements, pastoral letters and pastoral plans issued by the National Conference
18 of Catholic Bishops - United States Catholic Conference regarding children and child
19 molesting.

20 RESPONSE TO DEMAND NO. 112:

23 DEMAND NO. 113:

24 Any and all documents in the possession of the Franciscan Friars that pertain in any way to
25 the Independent Board of Inquiry that convened to investigate the molestation of children by
26 priests at the St. Anthony's Seminary.

27 RESPONSE TO DEMAND NO. 113:

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OFM VANH 1
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1 DEMAND NO. 114:

2 Any and all correspondence or other documents created, received or maintained by anyone in
3 the Franciscan Friars and pertaining to any victim or the family of any victim of child
4 molestation by a priest assigned to the St. Anthony's Seminary between 1964 and 1987.

5 RESPONSE TO DEMAND NO. 114:
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8 DEMAND NO. 115:

9 Any and all correspondence or other documents created, received or maintained by anyone in
10 the Franciscan Friars and pertaining to any priest who was suspected or known to have
11 molested children while assigned to the St. Anthony's seminary between 1964 and 1987.

12 RESPONSE TO DEMAND NO. 115:
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15 DEMAND NO. 116:

16 Any and all documents created, received, published or maintained by the Franciscan Friars
17 between 1965 and the present that dealt in any way with the proper boundaries to be observed
18 by Friars when supervising or otherwise dealing with children under the age of 18.

19 RESPONSE TO DEMAND NO. 116:
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Attorney Client Privileged

22 DEMAND NO. 117:

23 Any and all documents created, received or maintained by the Franciscan Friars from 1980 to
24 the present that in any way document or reflect payment to any person claiming to have been
25 the victim of clergy child molestation by a priest assigned to the St. Anthony's Seminary.

26 RESPONSE TO DEMAND NO. 117:
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1 DEMAND NO. 118:

2 Any and all documents created, received or maintained by the Franciscan Friars from 1980 to
3 the present that in any way document or reflect payment to the family of any person claiming
4 to have been the victim of clergy child molestation by a priest assigned to the St. Anthony's
5 Seminary.

6 RESPONSE TO DEMAND NO. 118:

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9 DEMAND NO. 119:

10 Any and all documents created, received or maintained by the Franciscan Friars from 1980 to
11 the present that in any way document or reflect payment for counselling for any person
12 claiming to have been the victim of clergy child molestation by a priest assigned to the St.
13 Anthony's Seminary.

14 RESPONSE TO DEMAND NO. 119:

A/C Privilege - Attorney Work Product

17 DEMAND NO. 120:

18 Any and all documents created, received or maintained by the Franciscan Friars from 1980 to
19 the present that in any way document or reflect payment for counselling for the family of any
20 person claiming to have been the victim of clergy child molestation by a priest assigned to the
21 St. Anthony's Seminary.

22 RESPONSE TO DEMAND NO. 120:

25 DEMAND NO. 121:

26 Any and all documents created, received or maintained by the Franciscan Friars from 1990 to
27 the present that reflect any communications with the Servants of the Paraclete regarding
28 Robert Van Handel.

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1 RESPONSE TO DEMAND NO. 121:

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4 DEMAND NO. 122:

5 Any and all documents created, received or maintained by the Franciscan Friars from 1990 to
6 the present that reflect any communications with the RECON regarding Robert Van Handel.

7 RESPONSE TO DEMAND NO. 122:

12 DATED: January 22, 2000

SEDGWICK, DETERT, MORAN & ARNOLD

14 By

NICHOLAS W. HELDT
Attorneys for Defendant
Franciscan Friars of California, Inc

OFM VANH 1
0255

CARRINGTON & NYE
ATTORNEYS AT LAW
A PARTNERSHIP

14 H
DAVID L. NYE
KAREN K. PEABODY
OF COUNSEL
RICHARD A. CARRINGTON

January 13, 2000

Nicholas W. Heldt
Sedgwick, Detert, Moran & Arnold
One Embarcadero Center
Sixteenth Floor
San Francisco, Ca 94111

Re: [REDACTED] v. Van Handel
Santa Barbara Superior Court, Case No. [REDACTED]

Dear Mr. Heldt:

1. As we promised we would do in our meet and confer telephone conference on Monday, January 10th, this letter outlines for you the initial round of depositions we intend to notice and take in this matter. Rather than unilaterally setting dates for the depositions, as you did, and then refusing to alter the schedule, I am inviting you to call my office and provide me with dates that would be convenient for you and, insofar as the list includes individuals who are still Friars, your clients. I have marked with an asterisk the names of those individuals that I understand to still be associated with the Friars and for whom I intend to issue only a Notice of Deposition. If I am incorrect with regard to any of these individuals, I expect you to let me know so that I can arrange to have them subpoenaed to attend the deposition(s). In the general order that we intend to proceed, not including Boy's Choir personnel who will be added at the appropriate time, the list

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TELEPHONE (805) 963-2345 • FACSIMILE (805) 563-5385

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Mr. Heldt

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2. Regarding the scheduling of these depositions, we believe that under CCP § 2025(c), it would be appropriate to ask the court to order most of the depositions of your client's employees in Santa Barbara, since they are spread all over the state. This would allow us to do more depositions in a much shorter period of time, and would dramatically reduce the expense to all parties. Please let me know your thoughts on this.

3. In your list of depositions, you identified an individual by the name of [REDACTED]. That name is unknown to us and does not appear in any of your interrogatory answers. Would you kindly advise us of who this person is, what his relationship with this lawsuit is, and the nature of the anticipated deposition testimony.

4. Your deposition notices of [REDACTED] in Colorado and [REDACTED] in Arizona are defective. Both Colorado and Arizona require a commission issued by a

court of competent jurisdiction, in this case the Santa Barbara Superior Court. A commission can only issue by noticed motion, which you did not do. Consequently, the depositions cannot go forward and any subpoenas you may have served on these deponents are of no force and effect. Please confirm in writing that these depositions are off calendar. Before you go to the time and expense of seeking a commission and having all of us travel to Colorado and Arizona, I suggest you allow my office to take the lead in coordinating the depositions of these two individuals in California. I believe they would both be willing to come to Santa Barbara where they could stay with friends and/or relatives, so the cost to the Friars would be far less than the other alternative. Please advise me of how you intend to proceed in this regard.

5. In our meet and confer session, we discussed the fact that both Mr. Roden and I have calendar conflicts on the date that you scheduled Robert Van Handel's deposition, January 25th. This conflict, the fact that you cannot compel us to move forward with Van Handel's deposition until we have received proper responses to our written discovery (which you asked for and the court granted more time to respond), and the fact that we have a motion to continue the hearing on the motion for summary judgment set on that same date in Santa Barbara, certainly amount to just cause to ask you to reset this deposition for a later date. However, you indicated that you would not consider changing this date because you felt you needed testimony from Mr. Van Handel to buttress your summary judgment motion. I find this strange, since you have virtually unlimited access to Mr. Van Handel and can obtain by declaration any testimony you want. The attorney for Mr. Van Handel has informed me that you are essentially directing Mr. Van Handel's defense in this case, as well as that of the Friars and the Archdiocese. If that remains your position, then we have no option but to file and serve a motion for a protective order. The filing of the motion does, of course, stay the deposition until the court can hear the motion, which we will schedule on the first available court date.

6. Scheduling depositions so as to take unfair advantage of your opponent constitutes sanctionable conduct under CCP § 128.5. Your motives here are transparent. You did not extend the normal professional courtesy of coordinating deposition dates. You have intentionally tied up virtually every day that plaintiff could have noticed depositions between now and the date of our presently due opposition to your motion for summary judgment. You have us travelling unnecessarily between San Francisco and Santa Rosa. You have scheduled depositions so as to make it almost impossible to find flights to and from Santa Barbara that will accommodate your schedule. You have refused to make any adjustments in those noticed depositions to accommodate the schedules of others. You have not even taken into consideration the schedules of any of the deponents/victims.

Mr. Heldt
January 13, 2000
Page 4

You have refused to stipulate to a continuance of the hearing on the motion for summary judgment, thus compelling us to bring yet another motion. It is clear that you are intent on making our discovery as difficult as possible in this case, and using your discovery to inconvenience us as much as possible. Such tactics are entirely unnecessary, unprofessional, and will certainly not prevent us from completing all of our desired discovery in due course now that the court has given us the time to do so.

Very truly yours,

CARRINGTON & NYE

By


DAVID L. NYE

DLN/rw

cc: Stan Roden


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0259

3RD PARTY PRIVACY

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Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA

For the County of Santa Barbara

—o0o—

CASE NO. [REDACTED]

**AMENDED RESPONSES TO
SPECIAL INTERROGATORIES**

The Hon. James W. Brown

Complaint Filed: 1/11/99

Trial Date: 1/7/00

[REDACTED]
Plaintiff,

vs.

ROBERT VAN HANDEL, et al.,

Defendants.

PROPOUNDING PARTY:

Franciscan Friars

RESPONDING PARTY:

SET NUMBER:

[REDACTED]
One

Responding party hereby provides the following responses,
without prejudice to further discovery. Each of the following
responses is rendered and based upon information in the possession
of the responding party at the time of the preparation of these
responses. Discovery will continue as long as permitted by statute
or stipulation of the parties, and the investigation of this
responding party's attorneys and agents will continue to and

1 throughout the trial of this action. Responding party, therefore,
2 specifically reserves the right, at the time of trial, to introduce
3 any evidence from any source which may hereinafter be discovered
4 and testimony from any witness whose identity may hereinafter be
5 discovered. If any information has unintentionally been omitted
6 from these responses, this responding party reserves the right to
7 apply for relief so as to permit the insertion of the omitted data
8 from these responses. These introductory comments shall apply to
9 each and every response given herein, and shall be incorporated by
10 reference as though fully set forth in all of the responses
11 appearing in the following pages.

12

13 INTERROGATORY #6:

14 Responding party is informed and believes that Robert Van Handel
15 has indicated to several sources that on an occasion in 1962, when
16 he was 15 years old and a high school student at St. Anthony's
17 Seminary in Santa Barbara, he fell ill and reported to the
18 infirmary where he was allowed to rest. At that time, a seminary
19 priest, Father Martin McKeon, came into the room, put a towel on
20 Van Handel's chest, and then started to rub his stomach and chest
21 area, then rubbed his penis and genital area for approximately 10
22 minutes, causing Van Handel to obtain an erection. Van Handel
23 reported feeling very alarmed at what was happening and also
24 recalled being very concerned that the he would ejaculate in that
25 he felt it was a wrong thing to do. Van Handel reported that he
26 was very confused and embarrassed about what had happened and
27 decided to put it out of his mind, but he admits that the event
28 still affects him and that the molestation was very similar to his

3RD PARTY PRIVACY

1 own molestations of other children later on. Responding party is
2 aware of the following individuals who do or who may have knowledge
3 of this information: Robert Van Handel; Father Martin McKeon;
4 Michael John Eremia, Goleta Professional Building, Suite E, Goleta,
5 California, 93117, (805) 967-8513; Michael V. Stulberg, M.D., 504
6 W. Pueblo, Suite 304, Santa Barbara, CA 93105, (805) 682-1882. The
7 documents that contain this information are all contained in the
8 Probation Report for Robert Van Handel's criminal case in the Santa
9 Barbara Superior Court, Case Number 202042, dated August 12, 1994,
10 a copy of which has been produced to the propounding party.

11

12 **INTERROGATORY #7:**

13 Responding party is informed and believes that Robert Van Handel
14 had determined in his own mind by the early 1970's that he was
15 attracted to little boys, and in particular little boys who sang,
16 particularly little boys who had light brown or blond hair, blue
17 eyes and who sang well (i.e., [REDACTED] He had
18 determined that he liked to photograph nude little boys and did so
19 surreptitiously. He had already developed the ability to use a
20 child's parents to gain access to the child, and had also learned
21 that he could molest a child entrusted to his care, apparently
22 without any feeling of moral remorse to the child or his parents.
23 In fact, in this same time frame Van Handel orally copulated [REDACTED]

24 [REDACTED] In his sexual autobiography, which is part of the
25 Probation Report for Robert Van Handel's criminal case in the Santa
26 Barbara Superior Court, Case Number 202042, dated August 12, 1994,
27 a copy of which has been produced to the propounding party, Van
28 Handel documents an attempt in this same time frame to tell a

1 Franciscan counsellor about his vile thoughts and actions and his
2 attraction to little boys, but the counsellor, according to Van
3 Handel's account of the incident, after acknowledging that he knew
4 what Van Handel meant, was quick to change the subject and avoid
5 the admission that Van Handel was apparently interested in making,
6 or at least exploring at the time. The witnesses who would have
7 knowledge of these events are Robert Van Handel and an unknown
8 Franciscan Friar counsellor.

9
10 INTERROGATORY #8:

11 Responding party is informed and believes that Robert Van Handel
12 was ordained a priest in 1975 and, in the same time frame, was
13 accepted into the elementary teaching program at Cal Berkley,
14 obviously in the hope of teaching, being around, and having access
15 to young boys. However, in his sexual autobiography, which is part
16 of the Probation Report for Robert Van Handel's criminal case in
17 the Santa Barbara Superior Court, Case Number 202042, dated August
18 12, 1994, a copy of which has been produced to the propounding
19 party, Van Handel reports that the provincial intervened and sent
20 him, over his protest, to St. Anthony's Seminary to teach high
21 school age children, which are older than his preferred and
22 targeted age group of younger boys. The witnesses to this would
23 include Robert Van Handel and the provincial at the time, who is
24 believed to have been [REDACTED]

25
26 INTERROGATORY #9:

27 As indicated in answer to interrogatory #7 above, by the early
28 1970's Robert Van Handel had clearly developed a sexual attraction

1 to young boys. His interest in young boys was also noted in his
2 1970-1971 Semi-Annual Report #1 wherein it was written that "His
3 principal interest has been in the area of working with children.
4 One of his projects has been to organize and direct a boy's choir
5 for the Newman Center...." In his 1971-1972 Semi-Annual Report #1,
6 it is again noted that "His work with the Boys Choir at the Newman
7 Center, demanding as it is, is well worked into his schedule and he
8 shows good sense in making necessary choices." The Definitorium
9 clearly had the ability to approve or disapprove of this and other
10 Friar activity, as evidenced by Van Handel's March 22, 1973 letter
11 requesting permission to participate in a study on children and
12 government, and the response of [REDACTED] dated March 28, 1973,
13 communicating the Definitorium's enthusiasm over the project and
14 granting "permission" for Van Handel to accept. On November 4,
15 1978, after Van Handel had sought permission to travel abroad with
16 the Boy's Choir, [REDACTED] wrote to him and acknowledged the
17 "immense amount of good you have done with them and in the
18 community through them (the choir)." It was also recognized in
19 that letter that the project would mean a shift of Van Handel's
20 workload to other Friars while Van Handel prepared over the next
21 seven to eight months for the trip. On October 4, 1982, Van Handel
22 sought permission from the Definitorium to travel to England and
23 Ireland on what was best described as a church tour during the
24 months of July and August, 1983. On October 11, 1982, in response
25 to that request, the Definitorium wrote back and informed Van
26 Handel that "...you have our permission." On October 24, 1986, Van
27 Handel again wrote to the Definitorium, again asking for permission
28 to travel with the Boy's Choir to England and Switzerland this

1 time. In that letter, he points out that "While resident in Oxford
2 Cathedral the choir practiced three times a day and performed a
3 service daily. Sunday was a day spent in church with three
4 separate and different services." Predictably, the Definitorium
5 wrote back on October 31, 1986 and approved the travel, noting that
6 "We do affirm your work with the choir and the contribution that it
7 makes." On January 14, 1988, in applying for graduate studies at
8 UCSB, Van Handel wrote to the Friars Committee for Graduate
9 Studies, noting in that letter that "I am already serving the
10 province as administrator of St. Anthony's Seminary and chaplain to
11 the 'Greater Community.' This could continue as well as my
12 outreach work through and with the Santa Barbara Boy's Choir." On
13 September 10, 1989, in yet another travel request for a trip to
14 England, Van Handel points out that on this trip the tentative
15 plans are "...to go to Lichfield Cathedral (North of Birmingham)
16 and to sing the choral services there for a week. Then we would
17 travel west into northern Wales before going to Cork, Ireland. We
18 hope to be able to sing at St. Finbar's Cathedral, Cork, and
19 possibly at the Franciscan church in that city." In response, the
20 Definitorium wrote back on September 27, 1989 and advised Van
21 Handel "With this letter, please receive the formal permission of
22 the definitorium to travel to England next summer. We believe that
23 your work with the boy's choir is a good witness in Santa Barbara
24 and a fine ministry for you to be involved in." The witnesses to
25 the above would be Robert Van Handel, unknown persons who completed
26 his evaluation forms, members of the Devinitorium (unknown
27 identity), [REDACTED] [REDACTED] [REDACTED] [REDACTED], and The
28 Friars' Committee for Graduate Studies. The documents are

described above and will be provided with the document production served concurrently herewith.

INTERROGATORY #10:

[REDACTED] was molested at St. Anthony's Seminary during the school year 1980-81 by Brother Gus Krumm. [REDACTED] told his brother, [REDACTED], that he was having problems with Br. Krumm and his brother reported the matter to [REDACTED] counsellor, Fr. Robert Van Handel. The next day, Fr. Van Handel called [REDACTED] to his office, but said nothing about the problem with Br. Krumm. Within a day or two, two Franciscan Friars, Fr. Chris Berbina and Br. Bernard Connelly, and one Franciscan Associate Program member, Robert Mocney, each came into [REDACTED] bed area and "interviewed" him about what had happened. [REDACTED] told each of them what had happened, including the molestation. Nothing else was done.

[REDACTED] was repeatedly physically and sexually abused at St. Anthony's Seminary during the school year 1964 to 1966 by Fr. Mario Cimarusti, who routinely administered beatings to [REDACTED] and to other students. In the middle of [REDACTED] junior year, he complained to the Rector, Fr. Harris, about the abuse and informed him that he was going to quit the seminary. Fr. Harris tried to bribe him to not quit, and thereafter tried to threaten and intimidate him into not quitting.

[REDACTED] attended St. Anthony's Seminary as a boarding student during the school year 1966 to 1970. Fr. Mario Cimarusti

Third Party Privacy Rights

attorney work product

1 held was the Prefect of Discipline and also in charge of the
2 infirmary/student health at this time. Fr. Mario routinely
3 administered severe beatings to the students and gave genital
4 examinations to students. During his first year at St. Anthony's,
5 [REDACTED] confronted Fr. Mario about the beatings and examinations.
6 Fr. Mario's response to the confrontation was to threatened [REDACTED]

A/C Privilege - Attorney Work Product

17 [REDACTED] was sexually abused by a Friar(s) at St. Anthony's and
18 has consented to being identified as a witness and has agreed to an
19 interview, but has not been interviewed as of this date and the
20 details of his abuse and/or reporting are not yet known.

21

22 [REDACTED] was sexually abused by a Friar(s) at St. Anthony's and
23 has consented to being identified as a witness and has agreed to an
24 interview, but has not been interviewed as of this date and the
25 details of his abuse and/or reporting are not yet known.

26

27 [REDACTED] was sexually abused by a Friar(s) at St. Anthony's
28 and has consented to being identified as a witness and has agreed

Third Party Privacy Rights

1 to an interview, but has not been interviewed as of this date and
2 the details of his abuse and/or reporting are not yet known.

3
4 [REDACTED] was sexually abused by a Friar(s) at St. Anthony's and
5 has consented to being identified as a witness and has agreed to an
6 interview, but has not been interviewed as of this date and the
7 details of his abuse and/or reporting are not yet known.

8
9 [REDACTED] was sexually abused by a Friar(s) at St. Anthony's and
10 has consented to being identified as a witness and has agreed to an
11 interview, but has not been interviewed as of this date and the
12 details of his abuse and/or reporting are not yet known.

13
14 [REDACTED] was sexually abused by a Friar(s) at St. Anthony's
15 and has consented to being identified as a witness and has agreed
16 to an interview, but has not been interviewed as of this date and
17 the details of his abuse and/or reporting are not yet known.

18
19 Plaintiff is informed and believes and on that basis alleges that
20 [REDACTED] were sexually
21 abused by a Friar(s) at St. Anthony's but have not yet been
22 contacted and therefore have not yet consented to being identified
23 as a witness or agreed to an interview.

24
25 There are no additional documents known at this time that support
26 this allegation. Witnesses, known at this time, are:

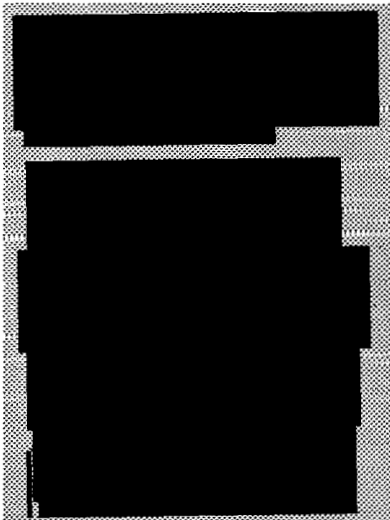
27 [REDACTED]
28 [REDACTED]

Third Party Privacy Rights

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[REDACTED]

Third Party Privacy Rights



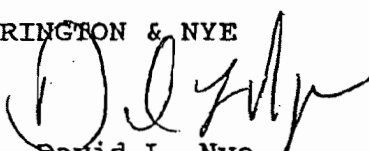
INTERROGATORY #11:

Please see response to interrogatory #10 above, which is incorporated herein.

Dated: December 14, 1999

CARRINGTON & NYE

By:


David L. Nye
Karen K. Peabody
Attorneys for Plaintiff

Third party privacyVERIFICATION

STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

I have read the foregoing AMENDED RESPONSES TO SPECIAL INTERROGATORIES and know its contents.

I am [REDACTED] plaintiff in this action. The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification is executed this 14th day of December, 1999, at Chico, California.

[REDACTED]

PROOF OF SERVICE

I am employed in the County of Santa Barbara, State of California. I am over the age of eighteen years and not a party to this action. My business address is 33 West Mission, Suite 201, Santa Barbara, California 93101.

On the dates stated below, I served the following document(s): **AMENDED RESPONSES TO SPECIAL INTERROGATORIES, SET ONE** on the interested parties in this action, by placing [X] the original [TO NICHOLAS HELDT ONLY] [x] true copies thereof enclosed in sealed envelopes addressed as follows:

Nicholas W. Heldt
Sedgwick, Detert, Moran & Arnold
One Embarcadero Center
Sixteenth Floor
San Francisco, Ca 94111

John McNicholas
McNicholas & McNicholas
10866 Wilshire Boulevard
Suite 1400
Los Angeles, Ca 90024

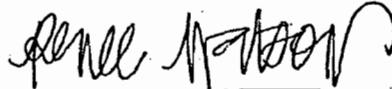
Mr. Robert G. Howie
Howie & Associates
1450 Chapin Ave., Suite 200
Burlingame, CA 94010

Stanley Roden
Hatch & Parent
21 East Carrillo Street
Santa Barbara, CA 93101

- [X] [By Mail] I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Santa Barbara, California on December 14, 1999.
- [] [By Personal Service] I caused such envelope(s) to be delivered by hand to the office(s) of the addressee(s) on December 14, 1999.
- [] [By Fax Service] I caused such document(s) to be sent via facsimile transmission on December 14, 1999.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: December 14, 1999



RENEE WATSON

**AGREEMENT BETWEEN ROBERT VAN HANDEL
AND FRANCISCAN FRIARS OF THE PROVINCE OF ST. BARBARA
CONCERNING FINANCIAL SUPPORT OF ROBERT VAN HANDEL**

This agreement is made between Robert Van Handel (hereinafter referred to as "Robert") and the Franciscan Friars of the Province of St. Barbara (hereinafter referred to as "the Franciscans") on this ____ day of _____, 1998.

Financial Assistance

Subject to the conditions set forth below, the Franciscans agree to pay Robert's housing costs for up to one year, to give him a monthly stipend for support, in an amount to be established by the Franciscans in their sole discretion, for up to one year, and to pay for costs of therapy, by a therapist approved by the Provincial Minister of the Franciscans, for up to one year. If Robert is able to support himself in less than one year, he is to assume his own support and the Franciscans may terminate financial assistance to Robert. If Robert is not able to support himself within one year, the Franciscans agree to evaluate after one year whether continued financial support for housing, monthly living expenses or therapy is appropriate for a second year.

Conditions to be Placed on Financial Support

1. So long as the Franciscans contribute to the costs of Robert's housing, the Franciscans shall have the right to approve or reject the place Robert chooses to live.
2. So long as the Franciscans contribute to the cost of therapy for Robert, Robert consents to disclosure of information from his therapist to the Provincial Minister of the Franciscans on the subjects of (a) whether Robert remains committed to the therapeutic goals, (b) whether continuing therapy will be beneficial, and (c) whether Robert presents a risk to any identifiable person or persons.
3. So long as the Franciscans contribute financially toward Robert's support in any way Robert agrees to faithfully visit the therapist approved by the Provincial Minister of the Franciscans and to pursue the goals of therapy.
4. So long as the Franciscans contribute financially toward Robert's support in any way, Robert agrees to obey all the terms of his parole or probation, including the obligation to register as a sex offender in any county where he resides. Robert consents to answer questions asked of him concerning his compliance with the terms of his probation and agree to provide the name and phone number of his probation officer as well as his consent that the probation officer may answer any questions

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 2

concerning Robert's probation asked by the Provincial Minister of the Franciscans.

5. So long as the Franciscans provide financial support to Robert in any way, Robert agrees to seek and maintain suitable employment which does not involve working with children.

6. So long as the Franciscans provide any financial support for Robert, Robert agrees to disclose his efforts to seek employment and his financial condition, including the amounts of any wages or salary he is earning, an account of his financial obligations, and disclosure of any credit he has been extended.

7. Robert agrees he will have no overnight visits with children or with families having children, either in his home or in their home, unless in the presence of the children's parents who know of his conviction and its nature. Robert also agrees that he will spend no time with any child one-on-one, outside the presence of another adult.

8. Robert consents to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of the nature of the support he is receiving and, if the Franciscans think it prudent or expedient, the conditions that have been placed on that support. Robert also consents to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of statements describing the Franciscan's objectives in providing financial support to Robert, such as statements illustrated by the two block quotes in the next section of this agreement.

9. Robert consents to disclosure by the Franciscans to any of Robert's landlords, employers, prospective employers, co-workers, prospective co-workers, and others of Robert's conviction and its nature, if the Franciscans think it prudent or expedient.

10. If Robert does not abide by all of these conditions, then Robert understands that the financial support will be terminated immediately.

11. The financial support is for one year and it can be negotiated for a second year.

Answers to Questions of the Press or Public

The Franciscans may be questioned following the release of Robert from prison. The Franciscans, either as an

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AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 3

organization, or as individuals, may be asked to comment in general on the release of Robert, or on his relationship to the Franciscan Order. The Franciscans may also be asked more specific questions if it is known the Franciscans are providing support to Robert.

The extent of support to be provided to Robert by the Franciscans, and the conditions placed on that support, may be shared with all members of the Province, together with a prepared statement, along the following lines, that can serve as a guide to any Franciscan who is contacted or called upon to address the public or the press concerning the situation:

Robert Van Handel has been (will be) released from prison in May 1998. While Robert Van Handel was in prison, he asked for and received an indult from the Vatican to be released from his vows and dispensed from priestly obligations. Robert Van Handel is now a layperson.

Although Robert Van Handel is no longer a Franciscan Friar of the Province of St. Barbara nor a Catholic priest and is not now a member of any Catholic religious order, the Franciscan Friars of the Province of St. Barbara have agreed under specified conditions to help in supporting him for a period of time, in finding suitable employment, in obtaining a suitable place to live, and in receiving needed therapy to help prevent re-offending.

The Franciscan Friars have agreed to provide this financial support for several reasons. Among those reasons is the requirement of Canon Law that a religious order is, "to observe equity and evangelical charity toward the member that is separated from it." In addition, however, the Franciscans remember the hope expressed by many victims that their painful disclosures would at least help prevent future wrongs. That hope of prevention of future wrongs cannot be best achieved if the Franciscans simply wash their hands of Robert now that he has left the Order. Therefore, the financial support to Robert Van Handel has certain conditions

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 4

attached. To receive financial support Robert may not accept work with children. He must remain in therapy, and he must comply with the terms of his probation, including registering as a sex offender, among other things.

In 1993, the Franciscans made a public apology and a promise to work to prevent harm in the future when the Board of Inquiry publicly released the report of its investigation into the accusations of misconduct by friars at St. Anthony's Seminary. The Franciscans have endeavored to honor that pledge by addressing the needs of victims and their families who have sought help through the Board of Inquiry, many of whom are still receiving therapy. Robert Van Handel is in need of this healing assistance as well and does not, as yet, have the ability to provide it for himself.

It is the hope of the Franciscans that the assistance they offer to Robert Van Handel, as well as the assistance they continue to offer to his victims and others, will help prevent other wrongs in the future and will help restore the health and faith of so many people that has been tested.

If questions or concerns are raised that reveal a more specific awareness of the terms of the agreement between Robert and the Franciscans, or that probe more specifically the rationale for the Franciscans providing support to Robert, the following further statement can serve as a guide for a response:

Although the Franciscans are required by Canon law to act with charity toward our former member, Robert Van Handel, we have not forgotten the past. Our support of Robert Van Handel has conditions attached. For instance, in order to receive financial support from the Franciscans, Robert has agreed that we may speak with his therapist to determine whether Robert remains committed to the goals of his therapy. In addition, to receive financial support from the Franciscans, Robert has agreed that we may

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AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 5

speak with his probation officer to determine if Robert is obeying all the terms of his probation. As long as Robert receives any financial support from the Franciscans, he has agreed that the Franciscans may disclose to his employers, co-workers, and others his conviction and its nature.

The Franciscans have attached these and other conditions to their financial support of Robert not so that he can begin a new life in a new place free of his past, but so that he can begin a new life in a new place in light of his past. When many of the victims came forward and shared their pain with the Board of Inquiry, they expressed the hope that their disclosures would make a difference for the future. They asked important questions about what the Franciscans would do to prevent such a thing from happening again and, more specifically, what the Franciscans would do to prevent Robert Van Handel from repeating his behavior. Robert Van Handel has now left the Franciscan Order and the Franciscans cannot control his life. But by helping Robert to establish a new life for himself, and attaching conditions to the support, the Franciscans hope that the new life Robert builds for himself will be amid a network of people who are aware of his past and in that way may serve as a check against any reoccurrence of his behavior. [The Independent Response Team, created by the Franciscans to identify and offer aid to victims, will be asked to enforce the conditions on the assistance offered to Robert Van Handel.]

The Franciscans have not forgotten the needs of Robert's victims in agreeing to provide financial support to Robert Van Handel. To contrary, the Franciscans have remembered the needs expressed by Robert's victims that their pain and disclosure should help spare children in the future.

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 6

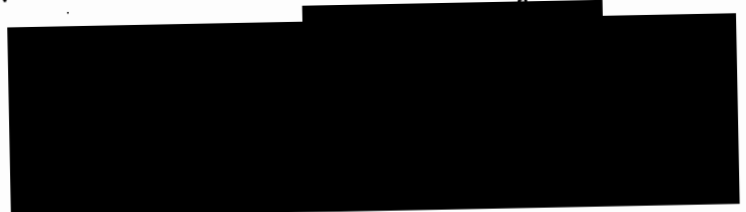
This writing contains the entire agreement between Robert and the Franciscans. There are no other terms or agreements between Robert and the Franciscans that are not expressly set forth in writing.

This agreement may only be modified in writing, signed by Robert and by the Provincial Minister of the Franciscan Province of St. Barbara.

Dated: May 6, 1998.

By Robert Van Handel
Robert Van Handel

Dated: May 9, 1998.



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3RD PARTY PRIVACY

Robert Van Handel
1705 Airline Hwy. #139
Hollister, CA 95023

[REDACTED]
Provincial
Franciscan Friars
1500 - 34th Ave.
Oakland, CA 94601

17 May 1999

Dear [REDACTED]

I hope this letter finds you well and enjoying the spring weather.

Last weekend, my sister, Christine, brought my parents down from Portland, Oregon, to visit me. We had a wonderful few days in Pacific Grove, and although it was cool and breezy, my parents really enjoyed escaping rainy Portland. The last time I saw my parents I was in prison in Vacaville. I tried to get up to see them at Thanksgiving, but Oregon Parole would not allow me in the state.

I was very sorry to hear about Berard's death. He had been a good friend to me; I always felt he understood my feelings, and he was supportive without being suffocating. Of course he certainly understood that I could not be in Santa Barbara for his funeral. I have heard many good things about the ceremonies and talks. I had to say "goodbye" from a distance. Bro. Angelo gave me a card from the funeral, and I hope I am still on the list to receive the obituaries.

In just over a week it will be one year since I was released on parole (May 25). I am very grateful to you and the friars for your most generous support of me during this transition. It has been difficult at times, but I felt cared for and loved by my family, friends, and the friars. I think Bro. Fabian has taken me on as his private apostolate! I can't imagine how I would have made it without so much help.

If I remember correctly, our agreement is to be reviewed by you at the end of one year, with the possible extension to a second year. As I think you know, I have been working for four months with Roger Holton, who was until recently employed by Aqua Prima, Inc; selling distilled drinking water machines. I am his administrative/sales assistant. I receive a base salary of \$500 a month plus a percentage of commissions, but we rarely sell a unit, so I have made little money. I am still working for Roger, (who now sells cars), and I am following up on the water customers who were good prospects. I have learned a lot about business, and about maintaining a computer database, but I am nowhere close to financial independence. Actually right now I am working on an idea of

starting my own business as a personal secretary/bookkeeper to the elderly who cannot take care of matters on their own, but I will tell you more of that later. Meanwhile I would like to request a continuance of the support I am receiving from the friars. Dr. Rosales is familiar with my present circumstances and he would be happy to share his thoughts with you on this matter. I would be pleased to meet with you or your delegate if that is in order. Thank you.

Quite independently of this request, I have written down some of my own thoughts on the past year while looking toward my second year on parole. As you might find it of interest, I will include it in this letter. I also gave a draft copy to Dr. Rosales.

Once again, many, many thanks for your help and support. If the opportunity presents itself, please pass on my gratefulness to the Province.

Sincerely yours,



Robert Van Handel

(831) 637-0835

ONE YEAR OUT - A SELF ASSESSMENT

GOALS

My primary goals were to avoid re-offending, maintain a clear parole record, continue my therapy sessions in PTA and elsewhere, make a smooth transition to life on my own, discover a career or job that met my needs financially and gave me a sense of purpose, in general make a place for myself in society.

INITIAL RELEASE

My first hours out on parole were mixed with elation at being out and free, and fear of being discovered by the public. In the first few weeks I was nearly paranoid. I listened for every car that entered the lot at the Wiebe Motel. I was frightened by every telephone call. The press and some civic leaders were trying to locate me, and it was only with the help of Wes Ellison, Parole Agent, that I was not fully exposed. There was a large, noisy community meeting in San Juan Bautista. I was in the papers and on the news. This was a very dicey period for me. Wes has said that my name still comes up in community meetings. I still have to be very careful in Hollister and San Juan.

PAROLE & LEGAL MATTERS

I was blessed with a concerned, helpful parole agent. Wes has advised me about how to stay out of trouble, has visited me regularly, has shielded me from the press and others, found a place for me to live, and yet maintains a professional distance. Every day I contact parole regarding my activities. Wes introduced me to some of the local police and sheriffs. Recently, with Wes at my side, I appeared before a law enforcement committee in Santa Cruz to answer questions about my offenses and life. At present there is a civil suit against the Province, and me, but I have been advised to not respond, as I have no wealth or property.

FINANCES

The Franciscans have from the beginning been my sole support. Besides providing me with a car, auto insurance, and health insurance, they pay all of my bills. I am extremely grateful for their generosity.

On February 15, I started working for Roger Holton as an administrative/sales assistant with a small base salary and one-third of all commissions. Unfortunately we have not had much success at this business, we have made little money, and Roger has left the company. Soon I will have to find another job. I am presently working on an idea of starting a service as an in-home secretary to those who need such. It seems that financial independence is still in the distance.

Herb and Beverly Liberman have given me a lot of assistance and encouragement in finding my place in the employment world.

MEDICAL

The Franciscans are paying for my Blue Cross Medical and Dental coverage. I have had some dental work done, and I need more, but I am waiting for the completion of one year of coverage so that the cost will be reduced. Basically I am in good physical condition, but there are a few old problems (blood pressure, hypothyroid), and one new one: Parkinson's Disease. I am only in the first stage of Parkinson's, but it affects my typing and coordination, particularly of my left hand.

THERAPY

Through the generosity of the Franciscans, I have been able to participate in a number of therapeutic experiences. I am a client of Pacific Treatment Associates in Santa Cruz where I participate in group therapy with Mary Simoni, a special "tape" group, workshops, and individual therapy with Dr. Vee Duvall. I am in weekly contact with Dr. Israel Rosales who coordinates my program on behalf of the Franciscans. Until recently I also met quarterly with Dr. Frank Lanou who worked for the parole system. Finally I am under the psychiatric care of Dr. William Harmon who treats me for depression.

SOCIAL LIFE

Outside of the Franciscans and PTA, I have made only one new friend: Bette Baptista, my landlady. I joined the choir at St. Mary's, Gilroy, but I had to give that up after a short time because too often children were at the practices. I volunteered for a short time at Dorothy's Place in Salinas, but I didn't like it there very much. I did enjoy volunteering at the St. Francis Catholic Kitchen in Santa Cruz, and I became somewhat friendly with the people there, but I had to quit when I started working for Roger.

Bro. Fabian has been a great friend to me and he visits me regularly. I have also had rewarding visits from several Franciscans who have over and over shown their enduring friendship. I have been to San Diego twice to visit my sister, Christine; I have been to San Francisco and Berkeley, and I spent several wonderful days in Yosemite.

Oregon Parole would not let me visit my parents at Thanksgiving, but they are coming to see me in the middle of May.

SPIRITUAL MATTERS

I continue to pray the "Daily Office," and I go to Mass on Sundays, but I have not been able to establish satisfying contact with a religious community. I am conscious that I am not welcome in area churches, and my experiment at St. Mary's in Gilroy failed. I am grateful for God's goodness to me and of his protection, but even in prison I had a

community with which to pray. This lack has exacerbated my distance from the Franciscan Order.

SUMMARY

Half full – Half empty. That's the story here. I have come a long way from the terrors of my first days on parole. I have gained confidence and I am better able to deal with stress and my fear. I have not been "found" by those who would expel me, and I have enjoyed living in my little trailer in Hollister. Roger has been an employer and a friend. I have always enjoyed great support from my family and from the Franciscans. I am able to see most things in a much more balanced way, and as a result, things in general seem to be going much better now.

GOALS – YEAR II

In addition to continuing the goals from last year, some new ones have come to the fore. I need to make new friends. One of my goals for the second year is to find some organization or club—maybe connected with UCSC—where I will feel comfortable meeting people with whom I share an interest. Perhaps I will take a class at the university. Maybe there is a chapter of the American Guild of Organists in the area. Even though this will mean driving even more than I already do, I need to develop in this area.

Usually I attend Sunday Mass at Mission San Juan Bautista. I used to go to St. Mary's in Gilroy, but the pastor there, while telling me I was welcome, told Wes that he was nervous about my being there. I have not contacted the pastor at the Mission. I arrive late, sit by myself if possible, or next to an adult, and then I leave early so that the fewest possible number of people see me. Remember the people of San Juan met with Wes when I was first released to make sure I didn't settle in their town. This sort of shy appearance at services leaves me feeling estranged from a worshipping community. I would like to find somewhere that I could be an active part of the church without all the ramifications associated with "being found out."

I would like to move into a larger trailer, actually a mobile home, when one becomes available at my trailer park. I have already asked the landlady to hold one for me. While my rent would go up, living in a larger place would be a big improvement as then I could have my books, a chair, and even an office. Somewhere further down the line I would like to explore moving out of Hollister to Santa Cruz or some similar community, but now is not the time for a move.

Robert Van Handel
May 1999

ISRAEL B. ROSALES, Ph.D.
CLINICAL PSYCHOLOGIST
1734 FILLMORE STREET
SAN FRANCISCO, CALIFORNIA 94115
TEL: 415-441-9504
FAX: 415-383-3074

August 13, 1998

[REDACTED]
Provincial Minister
Franciscan Friars, St. Barbara Province
1500 34th Avenue
Oakland, California 94601


RE: ENCLOSED RELEASE

Dear [REDACTED]

Enclosed you will find a Release of Confidential Information signed by Robert Van Handel. In the future, I would like to review Robert's personnel file, particularly any psychological evaluations that he completed.

Please contact me if you have any questions.

Sincerely,


Israel B. Rosales, Ph.D.
California License No. PSY12747

ISRAEL B. ROSALES, Ph.D.
CLINICAL PSYCHOLOGIST
1734 FILLMORE STREET
SAN FRANCISCO, CALIFORNIA 94115
TEL: 415-441-9504
FAX: 415-383-3074

AUTHORIZATION FOR RELEASE OF CONFIDENTIAL INFORMATION

Client: Robert Van Handel Birthdate: 4/2/47

I, Robert Van Handel and/or N/A
Parent or Guardian

authorize the party below to disclose to and to receive information from Israel B. Rosales, Ph.D., with the knowledge that such contact discloses the fact that the named person has received psychological services:

Name: [REDACTED]

Address: [REDACTED]

The disclosure of records is required for evaluation, treatment planning, or for the following purpose:

It shall be limited to the following specific information:

1. ✓ Diagnosis
2. ✓ Legal Status
3. ✓ Results of psychological/vocational tests
4. ✓ Educational assessment
5. ✓ Pertinent summary of psychological/psychiatric history
6. ✓ Treatment summary
7. ✓ Medical information
8. ✓ Other: pertinent personnel records

This consent is subject to revocation by the undersigned at any time except to the extent that action has been taken in reliance thereon, and if not earlier revoked, this consent expires on:

8/1/00

x Robert Van Handel
Client/Parent/Guardian

x 7-17-98
Date

Client/Parent/Guardian

Date



CONFIDENTIAL

Province of St. Barbara

FRANCISCAN FRIARS

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

April 14, 1998

COPY

Robert Van Handel - J30982
California Men's Facility - I231-L
P.O. Box 2000
Vacaville, CA 95696-2000

Dear Robert,

May the Lord give you peace. I hope that this letter finds you well. I have been in contact with Mike Doherty and he tells me that he is to visit you around the first of May. Hopefully, you will receive this letter and its contents before the first of May and be able to discuss it with Michael when he comes.

Enclosed with this cover letter is an agreement between the Franciscan Friars and yourself concerning financial support. This has been drawn up by the Definitorium and the attorneys of the Province and has gone through many changes. I hope the conditions are satisfactory and acceptable to you. Also included is a statement for the press should the press ask us anything regarding your release from prison.

I'm sure you know, Robert, that this is a very delicate issue and the Definitorium reviewed both the conditions and the press release and so did the attorneys of the Province. We are submitting them to you for your signature. Once you sign them, I will sign them and then, just before you are released, I have been asked to write a letter to each individual friar stating that you going to be released, and explaining the that we are giving you financial support and that the support is conditioned.

Know, Robert, that we pray for you often. I'm sure that Michael will explain to you the effort that the friars are making in finding you a place to stay and a job where you can work. Be assured of my prayers.

Fraternally,

Provincial Minister

Enclosure

OFM VANH 1
0286



CONSENT FOR THE RELEASE OF CONFIDENTIAL INFORMATION

I, Robert Van Handel
authorize Mary Simon
and [REDACTED]

to exchange confidential information regarding:

treatment

This information is to be used for the following purposes:

monitoring

This release shall expire on: June 4, 2000
date June 4, 1998 Client signature Robert Van Handel

Witness signature Mary Simon

OFM VANH 1
0287

Dear [REDACTED]

18 June 1998

I hope this note finds you well.

Enclosed is a release for you to speak with Mary Simore about my treatment. It is good to be back in that supportive group. All of the staff remembered me and seemed glad to see me.

I have moved out of the motel into a little trailer in a small trailer park. A week ago there was a big meeting about me in San Juan, but my parole officer tried to quiet the mob. I hope all this dies down soon.

Christine was here last weekend and helped me to set up the trailer. In a few days I will have a phone so I won't feel so isolated. Bro. Fabian continues to visit regularly.

The next big project, of course, is to find some type of appropriate work where they don't ask too many questions. Almost certainly [redacted], my parole officer, will have to explain the situation to my employer.

Thank you for your support, and for that of the province. I will let you know when the coffers grow low.

Please greet [redacted] and hope for me.

Gratefully,
Robert

My mailing address is:

1705 Airline Hwy #139
Hollister, CA 95023

AGREEMENT BETWEEN ROBERT VAN HANDEL
AND FRANCISCAN FRIARS OF THE PROVINCE OF ST. BARBARA
CONCERNING FINANCIAL SUPPORT OF ROBERT VAN HANDEL

This agreement is made between Robert Van Handel (hereinafter referred to as "Robert") and the Franciscan Friars of the Province of St. Barbara (hereinafter referred to as "the Franciscans") on this ____ day of _____, 1998.

Financial Assistance

Subject to the conditions set forth below, the Franciscans agree to pay Robert's housing costs for up to one year, to give him a monthly stipend for support, in an amount to be established by the Franciscans in their sole discretion, for up to one year, and to pay for costs of therapy, by a therapist approved by the Provincial Minister of the Franciscans, for up to one year. If Robert is able to support himself in less than one year, he is to assume his own support and the Franciscans may terminate financial assistance to Robert. If Robert is not able to support himself within one year, the Franciscans agree to evaluate after one year whether continued financial support for housing, monthly living expenses or therapy is appropriate for a second year.

Conditions to be Placed on Financial Support

1. So long as the Franciscans contribute to the costs of Robert's housing, the Franciscans shall have the right to approve or reject the place Robert chooses to live.

2. So long as the Franciscans contribute to the cost of therapy for Robert, Robert consents to disclosure of information from his therapist to the Provincial Minister of the Franciscans on the subjects of (a) whether Robert remains committed to the therapeutic goals, (b) whether continuing therapy will be beneficial, and (c) whether Robert presents a risk to any identifiable person or persons.

3. So long as the Franciscans contribute financially toward Robert's support in any way Robert agrees to faithfully visit the therapist approved by the Provincial Minister of the Franciscans and to pursue the goals of therapy.

4. So long as the Franciscans contribute financially toward Robert's support in any way, Robert agrees to obey all the terms of his parole or probation, including the obligation to register as a sex offender in any county where he resides. Robert consents to answer questions asked of him concerning his compliance with the terms of his probation and agree to provide the name and phone number of his probation officer as well as his consent that the probation officer may answer any questions.

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 2

concerning Robert's probation asked by the Provincial Minister of the Franciscans.

5. So long as the Franciscans provide financial support to Robert in any way, Robert agrees to seek and maintain suitable employment which does not involve working with children.

6. So long as the Franciscans provide any financial support for Robert, Robert agrees to disclose his efforts to seek employment and his financial condition, including the amounts of any wages or salary he is earning, an account of his financial obligations, and disclosure of any credit he has been extended.

7. Robert agrees he will have no overnight visits with children or with families having children, either in his home or in their home, unless in the presence of the children's parents who know of his conviction and its nature. Robert also agrees that he will spend no time with any child one-on-one, outside the presence of another adult.

8. Robert consents to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of the nature of the support he is receiving and, if the Franciscans think it prudent or expedient, the conditions that have been placed on that support. Robert also consents to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of statements describing the Franciscan's objectives in providing financial support to Robert, such as statements illustrated by the two block quotes in the next section of this agreement.

9. Robert consents to disclosure by the Franciscans to any of Robert's landlords, employers, prospective employers, co-workers, prospective co-workers, and others of Robert's conviction and its nature, if the Franciscans think it prudent or expedient.

10. If Robert does not abide by all of these conditions, then Robert understands that the financial support will be terminated immediately.

11. The financial support is for one year and it can be negotiated for a second year.

Answers to Questions of the Press or Public

The Franciscans may be questioned following the release of Robert from prison. The Franciscans, either as an

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 3

organization, or as individuals, may be asked to comment in general on the release of Robert, or on his relationship to the Franciscan Order. The Franciscans may also be asked more specific questions if it is known the Franciscans are providing support to Robert.

The extent of support to be provided to Robert by the Franciscans, and the conditions placed on that support, may be shared with all members of the Province, together with a prepared statement, along the following lines, that can serve as a guide to any Franciscan who is contacted or called upon to address the public or the press concerning the situation:

Robert Van Handel has been (will be) released from prison in May 1998. While Robert Van Handel was in prison, he asked for and received an indult from the Vatican to be released from his vows and dispensed from priestly obligations. Robert Van Handel is now a layperson.

Although Robert Van Handel is no longer a Franciscan Friar of the Province of St. Barbara nor a Catholic priest and is not now a member of any Catholic religious order, the Franciscan Friars of the Province of St. Barbara have agreed under specified conditions to help in supporting him for a period of time, in finding suitable employment, in obtaining a suitable place to live, and in receiving needed therapy to help prevent re-offending.

The Franciscan Friars have agreed to provide this financial support for several reasons. Among those reasons is the requirement of Canon Law that a religious order is, "to observe equity and evangelical charity toward the member that is separated from it." In addition, however, the Franciscans remember the hope expressed by many victims that their painful disclosures would at least help prevent future wrongs. That hope of prevention of future wrongs cannot be best achieved if the Franciscans simply wash their hands of Robert now that he has left the Order. Therefore, the financial support to Robert Van Handel has certain conditions

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 4

attached. To receive financial support Robert may not accept work with children. He must remain in therapy, and he must comply with the terms of his probation, including registering as a sex offender, among other things.

In 1993, the Franciscans made a public apology and a promise to work to prevent harm in the future when the Board of Inquiry publicly released the report of its investigation into the accusations of misconduct by friars at St. Anthony's Seminary. The Franciscans have endeavored to honor that pledge by addressing the needs of victims and their families who have sought help through the Board of Inquiry, many of whom are still receiving therapy. Robert Van Handel is in need of this healing assistance as well and does not, as yet, have the ability to provide it for himself.

It is the hope of the Franciscans that the assistance they offer to Robert Van Handel, as well as the assistance they continue to offer to his victims and others, will help prevent other wrongs in the future and will help restore the health and faith of so many people that has been tested.

If questions or concerns are raised that reveal a more specific awareness of the terms of the agreement between Robert and the Franciscans, or that probe more specifically the rationale for the Franciscans providing support to Robert, the following further statement can serve as a guide for a response:

Although the Franciscans are required by Canon law to act with charity toward our former member, Robert Van Handel, we have not forgotten the past. Our support of Robert Van Handel has conditions attached. For instance, in order to receive financial support from the Franciscans, Robert has agreed that we may speak with his therapist to determine whether Robert remains committed to the goals of his therapy. In addition, to receive financial support from the Franciscans, Robert has agreed that we may

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 5

speak with his probation officer to determine if Robert is obeying all the terms of his probation. As long as Robert receives any financial support from the Franciscans, he has agreed that the Franciscans may disclose to his employers, co-workers, and others his conviction and its nature.

The Franciscans have attached these and other conditions to their financial support of Robert not so that he can begin a new life in a new place free of his past, but so that he can begin a new life in a new place in light of his past. When many of the victims came forward and shared their pain with the Board of Inquiry, they expressed the hope that their disclosures would make a difference for the future. They asked important questions about what the Franciscans would do to prevent such a thing from happening again and, more specifically, what the Franciscans would do to prevent Robert Van Handel from repeating his behavior. Robert Van Handel has now left the Franciscan Order and the Franciscans cannot control his life. But by helping Robert to establish a new life for himself, and attaching conditions to the support, the Franciscans hope that the new life Robert builds for himself will be amid a network of people who are aware of his past and in that way may serve as a check against any reoccurrence of his behavior. [The Independent Response Team, created by the Franciscans to identify and offer aid to victims, will be asked to enforce the conditions on the assistance offered to Robert Van Handel.]

The Franciscans have not forgotten the needs of Robert's victims in agreeing to provide financial support to Robert Van Handel. To contrary, the Franciscans have remembered the needs expressed by Robert's victims that their pain and disclosure should help spare children in the future.

OFM VANH 1

0294

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 6

This writing contains the entire agreement between Robert and the Franciscans. There are no other terms or agreements between Robert and the Franciscans that are not expressly set forth in writing.

This agreement may only be modified in writing, signed by Robert and by the Provincial Minister of the Franciscan Province of St. Barbara.

Dated: _____, 1998.

By _____
Robert Van Handel

Dated: _____, 1998.

By _____
Provincial Minister

SDSF3/52231

OFM VANH 1
0295

PROPOSED TERMS OF FINANCIAL SUPPORT OF ROBERT VAN HANDEL

Canon law instructs a religious institute, "to observe equity and evangelical charity toward the member who is separated from it." Robert Van Handel was laicized in 1997 and is expected to be released from prison on parole in approximately May, 1998. The Provincial has written to the parole authorities to request that Robert Van Handel be released to live outside of Santa Barbara, specifically to San Francisco, Alameda or Sacramento counties, in order of priority, and has informed the parole authorities that the Franciscans are willing to help Robert in several ways, including financial assistance to 1) find adequate housing, 2) prepare for and obtain suitable employment, and 3) obtain professional therapy.

This plan describes the offer that is proposed to be made to Robert, as well as the commitments proposed to be asked of Robert in return. The plan also describes the proposed response to the press and to the public when questions are raised concerning the Franciscans' financial assistance to Robert.

Financial Assistance

It is proposed to commit initially to pay Robert's housing costs for up to one year, to give him a monthly stipend for support for up to one year, and to pay for costs of therapy, by a therapist approved by the Provincial Minister of the Franciscans, for up to one year. If Robert is able to support himself in less than one year, he should be expected to assume his own support. If Robert is not able to support himself within one year, it is proposed that the Franciscans agree now to evaluate after one year whether continued financial support for housing, monthly living expenses or therapy was appropriate. With regard to therapy beyond the first year, it is likely that Robert will not have sufficient resources to pay for the costs of therapy even if he is then employed. It is proposed that the Franciscans agree now to favorably consider funding the cost of therapy beyond one year, and then on a year-to-year basis.

Conditions to be Placed on Financial Support

It is proposed that some conditions be placed on the Franciscans' agreement to provide financial support to Robert Van Handel.

1. So long as the Franciscans contribute to the costs of Robert's housing, the Franciscans will ask for the right to approve or reject the place Robert chooses to live. The purpose of this requirement is both fiscal, so that the place where Robert lives will be appropriately modest as befits one supported by a religious organization, as well as practical, to ensure that

PROPOSED TERMS OF FINANCIAL SUPPORT OF ROBERT VAN HANDEL
Page 2

Robert's housing is not unduly close to any schools, homes, or other places where children or families might feel threatened by Robert if they were aware of his conviction and its nature.

2. So long as the Franciscans contribute to the cost of therapy for Robert, Robert should consent to disclosure of information from his therapist to the Provincial Minister of the Franciscans on the subjects of (a) whether Robert remains committed to the therapeutic goals, (b) whether continuing therapy will be beneficial, and (c) whether Robert presents a risk to any identifiable person or persons.

3. So long as the Franciscans contribute financially toward Robert's support in any way Robert must agree to faithfully visit the therapist approved by the Provincial Minister of the Franciscans and pursue the goals of therapy.

4. So long as the Franciscans contribute financially toward Robert's support in any way, Robert must agree to obey all the terms of his parole or probation, including the obligation to register as a sex offender in any county where he resides. Robert must consent to answer questions asked of him concerning his compliance with the terms of his probation and agree to provide the name and phone number of his probation officer as well as his consent that the probation officer may answer any questions concerning Robert's probation asked by the Provincial Minister of the Franciscans.

5. So long as the Franciscans provide financial support to Robert in any way, Robert should agree to seek and maintain suitable employment which does not involve working with children.

6. So long as the Franciscans provide any financial support for Robert, Robert must agree to disclose his efforts to seek employment and his financial condition, including the amounts of any wages or salary he is earning, an account of his financial obligations, and disclosure of any credit he has been extended.

7. Robert must agree he will have no overnight visits with children or with families having children, either in his home or in their home, unless in the presence of the children's parents who know of his conviction and its nature. Robert must also agree that he will spend no time with any child one-on-one, outside the presence of another adult.

8. Robert must consent to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of the nature of the support he is receiving and, if the Franciscans think it prudent or expedient, the conditions that have been placed on that support. Robert must also consent to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of statements describing the Franciscan's objectives in providing financial support to Robert, such as statements illustrated by the two block quotes later in this proposal.

9. Robert must consent to disclosure by the Franciscans to any of Robert's landlords, employers, prospective employers, co-workers, prospective co-workers, and others of Robert's conviction and its nature, if the Franciscans think it prudent or expedient.

10. If Robert does not abide by all of these conditions, then Robert understands that the financial support will be terminated immediately.

11. The financial support is for one year and it can be negotiated for a second year.

Reaching an Agreement With Robert Van Handel

Robert Van Handel has written to the parole authorities on January 21, 1998, asking that he be permitted to live in San Francisco when he is released on parole. Among other things, his letter states that, "Franciscans Friars of California agreed to fully fund all living expenses for an extended period, or until no longer needed." The Franciscans must have a clear understanding and agreement with Robert Van Handel concerning the financial commitment the Franciscans are willing to make. Robert's letter to the parole authorities describes the extent of financial commitment as "fully fund" and describes the duration of the commitment as "an extended period." Robert may mean by these expressions the same extent and duration of commitment that this proposal describes. On the other hand, Robert may have different expectations as to what the Franciscans are willing to offer. In addition, the parole authorities may have an understanding that Robert has received a commitment of financial support that will last at least for the duration of his parole, which is likely to be more than a year.

A discussion with Robert Van Handel should be undertaken before the terms of his parole are finalized so that the extent and duration of the Franciscans' commitment is

mutually agreed upon and can be accurately described to the parole authorities if specific questions are asked. The agreement should be in writing to avoid later misunderstanding.

Answers to Questions of the Press or Public

The Franciscans may be questioned following the release of Robert Van Handel from prison. The Franciscans, either as an organization, or as individuals, may be asked to comment in general on the release of Father Van Handel, or on his relationship to the Franciscan Order. The Franciscans may also be asked more specific questions if it is known the Franciscans are providing support to Robert.

It is proposed that the extent of support to be provided to Robert by the Order, and the conditions placed on that support, be shared with all members of the Province, together with a prepared statement, along the following lines, that can serve as a guide to any Franciscan who is contacted or called upon to address the public or the press concerning the situation:

Robert Van Handel has been (will be) released from prison in May 1998. While Robert Van Handel was in prison, he asked for and received an indult from the Vatican to be released from his vows and dispensed from priestly obligations. Robert Van Handel is now a layperson.

Although Robert Van Handel is no longer a Franciscan Friar of the Province of St. Barbara nor a Catholic priest and is not now a member of any Catholic religious order, the Franciscan Friars of the Province of St. Barbara have agreed under specified conditions to help in supporting him for a period of time, in finding suitable employment, in obtaining a suitable place to live, and in receiving needed therapy to help prevent re-offending.

The Franciscan Friars have agreed to provide this financial support for several reasons. Among those reasons is the requirement of Canon Law that a religious order is, "to observe equity and evangelical charity toward the member that is separated from it." In

addition, however, the Franciscans remember the hope expressed by many victims that their painful disclosures would at least help prevent future wrongs. That hope of prevention of future wrongs cannot be best achieved if the Franciscans simply wash their hands of Robert now that he has left the Order. Therefore, the financial support to Robert Van Handel has certain conditions attached. To receive financial support Robert may not accept work with children. He must remain in therapy, and he must comply with the terms of his probation, including registering as a sex offender, among other things.

In 1993, the Franciscans made a public apology and a promise to work to prevent harm in the future when the Board of Inquiry publicly released the report of its investigation into the accusations of misconduct by friars at St. Anthony's Seminary. The Franciscans have endeavored to honor that pledge by addressing the needs of victims and their families who have sought help through the Board of Inquiry, many of whom are still receiving therapy. Robert Van Handel is in need of this healing assistance as well and does not, as yet, have the ability to provide it for himself.

It is the hope of the Franciscans that the assistance they offer to Robert Van Handel, as well as the assistance they continue to offer to his victims and others, will help prevent other wrongs in the future and will help restore the health and faith of so many people that has been tested.

If questions or concerns are raised that reveal a more specific awareness of the terms of the agreement between Robert and the Franciscans, or that probe more specifically the rationale for the Franciscans providing support to Robert, the following further statement can serve as a guide for a response:

Although the Franciscans are required by Canon law to act with charity toward our former member, Robert Van Handel, we have not

forgotten the past. Our support of Robert Van Handel has conditions attached. For instance, in order to receive financial support from the Franciscans, Robert has agreed that we may speak with his therapist to determine whether Robert remains committed to the goals of his therapy. In addition, to receive financial support from the Franciscans, Robert has agreed that we may speak with his probation officer to determine if Robert is obeying all the terms of his probation. As long as Robert receives any financial support from the Franciscans, he has agreed that the Franciscans may disclose to his employers, co-workers, and others his conviction and its nature.

The Franciscans have attached these and other conditions to their financial support of Robert not so that he can begin a new life in a new place free of his past, but so that he can begin a new life in a new place in light of his past. When many of the victims came forward and shared their pain with the Board of Inquiry, they expressed the hope that their disclosures would make a difference for the future. They asked important questions about what the Franciscans would do to prevent such a thing from happening again and, more specifically, what the Franciscans would do to prevent Robert Van Handel from repeating his behavior. Robert Van Handel has now left the Franciscan Order and the Franciscans cannot control his life. But by helping Robert to establish a new life for himself, and attaching conditions to the support, the Franciscans hope that the new life Robert builds for himself will be amid a network of people who are aware of his past and in that way may serve as a check against any reoccurrence of his behavior. [The Independent Response Team, created by the Franciscans to identify and offer aid to victims, will be asked to enforce the conditions on the assistance offered to Robert Van Handel.]

PROPOSED TERMS OF FINANCIAL SUPPORT OF ROBERT VAN HANDEL
Page 7

The Franciscans have not forgotten the needs of Robert's victims in agreeing to provide financial support to Robert Van Handel. To contrary, the Franciscans have remembered the needs expressed by Robert's victims that their pain and disclosure should help spare children in the future.

Monitoring And Enforcement of Conditions

If conditions are placed on the financial support that is provided to Robert Van Handel, then someone should be given the responsibility to enforce the conditions. A specific person should be assigned the task of regularly checking on Robert's efforts to find employment, on his financial condition, on his compliance with the terms of parole, and on his living arrangements. The proposed conditions give the Franciscans the right, if they think it prudent, to disclose Robert's conviction and its nature to his employer, co-workers, or others. The person charged with enforcing the conditions should periodically check to determine the nature of Robert's employment and the nature of his living arrangements, as well as what is known about Robert by his co-workers and neighbors to determine whether a disclosure by the Franciscans is prudent.

* * *

ISRAEL B. ROSALES, Ph.D.
CLINICAL PSYCHOLOGIST
1734 FILLMORE STREET
SAN FRANCISCO, CALIFORNIA 94115
TEL: 415-441-9504
FAX: 415-383-3074

August 13, 1998

██████████
Provincial Minister
Franciscan Friars, St. Barbara Province
1500 34th Avenue
Oakland, California 94601


RE: ENCLOSED RELEASE

Dear ██████████

Enclosed you will find a Release of Confidential Information signed by Robert Van Handel. In the future, I would like to review Robert's personnel file, particularly any psychological evaluations that he completed.

Please contact me if you have any questions.

Sincerely,


Israel B. Rosales, Ph.D.
California License No. PSY12747

OFM VANH 1
0303

Dear [REDACTED]

6 May 1998

Thank you very much for your letter of April 14, and for the agreement regarding financial support. I did read it carefully, and I discussed it with Mike Doherty and [REDACTED] when they were here last Saturday. I consider the offer of financial help very generous, and I am most grateful to you and the province. I will agree to all the conditions set forth, although I do have a few comments, and some practical questions.

The agreement in several places refers to parole or probation. I believe the proper term is parole, as probation is something different.

The agreement requires that I authorize release of information from my therapist and parole officer to the Provincial, but the press statement says these terms will be enforced by the Independent Response Team. Will the IRT get its information from you, or will it try to contact my therapist and parole officer?

Regarding my housing and employment, the parole officer will surely carefully evaluate these before I enter any lease or agreement. I recognize that you will also need to approve these. How in fact would I get your consent, and would this be needed before I agree to anything, or would you want the right to "veto" these situations after I enter into them?

OEM VANH 1
0304

I am very interested in therapy, and grateful that the province would support me. If I can get parole to approve it, I would like to go to Pacific Treatment Associates in Santa Cruz. This is a highly regarded relapse prevention program that I began the last time I lived in San Juan Bautista. It is not too expensive.

I understand that the province will cover costs of housing and therapy, as well as granting a stipend for living expenses. Will this stipend include health and dental insurance at least until I find a job with such benefits? What about a car and auto insurance? San Benito County has little or ^{no} public transportation, and certainly I could not get to Santa Cruz without a car. Would you like me always to contact you about financial questions, or should I speak with Lupe or someone else?

How will funds be transferred? Even before I have a bank account, I will have some immediate living expenses for which I will need cash. Actually there are probably going to be a lot of minor questions and requests until I can stabilize a regular spending pattern. To whom should these needs be made known? Is money from the province considered taxable income, and will the province make deductions? I hope to become financially independent as soon as I can, but it will take some time. Meanwhile I hate

Perhaps I should mention that I have never been officially notified of my dispensations from Orders and from vows. Mike Doberty did inform me that this was true, and of course it is in the press statement.

Thank you again for your generosity on behalf of the province. I know how much thought and careful work go into such an agreement. I am very grateful for these blessings.

Fraternally,

Robert Van Handel

ISRAEL B. ROSALES, Ph.D.
CLINICAL PSYCHOLOGIST
1734 FILLMORE STREET
SAN FRANCISCO, CALIFORNIA 94115
TEL: 415-441-9504
FAX: 415-383-3074

AUTHORIZATION FOR RELEASE OF CONFIDENTIAL INFORMATION

Client: Robert Van Handel Birthdate: 4/2/47

I, Robert Van Handel and/or N/A
Parent or Guardian

authorize the party below to disclose to and to receive information from Israel B. Rosales, Ph.D., with the knowledge that such contact discloses the fact that the named person has received psychological services:

Name: [REDACTED]

Address: _____

The disclosure of records is required for evaluation, treatment planning, or for the following purpose:

It shall be limited to the following specific information:

1. ☒ Diagnosis
2. ☒ Legal Status
3. ☒ Results of psychological/vocational tests
4. ☒ Educational assessment
5. ☒ Pertinent summary of psychological/psychiatric history
6. ☒ Treatment summary
7. ☒ Medical information
8. ☒ Other: pertinent personal records

This consent is subject to revocation by the undersigned at any time except to the extent that action has been taken in reliance thereon, and if not earlier revoked, this consent expires on:

8/1/00

X Robert Van Handel
Client/Parent/Guardian

X 7-17-98
Date

Client/Parent/Guardian

Date



COPY

Province of St. Barbara

FRANCISCAN FRIARS

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

May 5, 1998

Robert Van Handel - J30982
California Men's Facility - 1231-L
P.O. Box 2000
Vacaville, CA 95696-2000

Dear Robert,

██████████ called me today and informed me that he and ██████████ had a really fine meeting with you. I'm glad you had a chance to meet. He also mentioned that you wanted a copy of the rescript. Enclosed is a copy of the rescript and you can spend a lot of your time renewing your old Latin days in translating this.

Robert, please know that we are trying our best to make this time in your life as painless as possible. If I can be of any further help, please do not hesitate to let me know. Be assured of my prayers for you during this month of May. I am,

Fraternally yours, ██████████

████████████████████
Provincial Minister

Enclosure (2)
██████████

OFM VANH 1
0308



Province of St. Barbara

FRANCISCAN FRIARS

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

Roger Cardinal Mahony, DD, MSW
Archbishop of Los Angeles
Los Angeles, CA
May 15, 1998

COPY

Your Eminence

May the Lord give you peace!

I hope this letter finds you well.

Today at St. Joseph's, I had a chance to speak with Bishop Blaire and he suggested I write you and send a copy of the letter to Bishop Curry.

At the end of this month, Robert Van Handel, former professor and rector of St. Anthony's Seminary, Santa Barbara, will be released from prison. He will be released in San Benito County. While he was in prison he asked for and was granted laicization.

As you recall, there are still some people in Santa Barbara who have been hurt and hold some anger. As a result there may be some adverse publicity.

Enclosed is a copy of a letter which I will send to each friar quite shortly

I just wanted to let you know so that this would not surprise you.

Thank you for your continued kindness to the friars of the province.

Fraternally,

[Redacted Signature]

Min. Prov.

c. Bishop Thomas J. Curry

OFM VANH 1
0309



Province of St. Barbara

FRANCISCAN FRIARS

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

COPY

Most Rev. Sylvester D. Ryan, D.D.
Bishop of Monterey
Pastoral Office
580 Fremont St.
PO Box 2048
Monterey, CA 93942-2048

May 17, 1998

Most Reverend and Dear Bishop Ryan,

May the Lord give you peace!

I hope this letter finds you well.

I wish to inform you that toward the end of this month, Robert Van Handel, former professor and rector of our seminary in Santa Barbara, will be released from prison. He will be released in San Benito County. While in prison, Robert asked for and received laicization.

Enclosed is a copy of a letter which I am sending to each friar in the province.

I wanted to let you know about this so that it would not come as a surprise.

We will have a press release ready on the day he is released. If I can be of any help please don't hesitate to call.

Respectfully,

[Redacted Signature]

Min. Prov.

OFM VANH 1
0310

To: Lupe
From: [REDACTED]
RE: Robert Van Handel

May 14, 1998

Lupe,

I am trying to get in touch with Br. Fabian Walker I will tell him the following:

1. He will get cash from you to rent a motel, to take care of food, etc.
2. He will also get forms for car and health insurance for Robert to sign and bank checks to pay the insurance premiums.
3. John H. is presently locating a used car for him. In one or two days after the release, Fabian will pick up the money to purchase the auto for/with Robert.

I think that this all we need to have ready for the initial release.

Thanks,

[REDACTED]

OFM VANH 1
0311

Bates Numbers 312-313 were removed by the Plaintiffs at the request of the Franciscans.

(COPY)



Province of St. Barbara

FRANCISCAN FRIARS

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

To: Michael Doherty, OFM

From: [REDACTED]

RE: meeting with R.V.H.

April 15th, 1998

Dear Mike,

Enclosed is the information I sent to Robert Van Handel today. I think the letter is self-explanatory. If not let me know. I hope the conditions are clear. Should you have any questions, give me a call.

I realize that this will be tough for you. Know that I appreciate what you are doing very much.

Fraternally,

[REDACTED]

OFM VANH 1

0314



(COPY)

CONFIDENTIAL

Province of St. Barbara

FRANCISCAN FRIARS

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

April 14, 1998

Robert Van Handel - J30982
California Men's Facility - I231-L
P.O. Box 2000
Vacaville, CA 95696-2000

Dear Robert,

May the Lord give you peace. I hope that this letter finds you well. I have been in contact with Mike Doherty and he tells me that he is to visit you around the first of May. Hopefully, you will receive this letter and its contents before the first of May and be able to discuss it with Michael when he comes.

Enclosed with this cover letter is an agreement between the Franciscan Friars and yourself concerning financial support. This has been drawn up by the Definitorium and the attorneys of the Province and has gone through many changes. I hope the conditions are satisfactory and acceptable to you. Also included is a statement for the press should the press ask us anything regarding your release from prison.

I'm sure you know, Robert, that this is a very delicate issue and the Definitorium reviewed both the conditions and the press release and so did the attorneys of the Province. We are submitting them to you for your signature. Once you sign them, I will sign them and then, just before you are released, I have been asked to write a letter to each individual friar stating that you going to be released, and explaining the that we are giving you financial support and that the support is conditioned.

Know, Robert, that we pray for you often. I'm sure that Michael will explain to you the effort that the friars are making in finding you a place to stay and a job where you can work. Be assured of my prayers.

Fraternally,

[REDACTED]
Provincial Minister

Enclosure

[REDACTED]

OFM VANH 1
0315

AGREEMENT BETWEEN ROBERT VAN HANDEL
AND FRANCISCAN FRIARS OF THE PROVINCE OF ST. BARBARA
CONCERNING FINANCIAL SUPPORT OF ROBERT VAN HANDEL

This agreement is made between Robert Van Handel (hereinafter referred to as "Robert") and the Franciscan Friars of the Province of St. Barbara (hereinafter referred to as "the Franciscans") on this ____ day of _____, 1998.

Financial Assistance

Subject to the conditions set forth below, the Franciscans agree to pay Robert's housing costs for up to one year, to give him a monthly stipend for support, in an amount to be established by the Franciscans in their sole discretion, for up to one year, and to pay for costs of therapy, by a therapist approved by the Provincial Minister of the Franciscans, for up to one year. If Robert is able to support himself in less than one year, he is to assume his own support and the Franciscans may terminate financial assistance to Robert. If Robert is not able to support himself within one year, the Franciscans agree to evaluate after one year whether continued financial support for housing, monthly living expenses or therapy is appropriate for a second year.

Conditions to be Placed on Financial Support

1. So long as the Franciscans contribute to the costs of Robert's housing, the Franciscans shall have the right to approve or reject the place Robert chooses to live.

2. So long as the Franciscans contribute to the cost of therapy for Robert, Robert consents to disclosure of information from his therapist to the Provincial Minister of the Franciscans on the subjects of (a) whether Robert remains committed to the therapeutic goals, (b) whether continuing therapy will be beneficial, and (c) whether Robert presents a risk to any identifiable person or persons.

3. So long as the Franciscans contribute financially toward Robert's support in any way Robert agrees to faithfully visit the therapist approved by the Provincial Minister of the Franciscans and to pursue the goals of therapy.

4. So long as the Franciscans contribute financially toward Robert's support in any way, Robert agrees to obey all the terms of his parole or probation, including the obligation to register as a sex offender in any county where he resides. Robert consents to answer questions asked of him concerning his compliance with the terms of his probation and agree to provide the name and phone number of his probation officer as well as his consent that the probation officer may answer any questions

OFM VANH 1
0316

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 2

concerning Robert's probation asked by the Provincial Minister of the Franciscans.

5. So long as the Franciscans provide financial support to Robert in any way, Robert agrees to seek and maintain suitable employment which does not involve working with children.

6. So long as the Franciscans provide any financial support for Robert, Robert agrees to disclose his efforts to seek employment and his financial condition, including the amounts of any wages or salary he is earning, an account of his financial obligations, and disclosure of any credit he has been extended.

7. Robert agrees he will have no overnight visits with children or with families having children, either in his home or in their home, unless in the presence of the children's parents who know of his conviction and its nature. Robert also agrees that he will spend no time with any child one-on-one, outside the presence of another adult.

8. Robert consents to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of the nature of the support he is receiving and, if the Franciscans think it prudent or expedient, the conditions that have been placed on that support. Robert also consents to disclosure by the Provincial Minister or his delegate to the press, to the public, or to any individual, of statements describing the Franciscan's objectives in providing financial support to Robert, such as statements illustrated by the two block quotes in the next section of this agreement.

9. Robert consents to disclosure by the Franciscans to any of Robert's landlords, employers, prospective employers, co-workers, prospective co-workers, and others of Robert's conviction and its nature, if the Franciscans think it prudent or expedient.

10. If Robert does not abide by all of these conditions, then Robert understands that the financial support will be terminated immediately.

11. The financial support is for one year and it can be negotiated for a second year.

Answers to Questions of the Press or Public

The Franciscans may be questioned following the release of Robert from prison. The Franciscans, either as an

OEM VANH 1
0317

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 3

organization, or as individuals, may be asked to comment in general on the release of Robert, or on his relationship to the Franciscan Order. The Franciscans may also be asked more specific questions if it is known the Franciscans are providing support to Robert.

The extent of support to be provided to Robert by the Franciscans, and the conditions placed on that support, may be shared with all members of the Province, together with a prepared statement, along the following lines, that can serve as a guide to any Franciscan who is contacted or called upon to address the public or the press concerning the situation:

Robert Van Handel has been (will be) released from prison in May 1998. While Robert Van Handel was in prison, he asked for and received an indult from the Vatican to be released from his vows and dispensed from priestly obligations. Robert Van Handel is now a layperson.

Although Robert Van Handel is no longer a Franciscan Friar of the Province of St. Barbara nor a Catholic priest and is not now a member of any Catholic religious order, the Franciscan Friars of the Province of St. Barbara have agreed under specified conditions to help in supporting him for a period of time, in finding suitable employment, in obtaining a suitable place to live, and in receiving needed therapy to help prevent re-offending.

The Franciscan Friars have agreed to provide this financial support for several reasons. Among those reasons is the requirement of Canon Law that a religious order is, "to observe equity and evangelical charity toward the member that is separated from it." In addition, however, the Franciscans remember the hope expressed by many victims that their painful disclosures would at least help prevent future wrongs. That hope of prevention of future wrongs cannot be best achieved if the Franciscans simply wash their hands of Robert now that he has left the Order. Therefore, the financial support to Robert Van Handel has certain conditions

OFM VANH 1

0318

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 4

attached. To receive financial support Robert may not accept work with children. He must remain in therapy, and he must comply with the terms of his probation, including registering as a sex offender, among other things.

In 1993, the Franciscans made a public apology and a promise to work to prevent harm in the future when the Board of Inquiry publicly released the report of its investigation into the accusations of misconduct by friars at St. Anthony's Seminary. The Franciscans have endeavored to honor that pledge by addressing the needs of victims and their families who have sought help through the Board of Inquiry, many of whom are still receiving therapy. Robert Van Handel is in need of this healing assistance as well and does not, as yet, have the ability to provide it for himself.

It is the hope of the Franciscans that the assistance they offer to Robert Van Handel, as well as the assistance they continue to offer to his victims and others, will help prevent other wrongs in the future and will help restore the health and faith of so many people that has been tested.

If questions or concerns are raised that reveal a more specific awareness of the terms of the agreement between Robert and the Franciscans, or that probe more specifically the rationale for the Franciscans providing support to Robert, the following further statement can serve as a guide for a response:

Although the Franciscans are required by Canon law to act with charity toward our former member, Robert Van Handel, we have not forgotten the past. Our support of Robert Van Handel has conditions attached. For instance, in order to receive financial support from the Franciscans, Robert has agreed that we may speak with his therapist to determine whether Robert remains committed to the goals of his therapy. In addition, to receive financial support from the Franciscans, Robert has agreed that we may

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN PRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 5

speak with his probation officer to determine if Robert is obeying all the terms of his probation. As long as Robert receives any financial support from the Franciscans, he has agreed that the Franciscans may disclose to his employers, co-workers, and others his conviction and its nature.

The Franciscans have attached these and other conditions to their financial support of Robert not so that he can begin a new life in a new place free of his past, but so that he can begin a new life in a new place in light of his past. When many of the victims came forward and shared their pain with the Board of Inquiry, they expressed the hope that their disclosures would make a difference for the future. They asked important questions about what the Franciscans would do to prevent such a thing from happening again and, more specifically, what the Franciscans would do to prevent Robert Van Handel from repeating his behavior. Robert Van Handel has now left the Franciscan Order and the Franciscans cannot control his life. But by helping Robert to establish a new life for himself, and attaching conditions to the support, the Franciscans hope that the new life Robert builds for himself will be amid a network of people who are aware of his past and in that way may serve as a check against any reoccurrence of his behavior. [The Independent Response Team, created by the Franciscans to identify and offer aid to victims, will be asked to enforce the conditions on the assistance offered to Robert Van Handel.]

The Franciscans have not forgotten the needs of Robert's victims in agreeing to provide financial support to Robert Van Handel. To contrary, the Franciscans have remembered the needs expressed by Robert's victims that their pain and disclosure should help spare children in the future.

AGREEMENT BETWEEN ROBERT VAN HANDEL AND FRANCISCAN FRIARS OF THE
PROVINCE OF ST. BARBARA CONCERNING FINANCIAL SUPPORT OF
ROBERT VAN HANDEL

Page 6

This writing contains the entire agreement between Robert and the Franciscans. There are no other terms or agreements between Robert and the Franciscans that are not expressly set forth in writing.

This agreement may only be modified in writing, signed by Robert and by the Provincial Minister of the Franciscan Province of St. Barbara.

Dated: _____, 1998.

By _____
Robert Van Handel

Dated: _____, 1998.

By _____
Provincial Minister

SDSF3/52231

OFM VANH 1
0321

CONFIDENTIAL

DRAFT of April 27, 1998

CONFIDENTIAL

Dear Brothers,

May the Lord give you peace.

The purpose of this letter is to inform you, my brothers, that Robert Van Handel will be released from prison sometime in May. While Robert was in prison, he asked for and received an indult from the Vatican to be released from his vows and dispensed from priestly obligations. Robert Van Handel is now a lay person. Although he is no longer a friar and a priest, and not a member of any Catholic religious order, the Province has agreed to support him for a period of time in order to help Robert find suitable employment and to help him to find a suitable place to live. We have also agreed to help him receive needed therapy during this time. We have agreed to provide this financial support for several reasons. We know that both our Franciscan legislation and canon law ask us to observe evangelical charity and equity toward the member who has left the Order (Canon 702, General Statute 237). In addition, however, we remember the hope expressed by many that the painful disclosures would at least prevent future wrong. I believe that the prevention of future wrong cannot be best achieved if we simply wash our hands over the financial support to Robert Van Handel. To receive the Franciscan support, Robert must fulfill certain conditions among which are the following: (a) he must remain in therapy; (b) he must comply with the

terms of his probation including registering as an offender, and (c) he must not accept any work where children are present. [There will be a responsible person selected by the friars to see that these and all the other significant conditions are met.)


We remember the evening of November 29, 1993 when the Provincial, in our name, made a public apology and a promise to work to prevent harm in the future and, publicly released the Board of Inquiry's report of its investigation into the accusations of misconduct at St. Anthony's Seminary. The friars have endeavored to honor that pledge by addressing the needs of victims and their families who have sought help through the Independent Response Team. Many of them are still receiving therapy. Robert Van Handel is in need of this healing assistance as well. He cannot, as yet, provide it for himself due to the vow of poverty under which he has lived for so many years. It is the hope of the friars that the assistance we offer to Robert, as well as the assistance we continue to offer to the victims and to others, will help prevent such wrongs in the future and will help restore the health and the faith of so many people. I am sure you can see that the Province is very concerned about the victims demands for future protection; our attempt to meet these demands has led us to place the many conditions on the financial support to Robert.

My brothers, I hope this letter answers some of the questions you may have about this issue. Should you have any further questions, please call the

Provincial Office. Associate Treasurer John Hardin is the spokesperson.

Please be assured of my prayers. Please pray for Robert.

Fraternally,

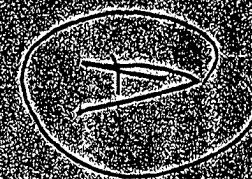

Provincial Minister

OFM VANH 1

0324

Robert van Handel
(Dispensed Friar)
LEGAL (abuse) FIL

CONFIDENTIAL



OFM VANH I
0325

Bates Numbers 326-346 were removed by the Plaintiffs at the request of the Franciscans.



Province of St. Barbara

FRANCISCAN FRIARS

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

To: Robert Van Handel

From: [REDACTED]

RE: release

May 13, 1998

Dear Robert,

Thanks so very much for your letter. I will try to set your mind at ease regarding the first days of your release. We will make sure that Fabian Walker will have the initial aid which you will need. He will also have health insurance and car insurance forms for you to sign. John Hardin is at present looking for a car for you. A day or so after your release, Fabian will be able to take you to the place to pick it up. I hope this is helpful for you. We will make sure that Fabe gets all this information.

After you get settled, Israel Rosales, a therapist for the IRT will visit with you. I will try to be there too.

I think that this will help answer some of your initial worries.

Take care.

Sincerely,

[REDACTED]

Min. Prov.

Robert,

*I know I didn't answer all
your questions - but hopefully I took care of
some of the initial worries*

[REDACTED]

OFM VANH 1
0347



Province of St. Barbara

FRANCISCAN FRIARS

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

Robert Van Handel
1705 Airline Highwayt, #139
Hollister, CA 95023
November 23, 1999

COPY

Dear Robert,

May the Lord give you peace.

Recently it was brought to my attention that the funds we set aside for you have just about run out. We discussed the matter at the definitorium meeting at San Juan Bautista. We plan to continue to help financially with your expenses until the end of May, 2000. Could you possibly help us by sending us a proposed budget for these intervening months?

Robert, I realize that this is a difficult time for you and I surely do not want to cause you added anxiety; however this does say to us that we must look for other avenues and various creative ways to deal with the financial situation until you find ways to support yourself.

Be assured of our prayers.

Sincerely,

Min. Prov.

OFM VANH 1
0348

3RD PARTY PRIVACY

Robert Van Handel

1. Robert was first named by [REDACTED] then his name came up extensively before the Board of Inquiry. He pled guilty and was sentenced to eight years in prison for abuse of a minor. Due to be released in May, 1998. Numerous lawsuits. Currently serving in California Medical Facility, Vacaville.

2. Extensive evaluations and therapy. Very severe pathology, pedophilia, etc.

3. Has applied now for laicization with case pending in Rome. Upon his release from prison:

a) the definitorium has set aside a transition fund for his use; confer Lupe Aceves.

b) before he is released, his venue needs to be changed, as state law requires him to be released in county in which he was sentenced.

c) confer correspondnece between provicnial minister and Robert Van Handel as to his future possibilities outside the Order.

d) present case load of IRT should be reviewed so a good picture is given of the future. Confer report Radhule Weininger to [REDACTED]

OFM VANH 1

0349

**CURRICULUM VITAE
OF
ROBERT VAN HANDEL, OFM**

Name: Robert Michael Van Handel

Birth place: Georgetown, British Guiana Birth date: April 2, 1947

Investiture: September 14, 1969

First Profession: September 17, 1970

Solemn Profession: October 1, 1973

Priesthood: May 17, 1975

Education Background:

High School Seminary:	St. Anthony's Seminary, Santa Barbara
College Seminary:	San Luis Rey College, San Luis Rey, CA
	BA in Philosophy
Theological studies:	The Franciscan School of Theology, Berkeley, CA & The Graduate Theological Union, Berkeley, CA
	MA in Theology
Historical studies:	The University of California, Santa Barbara
	MA in Spanish American History

Principal Assignments:

1975	St. Mary's Church, Phoenix, Arizona: deacon experience
1975 - 1985	St. Anthony's Seminary, Santa Barbara, CA: seminary professor
1985 - 1987:	St. Anthony's Seminary, Santa Barbara, CA: Rector of Seminary
1987 - 1991:	St. Anthony's Seminary closed; remained as administrator of the property and buildings
1991 - 1993:	The Franciscan School of Theology, Berkeley, CA: post-novitiate director of formation and secretary to the Provincial Minister
1993	St. Francis Retreat, San Juan Bautista, CA: in residence; assist in retreat ministry

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

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.

OFM VANH 1
0352

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.

OFM VANH 1

0353



Province of St. Barbara

FRANCISCAN FRIARS

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

Robert Van Handel, O.F.M. J30982
California Men's Facility
POB 2000
Vacaville, California 95696-2000

January 10, 1997

Dear Robert

Peace and good.

At the last meeting of the definitorium in November we discussed your concerns in full session, and with the full consent of the definitorium and on my authority as provincial minister, I would like to answer your concerns in a formal way.

Clearly, we all recognize the extraordinary circumstances which occasion your concerns. I have just sent your petition for laicization to Rome and we can hope for some action in the next six months. Thank you for freely taking this courageous step.

Juridic relationships and the responsibilities which go with them are one thing; the bonds of friendship and love are entirely different. The Provincial Minister and the definitorium are bound by the common law of the Church and by the dictates of the Order's Constitutions. Upon a juridic severance from the Order, there is explicit provision that the demands of justice and charity be met in some way.

Recognizing this in your situation, the definitorium has established a "transition fund" which should aid you in a return to the lay state and secular work after a release from prison. This fund is at the discretion of the provincial minister, but it is common and necessary that the demands of the law be met. Even more significantly, I would like to say on behalf of the definitorium and myself that the preservation of friendship and the continued concern that goes with it are even more important. I know that myself and others will be speaking with you and will accompany you to see how we might be of support.

With fraternal love

OFM VANH 1

0354

Bates Numbers 355-359 were ordered removed by the trial court.

B. V. H.:

1) 2 cases - no right to report - no right to investigate -

2) police & people do not speak clearly of their situation -

- process of investigation has its own internal clock - cannot be rushed.
especially true of rape.

- we would like to do something - but what?

Parents & brother would not let it be resolved.

- lack of honesty, probably not more extensive.

Do we do damage in catching people? Make victims uncomfortable

slowly - in 3rd - respect - not harm in setting
gradually?

- could be helpful for some, satisfy family,

How is this experienced - intrusively?

Have from when epiphany - words of epiphany better - continues
re-interview.

He does know them - has contact of some.

- Question to explore?

Have non-specific letter - pursuing personal bias. Diff. - kid -
meaning given to each other kind...

X letter on free-to-free

① do nothing

② Bolt - make words

③ Personal judgment -

— victim doesn't find, he gets true among victim
sympathy.

Offense is an intrusion - you don't want to reintroduce.

OFM VANH 1

0360

Bates Numbers 361-362 were removed by the Plaintiffs at the request of the Franciscans.



Attorney Client Privileged

OFM VANH 1
0363

MEMO TO:

FROM: [REDACTED]

RE: Robert's civil attorney

DATE: September 22, 1994

REDACTED

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

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

REDACTED

Attorney Client Privileged

OFM VANH 1
0364

May 9 - telephone 7 am

Mike Galloway

① Phone report - they will investigate; will serve important;
state of affairs; realizations in of opposite counsel -

② "Bugs Union"

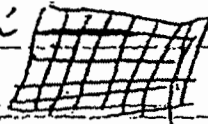
- should get union attorney - more than we have

- attorney of Bureau

CPS - start looking into it; interview him - he should have
independent counsel; Ask Brown to look; do not refer to Ray Proctor

- will be a narrowly focused investigation

Ask him counsel; should we meet of Bureau



Ask Brown what his opinion is - how fast do they move?

① counsel - state of limitation

② civil - case power damaged; looks to be wrongfully taken

- damage

- positive damage; on the paper assumption

Paul & Daisy Smith

45:50 minutes, May 10, 1992

Ever since P. said, he wouldn't have been with it. It was
not of the committee. Why any of us "Rope, the party."
Remember, Uncle, Dad, Linda family. "Robert is back
us; as much the best of ourselves." Note a single summer,
typically.

How should we feel of this? Things for the year -
"a better to the family."

Bernie is in New York now - going to home, home country.

"Mats will be good."

There is a report committee - "a report the situation" 8 to 10 years old -
planned by many people, part of the choice. Working since after the time.
Need to protect them.

- 9th report: 2 weeks ago: appeared to have a fictional Paul & Daisy
They filed a lawsuit.

Bates Numbers 366-367 were removed by the Plaintiffs at the request of the Franciscans.

Dear [REDACTED]

A/C

(From below?)

Here is (1) the Manila
law and (2) a copy of
statute of limitations for civil suits.

The statute of limitations for Criminal
cases is 1 yr. from the date of the
offense for misdemeanor and, usually,
3-6 yrs for most felonies, except
murder + theft of public money. So, in
this case, the statute of limitations has
run no matter what happened. The SBPO
is not doing anything on the matter. It is
closed. This answers your first 2 questions:
why was it reported and what is going to
happen.

You third question - is there any obligation
to see if other cases - is not in my
area of expertise. Therefore, was advised.

Bates Number 369 was removed by the Plaintiffs at the request of the Franciscans.

BRIAN P. BROSDAHAN
ATTORNEY

333 BUSH STREET
SAN FRANCISCO
CALIFORNIA 94104-2878

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

HELLER EHRMAN WHITE & McAULIFFE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

ANCHORAGE LOS ANGELES PALO ALTO PORTLAND SEATTLE TACOMA

OFM VANH 1
0370

Bates Numbers 371-374 were ordered removed by the trial court.

Attorney Client Privileged

OFM VANH 1
0375

SANTA BARBARA COUNTY MUNICIPAL COURT
STATE OF CALIFORNIA

PC288(a)

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff

Case No. 940304737

Crt. No.

443356

FELONY COMPLAINT

ROBERT MICHAEL VANHANDEL

Defendant(s)

Santa Barbara Municipal Court

FILED

The undersigned is informed and believes that:

MAR 21 1994

ALISTAIR A.G. CARMICHAEL
Clerk of Court

COUNT 1

By

2/1/93 9/30/95

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

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

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

* * * * *

Page 1

FX 4/21

OEM VANH 1
0375

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**OFM VANH 1
0376**

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which the undersigned has/has not established probable cause for the arrest of defendant(s) ROBERT MICHAEL VANHANDEL, for the above-listed crimes.

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

Executed at SANTA BARBARA, California, on March 21, 1994.

R. J. Zonen
RONALD J. ZONEN
DEPUTY DISTRICT ATTORNEY

AGENCY: SBPD

DEFENDANT	CII NO.	DOB	BOOKING NO.	BAIL RECOM'D	CUSTODY R'TN DATE NCIC	
VANHANDEL, ROBERT MI		4/02/47			WARRANT	MG

Page

OEM VANH 1
0376

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SANTA BARBARA MUNICIPAL COURT
OR/BR REPORT

25 MARCH 1994

DOB: 47/04-02-47

VAN HANDEL, ROBERT MICHAEL

CHARGE: 288(A) PC

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

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

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

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0378

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

RESIDENCY/EMPLOYMENT: (CONT.)

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

PRIOR RECORD:

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

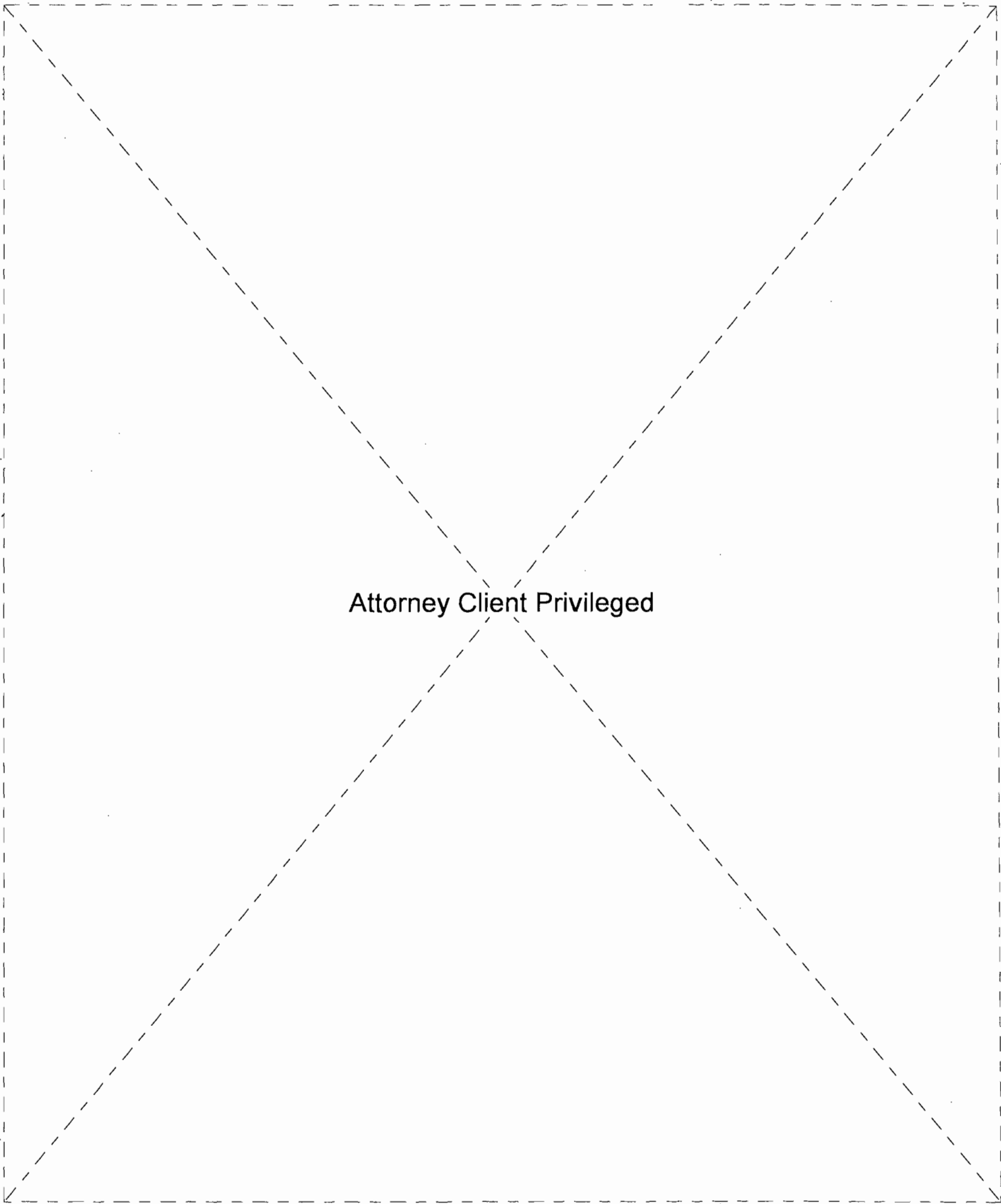
ADDITIONAL INFORMATION: The subject is a Catholic Priest who was removed from active service in that office following a letter dated June 23, 1994 and mailed to the subject, plus three superiors or colleagues, from a parent of an earlier victim. The heartache and loss of faith that runs through this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

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

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

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0378



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0379

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION: (CONT.)

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

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

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

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0379

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0380

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION (CONT.):

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

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

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

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

RESPECTFULLY SUBMITTED,

DATE: March 25, 1994

Gene Ward
Gene Ward
Own Recognizance Supervisor

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0380

Attorney Client Privileged

OEM VANH 1
0381

CASE # 94-4212

SANTA BARBARA POLICE DEPARTMENT
VICTIM CONFIDENTIALITY REQUEST

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

(This waiver applies only to Sections 261, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, or 422.75 of the California Penal Code.)

I HAVE BEEN ADVISED OF MY RIGHTS IN THIS MATTER AND:

☐ I WAIVE MY RIGHT TO PRIVACY IN THIS MATTER.

☒ I WISH TO EXERCISE MY RIGHT TO PRIVACY AND REQUEST MY NAME BE KEPT CONFIDENTIAL.

Signature of victim or parent/guardian:

(For Victim)

Date 3-3-94

REDACTED

Signature of officer making admonishment:

Officer G. Williams

Date 3-3-94

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

OFM VANH 1
0381

Attorney Client Privileged

OFM VANH 1

0382

SANTA BARBARA POLICE DEPARTMENT
CRIMINAL INCIDENT REPORT

Case No. 94-4262
Page 1 of 4

Crime/Incident 288 PC CHILD MOLEST	Classification 11C01	Offense Code	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	EPO Offered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No EPO Issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Arrest <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Location Occurred 2300 GARDEN ST	Beat	Date Reported 3-1-94	Time Reported 1400	Related Case No. N/A	
Date/Time of Occurrence (for earliest possible) 9/23/83	Mo. Day Year Hrs.	Day of Week	Date/Time (latest possible) 12/01/89	Mo. Day Year Hrs.	Day of Week

NAME TYPE: V = Victim C = Complainant I = Involved A = Other Asian F = Filipino J = Japanese P = Pacific Islander W = White
W = Witness O = Owner Q = Questioned B = Black G = Guamanian K = Korean S = Samoan X = Unknown
R = Reporting Party D = Discovered Crime C = Chinese H = Hispanic L = Laotian U = Hawaiian

Name Type <input checked="" type="checkbox"/> Victim	Last Name (for Business)	First	Middle	D.O.B.	Age	Sex	Race
REDACTED							
Address (Residence)							
Address							
Work Hours							
Days Off							
Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							

Name Type	Last Name (for Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence)							
Address (Bus./School)							
Work Hours							
Days Off							
Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
Additional Names <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							

TIME INDICATOR (1 Choice) <input type="checkbox"/> In Public <input type="checkbox"/> In Commercial/Industrial Establishment That Is Recurring Police Problem <input type="checkbox"/> Crime Occurred After Police Arrival <input type="checkbox"/> Crime Escalated After Police Arrival <input checked="" type="checkbox"/> None of the Above GENERAL PREMISE TYPE (1 Choice) <input checked="" type="checkbox"/> Residential Occupied <input type="checkbox"/> Residential Unoccupied <input type="checkbox"/> Commercial Occupied <input type="checkbox"/> Commercial Unoccupied <input type="checkbox"/> Public Place Occupied <input type="checkbox"/> Public Place Unoccupied <input type="checkbox"/> Vehicle Occupied <input type="checkbox"/> Vehicle Unoccupied	PREMISE TYPE (1 Choice) Residential A. <input type="checkbox"/> Single Family B. <input checked="" type="checkbox"/> Apt./Condo/Duplex C. <input type="checkbox"/> Garage, Carport D. <input type="checkbox"/> Hotel, Motel E. <input type="checkbox"/> Mobile Home Commercial F. <input type="checkbox"/> Bank/Financial G. <input type="checkbox"/> Convenience Store H. <input type="checkbox"/> Drug Store I. <input type="checkbox"/> Entertainment/Recreation J. <input type="checkbox"/> Fast Food K. <input type="checkbox"/> Gas Station/Garage L. <input type="checkbox"/> Grocery Store M. <input type="checkbox"/> Indust./Warehouse/Wfg. N. <input type="checkbox"/> Liquor Store O. <input type="checkbox"/> Medical, Dental P. <input type="checkbox"/> Professional Office Q. <input type="checkbox"/> Restaurant/Bar R. <input type="checkbox"/> Retail/Dept. Store Public Place S. <input type="checkbox"/> Beach T. <input type="checkbox"/> Park U. <input type="checkbox"/> Parking Lot-City V. <input type="checkbox"/> Parking Lot-Other W. <input type="checkbox"/> Public Building/Restroom X. <input type="checkbox"/> School Y. <input type="checkbox"/> Street/Alley/Sidewalk 1. <input type="checkbox"/> Vacant Lot Vehicle 2. <input type="checkbox"/> Auto 3. <input type="checkbox"/> Aircraft 4. <input type="checkbox"/> Boat-Commercial 5. <input type="checkbox"/> Boat-Pleasure 6. <input type="checkbox"/> Bus/Taxi 7. <input type="checkbox"/> Motorhome/Camper 8. <input type="checkbox"/> Train 9. <input type="checkbox"/> Truck/Trailer 0. <input type="checkbox"/> Other	POINT OF ENTRY (2 Choices) U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Already on Premises B. <input type="checkbox"/> Door-Front C. <input type="checkbox"/> Door-Rear D. <input type="checkbox"/> Door-Side E. <input type="checkbox"/> Door-Upper F. <input type="checkbox"/> Window-Front G. <input type="checkbox"/> Window-Rear H. <input type="checkbox"/> Window-Side I. <input type="checkbox"/> Window-Upper J. <input type="checkbox"/> Duct/Vent K. <input type="checkbox"/> Roof L. <input type="checkbox"/> Adjacent Building M. <input type="checkbox"/> Wall N. <input type="checkbox"/> Basement O. <input type="checkbox"/> Balcony P. <input type="checkbox"/> Garage Q. <input type="checkbox"/> Hood/Trunk R. <input type="checkbox"/> Pet Door S. <input checked="" type="checkbox"/> Other METHOD OF ENTRY (2 Choices) U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Attempt Only B. <input type="checkbox"/> Hidden Inside C. <input type="checkbox"/> Bodily Force D. <input type="checkbox"/> Attack E. <input type="checkbox"/> Doorknob F. <input type="checkbox"/> Attack Lock G. <input type="checkbox"/> Smash Door H. <input type="checkbox"/> Pry Door I. <input type="checkbox"/> Attack Hinges J. <input type="checkbox"/> Cut Screen K. <input type="checkbox"/> Remove Screen L. <input type="checkbox"/> Smash Window M. <input type="checkbox"/> Pry Window N. <input type="checkbox"/> Attack Wall O. <input type="checkbox"/> Key/Slim P. <input type="checkbox"/> Channel Lock Q. <input type="checkbox"/> Saw Drill R. <input type="checkbox"/> Torch/Burn S. <input type="checkbox"/> Wire/Hook T. <input type="checkbox"/> Explosive V. <input type="checkbox"/> Unlocked W. <input type="checkbox"/> No Force X. <input type="checkbox"/> Other
Stolen Property Amount N/A	Stolen Vehicle Amount N/A	Damaged Property Amount N/A

SOLVABILITY FACTORS 1. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Witnesses Available 2. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Named 3. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Located 4. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Described 5. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Identified 6. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Vehicle 7. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Property Traceable 8. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Significant M.O. 9. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Significant Physical Evidence 10. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Physical Evidence Developed by CSI 11. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Good Probability of Solution 12. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Sole Responsible	SCORE <div style="border: 1px solid black; width: 50px; height: 50px; margin: 0 auto;"></div>
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Recommended/Current Status <input checked="" type="checkbox"/> Active/Active Arrest <input type="checkbox"/> Closed/Arrest <input type="checkbox"/> Exceptional Clearance <input type="checkbox"/> Inactive <input type="checkbox"/> Closed/Referral <input type="checkbox"/> Administrative Clearance/Warrant Issued <input type="checkbox"/> Unfounded	Division Assigned PAT. XXIV
Reporting Officer D.F.C. G. WILKINS 30942	Date 3/2/94
See To: <input checked="" type="checkbox"/> Detective <input type="checkbox"/> SO/PO <input type="checkbox"/> P.I.O. <input type="checkbox"/> ABC Licensed	Date Entered 30 3/25/94

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SA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT REPORT

Case No. 14-4243
Page 2 of 4

DIRECTIONS: For crimes against persons(s) select appropriate section below (i.e., Sex Crime, Robbery, or Felony Assault), and check up to five boxes. For multiple offenses, choose the most serious crime classification, using the following order: 1. Homicide (complete the field associated with homicide); 2. Sex Crime; 3. Robbery; and 4. Felony Assault.

SEX CRIMES

VICTIM-SUSPECT RELATIONSHIP (1 Choice)	METHOD/FORCE TRICK USED (1 Choice)	SUSPECT ACTIONS (3 Choices)
A1. <input type="checkbox"/> Family Friend A2. <input type="checkbox"/> Relative A3. <input type="checkbox"/> X-Boyfriend/Spouse A4. <input type="checkbox"/> Met in Bar/Rest/Party A5. <input type="checkbox"/> Vic. Hitchhiker A6. <input type="checkbox"/> Sus. Hitchhiker A7. <input type="checkbox"/> Kidnap A8. <input type="checkbox"/> Vic. Waiting A9. <input type="checkbox"/> Poses as Officer B1. <input type="checkbox"/> Offers Vic. Gift B2. <input type="checkbox"/> Offers Vic. Assistance B3. <input type="checkbox"/> Request Vic. Assistance B4. <input type="checkbox"/> 439/211/Prior Act B5. <input type="checkbox"/> Ans. Vic./Sus. Advers B6. <input type="checkbox"/> Lures Vic./Isol. B7. <input type="checkbox"/> Public Restroom B8. <input type="checkbox"/> Public Transportation B9. <input type="checkbox"/> Other	C1. <input type="checkbox"/> Blindfolded C2. <input type="checkbox"/> Bound/Cuffed C3. <input type="checkbox"/> Gagged C4. <input type="checkbox"/> Beat Up C5. <input type="checkbox"/> Choked C6. <input type="checkbox"/> Bit/Late Marks C7. <input type="checkbox"/> Firearm C8. <input type="checkbox"/> Knife C9. <input type="checkbox"/> Other Weapon D1. <input type="checkbox"/> Threats Only D2. <input type="checkbox"/> Trick or Deception D3. <input type="checkbox"/> Mutual Consent D4. <input type="checkbox"/> Vic. Unable to Consent D5. <input type="checkbox"/> Other	Masturbation D7. <input type="checkbox"/> Vic. to Sus. D8. <input type="checkbox"/> Sus. to Vic. D9. <input type="checkbox"/> Mutual (Same Time) E1. <input type="checkbox"/> Vic. to Self E2. <input type="checkbox"/> Sus. to Self Oral Copulation E3. <input type="checkbox"/> Vic. to Sus. E4. <input type="checkbox"/> Sus. to Vic. E5. <input type="checkbox"/> Mutual (Same Time) E6. <input type="checkbox"/> Vic. to Sus. Anal E7. <input type="checkbox"/> Ejac. V. Mouth, Face Intercourse/Rape E8. <input type="checkbox"/> Sus. on Top E9. <input type="checkbox"/> Vic. on Top F1. <input type="checkbox"/> Sus. Unable to Achieve Erection F2. <input type="checkbox"/> Condom Used F3. <input type="checkbox"/> Simulated Intercourse F4. <input type="checkbox"/> Sodomy Miscellaneous F5. <input type="checkbox"/> Sadism Used F6. <input type="checkbox"/> Defecation/Urination F7. <input type="checkbox"/> Porn Material Used F8. <input type="checkbox"/> Photographs Victim F9. <input type="checkbox"/> Exposed Self G1. <input type="checkbox"/> Put Hand on Vic. Genitals G2. <input type="checkbox"/> Request to See Vic. Genitals G3. <input type="checkbox"/> Shaved Genitals G4. <input type="checkbox"/> Unusual Odor G5. <input type="checkbox"/> Partially Undressed G6. <input type="checkbox"/> Fully Undressed G7. <input type="checkbox"/> Other

ROBBERY

METHOD OF ATTACK (2 Choices)	VICTIM ACTIVITY (1 Choice)	SUSPECT CARRIED WEAPON IN (1 Choice)	VALUABLES PLACED IN (1 Choice)
C8. <input type="checkbox"/> Blindfolded Vic. C9. <input type="checkbox"/> Bound/Gagged Vic. H1. <input type="checkbox"/> Business Takeover H2. <input type="checkbox"/> Entered as Customer H3. <input type="checkbox"/> Force Vic. to Lay on Floor H4. <input type="checkbox"/> Force Vic. to Open Reg/Safe H5. <input type="checkbox"/> Hid in Vic. Vehicle H6. <input type="checkbox"/> Hid in Business H7. <input type="checkbox"/> Jumped Counter H8. <input type="checkbox"/> Kidnaped Vic. H9. <input type="checkbox"/> Knowledge of Business	J1. <input type="checkbox"/> Multiple Weapons J2. <input type="checkbox"/> None Used J3. <input type="checkbox"/> Physical Force J4. <input type="checkbox"/> Purse Snatch J5. <input type="checkbox"/> Stolen Veh. Used J6. <input type="checkbox"/> Sus. Cases Arms J7. <input type="checkbox"/> Vic. Told to Count J8. <input type="checkbox"/> Vic. Told to Go to Rear J9. <input type="checkbox"/> Verbal Threats K1. <input type="checkbox"/> Other	L1. <input type="checkbox"/> Unknown L2. <input type="checkbox"/> Sus. Not Armed L3. <input type="checkbox"/> Hand L4. <input type="checkbox"/> Shoulder Holster L5. <input type="checkbox"/> Wkt. Holster/Band L6. <input type="checkbox"/> Purse L7. <input type="checkbox"/> Bag/Purse, Etc. L8. <input type="checkbox"/> Pocket (Coat) L9. <input type="checkbox"/> Pocket (Pants) L10. <input type="checkbox"/> Other	M1. <input type="checkbox"/> Unknown M2. <input type="checkbox"/> Hand M3. <input type="checkbox"/> Pocket M4. <input type="checkbox"/> Bag M5. <input type="checkbox"/> Vehicle M6. <input type="checkbox"/> Other

FELONY ASSAULT

MOTIVE/CAUSE (2 Choices)	TYPE (1 Choice)	EXTENT OF INJURIES (1 Choice)	TREATMENT (1 Choice)
N1. <input type="checkbox"/> Unknown N2. <input type="checkbox"/> Revenge N3. <input type="checkbox"/> Money N4. <input type="checkbox"/> Love Triangle N5. <input type="checkbox"/> Jealousy N6. <input type="checkbox"/> Mistaken Identity N7. <input type="checkbox"/> Drunkenness N8. <input type="checkbox"/> Other	P1. <input type="checkbox"/> Drug Related P2. <input type="checkbox"/> Alcohol Related P3. <input type="checkbox"/> Sniper Attack P4. <input type="checkbox"/> Riot/Large Party P5. <input type="checkbox"/> Gang Related P6. <input type="checkbox"/> Family Dispute P7. <input type="checkbox"/> Child Abuse P8. <input type="checkbox"/> Neighborhood P9. <input type="checkbox"/> Landlord/Tenant P10. <input type="checkbox"/> Result of T/C P11. <input type="checkbox"/> School Problem P12. <input type="checkbox"/> Boyfriend/Girlfriend P13. <input type="checkbox"/> Other	Q4. <input type="checkbox"/> No Injury Q5. <input type="checkbox"/> Minor Injury Q6. <input type="checkbox"/> Broken Bones Q7. <input type="checkbox"/> Severe Lacerations/Conc. Q8. <input type="checkbox"/> Mayhem/Mutilation Q9. <input type="checkbox"/> Death Q10. <input type="checkbox"/> Other	R2. <input type="checkbox"/> Refused R3. <input type="checkbox"/> Treated/Ref. R4. <input type="checkbox"/> Admit Hosp. R5. <input type="checkbox"/> Treated/ Transported to

CRIMES AGAINST PERSONS/CRIMES AGAINST PROPERTY

TRADEMARK (2 Choices)	ALARM (1 Choice)	PROPERTY TYPE (3 Choices)	TYPE OF WEAPON (1 Choice)	WEAPON DESCRIPTION (1 Choice)	WEAPON USE (1 Choice)
Z. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Approach Vic. from Rear B. <input type="checkbox"/> At Food C. <input type="checkbox"/> Defecate/Urinate D. <input type="checkbox"/> Disconnect Power E. <input type="checkbox"/> Get-Away Driver F. <input type="checkbox"/> Gloves Used G. <input type="checkbox"/> Bound/Gagged H. <input type="checkbox"/> Hid Property/Return I. <input type="checkbox"/> Lookout Used J. <input type="checkbox"/> Matches Used K. <input type="checkbox"/> Obscene Writing L. <input type="checkbox"/> Prepared Exit M. <input type="checkbox"/> Ransack/Vandal N. <input type="checkbox"/> Selective to Property O. <input type="checkbox"/> Smoked P. <input type="checkbox"/> Specific Knowledge Q. <input type="checkbox"/> Tape/Cut Glass R. <input type="checkbox"/> Technical Skill/Knowledge S. <input type="checkbox"/> Tool Left at Scene T. <input type="checkbox"/> The Alarm/Return U. <input type="checkbox"/> Unique Statement V. <input type="checkbox"/> Victim Elderly W. <input type="checkbox"/> Victim Handicapped X. <input type="checkbox"/> Victim Homosexual Y. <input type="checkbox"/> Victim Juvenile Z. <input type="checkbox"/> Victim/Tools Used AA. <input type="checkbox"/> Weapon Involved AB. <input type="checkbox"/> Wore Mask/Concealed Face AC. <input type="checkbox"/> Other	S. <input type="checkbox"/> No Alarm T. <input type="checkbox"/> Activated U. <input type="checkbox"/> False V. <input type="checkbox"/> Malfunctioned W. <input type="checkbox"/> Defeated	U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Animal B. <input type="checkbox"/> Antique C. <input type="checkbox"/> Appearance D. <input type="checkbox"/> Art/Pictures E. <input type="checkbox"/> Auto/Truck F. <input type="checkbox"/> Auto Parts G. <input type="checkbox"/> Bicycle H. <input type="checkbox"/> Boat I. <input type="checkbox"/> Camera/Photo Equip. J. <input type="checkbox"/> Coins/Currency K. <input type="checkbox"/> Constr./Building Material L. <input type="checkbox"/> Drugs/Mod. Supplies M. <input type="checkbox"/> Furniture N. <input type="checkbox"/> Jewelry/Precious Metals O. <input type="checkbox"/> Motorcycle/Moped P. <input type="checkbox"/> Musical Instrument Q. <input type="checkbox"/> Purse/Wallet R. <input type="checkbox"/> Rare Coins/Stamps S. <input type="checkbox"/> Safe T. <input type="checkbox"/> Sporting Goods U. <input type="checkbox"/> Sticks/Bones/Checks V. <input type="checkbox"/> TV/Stores/HBO W. <input type="checkbox"/> None X. <input type="checkbox"/> Other	U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Handgun B. <input type="checkbox"/> Semi-Auto C. <input type="checkbox"/> Shotgun D. <input type="checkbox"/> Rifle E. <input type="checkbox"/> Shotgun F. <input type="checkbox"/> Bodily Force G. <input type="checkbox"/> Hands/Foot H. <input type="checkbox"/> Brick/Rock I. <input type="checkbox"/> Club/Stick J. <input type="checkbox"/> Knife/Cutting/ Puncture K. <input type="checkbox"/> Chemical Agent L. <input type="checkbox"/> Explosive M. <input type="checkbox"/> Vehicle N. <input type="checkbox"/> Rope/Belt/Chain O. <input type="checkbox"/> Simulated Weapon P. <input type="checkbox"/> None Q. <input type="checkbox"/> Other	Z. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Blue Steel B. <input type="checkbox"/> Chrome/ Nickel C. <input type="checkbox"/> Short Barrel D. <input type="checkbox"/> Long Barrel E. <input type="checkbox"/> Small Bore F. <input type="checkbox"/> Large Bore G. <input type="checkbox"/> Double Barrel H. <input type="checkbox"/> Bolt Action I. <input type="checkbox"/> Pump J. <input type="checkbox"/> Semi-Auto K. <input type="checkbox"/> Sawn Off L. <input type="checkbox"/> Point Blank M. <input type="checkbox"/> BB Gun N. <input type="checkbox"/> Folding Knife O. <input type="checkbox"/> Fixed Blade Knife P. <input type="checkbox"/> Ice Pick Q. <input type="checkbox"/> Shoe/Boot R. <input type="checkbox"/> Other	A. <input type="checkbox"/> Shot Victim B. <input type="checkbox"/> Shot at Police Officer C. <input type="checkbox"/> Shot at Vehicle D. <input type="checkbox"/> Shot at Dwelling E. <input type="checkbox"/> Shot at Other Building F. <input type="checkbox"/> Stab Victim G. <input type="checkbox"/> Cut Victim H. <input type="checkbox"/> Club Victim I. <input type="checkbox"/> Hit/Kick Victim J. <input type="checkbox"/> Throw Victim K. <input type="checkbox"/> Choke/Suffocate L. <input type="checkbox"/> Threaten Use of Weapon M. <input type="checkbox"/> None N. <input type="checkbox"/> Other

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ADULT
JUVENILE

SANTA BARBARA POLICE DEPARTMENT
ARREST/SUSPECT REPORT

Case No. 94-4212
Page 3 of 4

Name		First		Middle		Last		Social Security									
VANHANDEL		ROBERT						UNK									
Address (Residence)		Number		Street		Apt.		City		State		Zip		Telephone (Residence)			
1712		EULIN AVE		BERKELEY		CA		94709						UNK			
Address (Bus/School)		Number		Street		Apt.		City		State		Zip		Telephone (Business)			
Sex		DOB		Age		Race		Height		Weight		Hair Color		Eye Color		Operator's Lic. # or ID # State	
M		4-2-47		47		W		5'9"		175		BRN		GRN		PO454060/CA	
Veh. Lic. No./State		Veh. Year		Make		Model		Body Style		Top Color		Bottom Color					
UNK																	
VIN		Unique Characteristics		Veh. Deposition		Location		CHP 180									

Companion 1: Last		First		Middle		DOB		Age		Sex		Race			
Address (Residence)		Number		Street		Apt.		City		State		Zip		Telephone (Residence)	
Companion 2: Last		First		Middle		DOB		Age		Sex		Race			
Address (Residence)		Number		Street		Apt.		City		State		Zip		Telephone (Residence)	

If Juvenile, Parent Notified		<input type="checkbox"/> Y <input type="checkbox"/> N		By Officer		ID #		Parent/Guardian/Relative Name		Relationship					
Address (Residence)		Number		Street		Apt.		City		State		Zip		Telephone (Residence)	
Address (Business)		Number		Street		Apt.		City		State		Zip		Telephone (Business)	

ARREST ONLY

Arrest Location		Number		Street		Apt.		City		Date of Arrest		Time of Arrest	
Type of Arrest		On Probation or Parole		If Yes		P.O. Name, Jurisdiction							
<input type="checkbox"/> PC <input type="checkbox"/> Warrant <input type="checkbox"/> Citizen		<input type="checkbox"/> Y <input type="checkbox"/> N		<input type="checkbox"/> Formal <input type="checkbox"/> Informal									

ARREST LEVEL: M-Misdemeanor F-Felony D-Delinquent (601 W&B)

Statute	Charge	M/F/D	Offense Code	Warrant No.	Date Issued	Court	Set
1							
2							
3							
4							

ARREST ACTION:		DISPOSITION/ADULT		DISPOSITION JUVENILE	
<input type="checkbox"/> Booked at Jail		<input type="checkbox"/> Fel. Complaint		<input type="checkbox"/> Released	
<input type="checkbox"/> Bailed on Warrant		<input type="checkbox"/> Misd. Complaint		<input type="checkbox"/> Courtroom Released	
<input type="checkbox"/> Detained Only		<input type="checkbox"/> Turned Over To:		<input type="checkbox"/> Refer Court Probation	

Citizen Arrest Statement:
I hereby arrest the above person on the charge indicated above and request a peace officer to take him/her into custody. If requested I will assist further with the investigation being conducted, and I will appear in court on the day set for trial if the defendant pleads "Not Guilty".

Arresting Officer		Signature		Date					
Last Name		First		Middle		Address (Residence)		Telephone (Residence)	
Work Hours		Days Off		Interpreter Required/Language		Address (Business)		Telephone (Business)	
				<input type="checkbox"/> Y <input type="checkbox"/> N					

Officer		Dkt. No.		ID. No.		Date		Supervisor		Dkt. No.		ID. No.		Date	
F. G. Wilkins		30		9462		3/2/94									

COPY TO: ☐ Parole ☐ Probation ☐ SO/PO

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SA BARBARA POLICE DEPARTMENT
ARREST/SUSPECT REPORT

Case No. 94-4212
Page 4 of 4

PHYSICAL DESCRIPTORS

HAIR LENGTH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Bald <input type="checkbox"/> Receding <input type="checkbox"/> Short <input type="checkbox"/> Collar <input type="checkbox"/> Shoulder <input type="checkbox"/> Long <input type="checkbox"/> Other	HAIR STYLE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Afro/Natural <input type="checkbox"/> Braided <input type="checkbox"/> Bushy <input type="checkbox"/> Crewcut <input type="checkbox"/> Greasy <input type="checkbox"/> Military <input type="checkbox"/> Pony Tail <input type="checkbox"/> Processed <input type="checkbox"/> Straight <input type="checkbox"/> Wavy/Curly <input type="checkbox"/> Punk <input type="checkbox"/> Wig <input type="checkbox"/> Other	TEETH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Broken <input type="checkbox"/> Crooked <input type="checkbox"/> Missing <input type="checkbox"/> None <input type="checkbox"/> False-Dentures <input type="checkbox"/> Gold-Capped <input type="checkbox"/> Silver-Capped <input type="checkbox"/> Gapped <input type="checkbox"/> Chipped <input type="checkbox"/> Stained <input type="checkbox"/> Decayed <input type="checkbox"/> Braces <input type="checkbox"/> Perfect <input type="checkbox"/> Normal <input type="checkbox"/> Other	PHYSICAL CONDITION (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> 5'10" WIC <input type="checkbox"/> Appearance <input type="checkbox"/> Under <input type="checkbox"/> Influence <input type="checkbox"/> Appearance <input type="checkbox"/> Evidence <input type="checkbox"/> of Use of <input type="checkbox"/> Controlled <input type="checkbox"/> Substance <input type="checkbox"/> Other <input type="checkbox"/> Normal	BUILD (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Thin <input type="checkbox"/> Medium <input type="checkbox"/> Fat/Heavy <input type="checkbox"/> Muscular <input type="checkbox"/> Other	FACIAL HAIR (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Clean <input type="checkbox"/> Full Beard <input type="checkbox"/> Thin Beard <input type="checkbox"/> Fuzz <input type="checkbox"/> Goatee <input type="checkbox"/> Lower Lip <input type="checkbox"/> Mustache <input type="checkbox"/> Sideburns <input type="checkbox"/> Unshaved <input type="checkbox"/> Other	COMPLEXION (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Acne <input type="checkbox"/> Pockmarked <input type="checkbox"/> Freckles <input type="checkbox"/> Pale <input type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Dark <input type="checkbox"/> Tanned <input type="checkbox"/> Ruddy <input type="checkbox"/> Other
GLASSES (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> None <input type="checkbox"/> Prescription <input type="checkbox"/> Wire <input type="checkbox"/> Prescription <input type="checkbox"/> Plastic <input type="checkbox"/> Sunglasses <input type="checkbox"/> Wire <input type="checkbox"/> Sunglasses <input type="checkbox"/> Plastic <input type="checkbox"/> Contact Lens <input type="checkbox"/> Other	SCARS/MARKS/TATTOOS Type (1 Choice) Location (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> None <input type="checkbox"/> Tattoo-Letters <input type="checkbox"/> Tattoo-Emblem <input type="checkbox"/> Tattoo-Picture <input type="checkbox"/> Scar-Small <input type="checkbox"/> Scar-Large <input type="checkbox"/> Birthmark <input type="checkbox"/> Mole <input type="checkbox"/> Wart <input type="checkbox"/> Puncture/ <input type="checkbox"/> Needle Marks <input type="checkbox"/> Ampu-ee <input type="checkbox"/> Other Describe:	CLOTHING-UNIQUE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Cap Hat <input type="checkbox"/> Wig <input type="checkbox"/> Mask <input type="checkbox"/> Uniform <input type="checkbox"/> Coat-Jacket <input type="checkbox"/> Shirt-Blouse <input type="checkbox"/> Pants-Skirt <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Shoes <input type="checkbox"/> Gloves <input type="checkbox"/> None <input type="checkbox"/> Other Describe:	SPEECH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Accent <input type="checkbox"/> Lipped <input type="checkbox"/> Mumbled <input type="checkbox"/> Offensive <input type="checkbox"/> Loud <input type="checkbox"/> Quiet <input type="checkbox"/> Rapid <input type="checkbox"/> Slow <input type="checkbox"/> Stuttered <input type="checkbox"/> Incoherent <input type="checkbox"/> Stuttered <input type="checkbox"/> Talkative <input type="checkbox"/> Other <input type="checkbox"/> Normal	APPEARANCE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Conservative <input type="checkbox"/> Business <input type="checkbox"/> Casual <input type="checkbox"/> Dirty/Unkempt <input type="checkbox"/> Disguised <input type="checkbox"/> Flashy <input type="checkbox"/> Military <input type="checkbox"/> Well Groomed <input type="checkbox"/> Other	EXTENT OF INJURIES (1 Choice) <input type="checkbox"/> No Injury <input type="checkbox"/> Minor Injury <input type="checkbox"/> Broken Bones <input type="checkbox"/> Severe Lacerations <input type="checkbox"/> Puncture/Conc <input type="checkbox"/> Mayhem <input type="checkbox"/> Mutilation <input type="checkbox"/> Death <input type="checkbox"/> Other	TREATMENT (1 Choice) <input type="checkbox"/> Refused <input type="checkbox"/> Treated/Re <input type="checkbox"/> Admit Hosp <input type="checkbox"/> Treated <input type="checkbox"/> Transported to:

Narrative: SUSPECT IS STILL BELIEVED TO BE IN NORTHERN CALIFORNIA AREA.

REDACTED

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of 4 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

Narrative Continued

Signature

Reporting Officer: FC WILKINS 309462 Div. 312 Date 3/2/94 Supervisor: Div. ID. No.

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**SANTA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION**

Page 1

REDACTED

Case No. 94-04212

Date/Time Reported: 03/01/94, 1400 HOURS

☐ File Only

Name Type Last Name (or Business) First Middle Additional Names to be Indexed
MO

Original Offense Update Additional Cases Reclassify to: Statute Crime Classification Offense Code
288 PC NO

Reporting Officer I.D.No. Div.No. Date Dictated
WILKINS 9462 30 03/01/94

Special Instructions to Records

REDACTED

Narrative:

On 03/01/94 at approximately 1400 hours, , came to the Santa Barbara Police Department to report a 288 PC, Child Molest, which occurred between the years of 1983 through 1989.

It should be noted that some of the child molest acts occurred outside of the statute of limitations. is now 18 years of age; these acts occurred when he was a member of the Santa Barbara Boys Choir at St. Anthony's Seminary located at 2300 Garden Street. The molest acts occurred when was 8 or 9 years of age and ended when he was 14 years of age, spanning the years 1983 through 1989. The suspect in the case was the choir director, Robert VanHandel.

REDACTED

told me that when he was a member of the Santa Barbara Boys Choir, his name at that time was went on to tell me he has since changed his name, and he now uses his mother's maiden name of went on to tell me the reason he has done that is that he feels that he is starting his life over now and the change of name gives him a fresh start. Even though this report reflects as a last name, it should be noted that during all of the incidents that mostly occurred

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

Signature _____

Recommended/ Current Status ☐ Active/Active Arrest ☐ Exceptional Clearance ☐ Closed/Referral ☐ Unfounded
☐ Closed Arrest ☐ Inactive ☐ Administrative Clearance/Warrant Issued
Supervisor I.D.No. Div.No. Date Division Assigned ☐ Patrol ☐ Investigative

Copies ☐ Detective ☐ S.O./P.D. ☐ P.I.O. ☐ Data Entered ☐ Offense ☐ Inc. Susp.
To: ☐ Dist Atty ☐ Other ☐ Prop. ☐ Arrest ☐ Vehicle
☐ Inc. Name ☐ Property

6

RECEIVED

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SANTA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

REDACTED

Case No. 94-04212
Page # 2

at St. Anthony's Seminary, name at that time was

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

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

stated that he really cannot come up with specific dates and times for what had occurred because it happened so often. said at the time, he was living with his mother and sister at 15 South Soledad Street, #6, and for the most part, all of these molest incidents took place in Robert VanHandel's apartment at the Seminary. said there were also some trips that he and other choir members went on which molest acts occurred as well. said that VanHandel's apartment was upstairs at "the casa," which was located on Seminary grounds.

stated that quite often he would stay at Robert VanHandel's apartment. He stated that always on Tuesday nights and on Sundays he would spend the night. said there were sometimes on Thursdays and once in a while Fridays and Saturdays he would also spend the night at Robert VanHandel's apartment. stated that on Tuesday nights, he attended

Signature _____

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SA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

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REDACTED

Case No. 94-04212
Page # 3

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

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

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

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

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

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

Signature _____

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ST. BARBARA POLICE DEPARTMENT VT
CRIME/INCIDENT CONTINUATION

REDACTED

Case No. 94-04212

Page # 4

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

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

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

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

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

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Signature _____

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Attorney Client Privileged

OFM VANH 1
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ITA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINU. ON

Case No. 94-04212
Page # 5

REDACTED

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

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

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

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

Refer to Investigative Division.

/mr

REDACTED

OFM VANH 1
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Signature _____

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OFM VANH 1
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REDACTED

SANTA BARBARA POLICE DEPARTMENT
MISDEMEANOR CRIME/INCIDENT REPORT

Case No. 92 9066
Page 1 of 4

Crime/Incident		Classification	Offense Code	Domestic Violence	EPO Offered	EPO Issued	Arrested
SUSPICIOUS CIRCUMSTANCES		23F05		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Address (Residence)		City	Date Reported	Time Reported		Reported Case No.	
2900 BRADEN STREET, SANTA BARBARA 2100 LAS TUNAS RD, SANTA BARBARA		SB	4-23-92	1:00 PM			
Date Time of Occurrence	Mo	Day	Year	Day of Week	Date Time (Latest Possible)	Mo	Day
1978/6	19	16	1980				

NAME TYPE:

V = Victim C = Complainant O = Owner Reg. O = Questioned
W = Witness M = Motorist D = Discovered Crime L = Law Enforcement Officer
R = Reporting Party F = Finder I = Involved S = Suspect
A = Arrested

RACE CODE:

W = White I = Indian F = Filipino
M = Mexican C = Chinese O = Other
N = Negro J = Japanese

Name Type	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
V							
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours		Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN		Additional Name
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Stolen Property Amount	Damaged Property Amount

ADDITIONAL NAMES

Name Type	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
I							
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours		Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN		Additional Name
DAYTIME VARY			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Name Type	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
I							
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours		Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN		Additional Name
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Name Type	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
I	VANN HANDEL	ROBERT	J.	1/1	45?	M	CAUCASIAN
Address (Residence)		Number	Street	Apt.	City	State	Zip
1712 EUCLID AVE., BERKELEY, CA							94709
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
1500 34TH AVE, OAKLAND, CA							94601-3091
Work Hours		Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN		Additional Name
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Recommended/Current Status				Division Assigned			
<input type="checkbox"/> Active/Active Arrest	<input type="checkbox"/> Exceptional Clearance	<input type="checkbox"/> Closed/Referral	<input type="checkbox"/> Unfounded				
<input type="checkbox"/> Closed Arrest	<input checked="" type="checkbox"/> Inactive	<input type="checkbox"/> Administrative Clearance/Warrant Issued					
Officer	Div. No.	I.D. No.	Date	Supervisor	Div. No.	I.D. No.	Date
SAAR	30	2920	4/23/92	[Signature]			
See To: <input checked="" type="checkbox"/> Detectives		<input type="checkbox"/> SO-PO		<input type="checkbox"/> P.O.		<input type="checkbox"/> ABC Licensed	
<input type="checkbox"/> Dist. Atty.		Other		Data Entered		By	

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0392

NARRATIVE

WHEN VICTIM WAS APPROXIMATELY 8-10 YEARS OF AGE, ON SEVERAL OCCASIONS REV. ROBERT VAN HANDEL, OFM, GAVE "BACK RUBS" THAT INVOLVED STROKING BACK, CHEST, STOMACH, LOWER ABDOMEN AND THIGHS IN THE PERIN AREA CLOSE TO AND AROUND THE GENITALS BUT NOT TOUCHING THE GENITALS. THIS OCCURED AT VICTIM'S RESIDENCE, AT FR. VAN HANDEL'S OFFICE AT ST. ANTHONY'S SEMINARY, 2300 GARDEN ST, SANTA BARBARA, AND ONCE WHILE ON FAMILY VACATION. PLEASE REFERENCE ATTACHED LETTER FOR MORE DETAILS.

REDACTED

REDACTED

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

Signature

C No

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0302

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OFM VANH 1

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REDACTED

April 23, 1992

REDACTED

REDACTED

Dear Robert,

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

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

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

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

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

REDACTED

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OFM VANH 1

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OFM VANH 1
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This is what we learned at Christmas time. When one of our boys was a little boy, on various occasions when you put him to bed you gave "back rubs." The "back rubs" involved stroking the back, chest, stomach, lower abdomen and thighs in the groin area. He recalls that the stroking occurred very close to and around the genitals. He recalls his discomfort and embarrassment on one occasion that his lightweight knit pajamas would reveal the erection that your "back rub" had stimulated. He remembers the color and style of the pajamas. I do, too. He was probably around ten years old when he wore them.

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

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

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

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

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

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

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

Sincerely,

REDACTED

REDACTED

CONCUR

REDACTED

REDACTED

cc:

Bishop Patrick Ziemann
Rev.

Rev. Melvin Jurisich

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OFM VANH 1
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TA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT FOLLOW UP

REDACTED

Page 1

Case No. 92-9066
Date February 19, 1993/pb
() File Only

Name Type Last Name (or Business) First Middle Additional Names to be Indexed

Original Offense Update Additional Cases Reclassify to: Statute Crime Classification Offense Code
SUSP CIRCS

Reporting Detective I.D.No. Div.No. Date Dictated
Det. P. McCaffrey 6051 40 02-09-93

Special Instructions to Records

REDACTED

Narrative:

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

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

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

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of 5 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

Signature

P. McCaffrey

Recommended/ Current Status () Active/Active Arrest () Closed Arrest () Exceptional Clearance () Inactive () Closed/Referral () Administrative Clearance/Warrant Issued () Unfounded

Supervisor I.D.No. Div.No. Date Division Assigned () Patrol () Investigative
FW *5505* *224, 193*

Copies To: () Detective () S.O./P.D. () Other () P.I.D. () Prop. Date Entered () Offense () Arrest () Inc. Name () Inc. Sup. () Probate () Property

16

OFM VANH 1
0396

REDACTED

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OFM VANH 1
0397

SA BARBARA POLICE DEPARTMENT IT
CRIME/INCIDENT FOLLOW-UP CONTINUATION

REDACTED

Case No. 92-9066

Page # 2

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

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

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

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

Signature D. P. M.

17

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OFM VANH 1

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SANTA BARBARA POLICE DEPARTMENT
CRIME INCIDENT FOLLOW-UP CONTINUATION

REDACTED

Case No. 92-9066
Page # 3

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

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

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

Signature A.C.M.

18

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S. A BARBARA POLICE DEPARTMENT VT
CRIME INCIDENT FOLLOW-UP CONTINUATION

Case No. 92-9066
Page # 4

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

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

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

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

Signature D.P.M.

19

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0399

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OFM VANH 1
0400

SANTA BARBARA POLICE DEPARTMENT
CRIM. INCIDENT FOLLOW-UP CONTINUATION

Case No. 92-9066
Page # 5

ADDITIONAL NAMES

REDACTED

Helman, Mary Ann

Telephone: 682-5473 or 682-5641

Gorsuch, Scott E., Dr.

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

Telephone: 966-2959

REDACTED

Signature

S.P.M.

20

OFM VANH 1
0400

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

CONFIDENTIAL



OFM VANH 1
0401

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

3 V/H:

1) 2 cases — no rights to report — no rights to investigate —

2) policies of persons do not speak clearly of this situation —

- process of investigation has its own internal clock — cannot be rushed.
especially time zone.

- we would like to do something — but what?

Parents & daughter cannot shut him out is needed.

- lack of honesty, probably not more extensive.

Do we do damage in catching people? Make victims miserable only

slowly — not 30% — no force — not harm in setting
gradually?

- could be helped to come, satisfy family,

How is this experienced — intrusively?

Have from other agencies — words, agency letters — contains
re-intrusion.

He does know them — has contact of some.

- written to Hanoi?

Have non-specific letter — pressing forward b/w BHT & kid —

meaning know is good of the kid...

X. Letter on free-to-free

① do nothing

② BHT — make words

③ Person involvement —


— person doesn't find, he gets true among victims
sincerely.

appears to intruder — you don't want to reintroduce.

OFM VANH 1

0407

Bates Numbers 408-409 were removed by the Plaintiffs at the request of the Franciscans.



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**OFM VANH 1
0410**

MEMO TO:

FROM:

RE: Robert's civil attorney

DATE: September 22, 1994

REDACTED

REDACTED

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

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

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

Dear [REDACTED]

Here is (1) the Mandatory Reporting law and (2) a copy of the case re statute of limitations for Civil suits.

The statute of limitations for Criminal cases is 1 yr from the date of the offense for misdemeanor and, usually, 3 (3-6) yrs for most felonies, except murder + theft of public money. So, in this case, the statute of limitations has run no matter what happened. The SBPO is not doing anything on the matter. It is closed. This answers your first 2 questions: why was it reported and what is going to happen.

Your third question - is there any obligation to re-visit the case - is not in my jurisdiction. Therefore, we advise

Bates Number 415 was removed by the Plaintiffs at the request of the Franciscans.

BRIAN P. BROSDAHAN
ATTORNEY

333 BUSH STREET
SAN FRANCISCO
CALIFORNIA 94104-2878

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

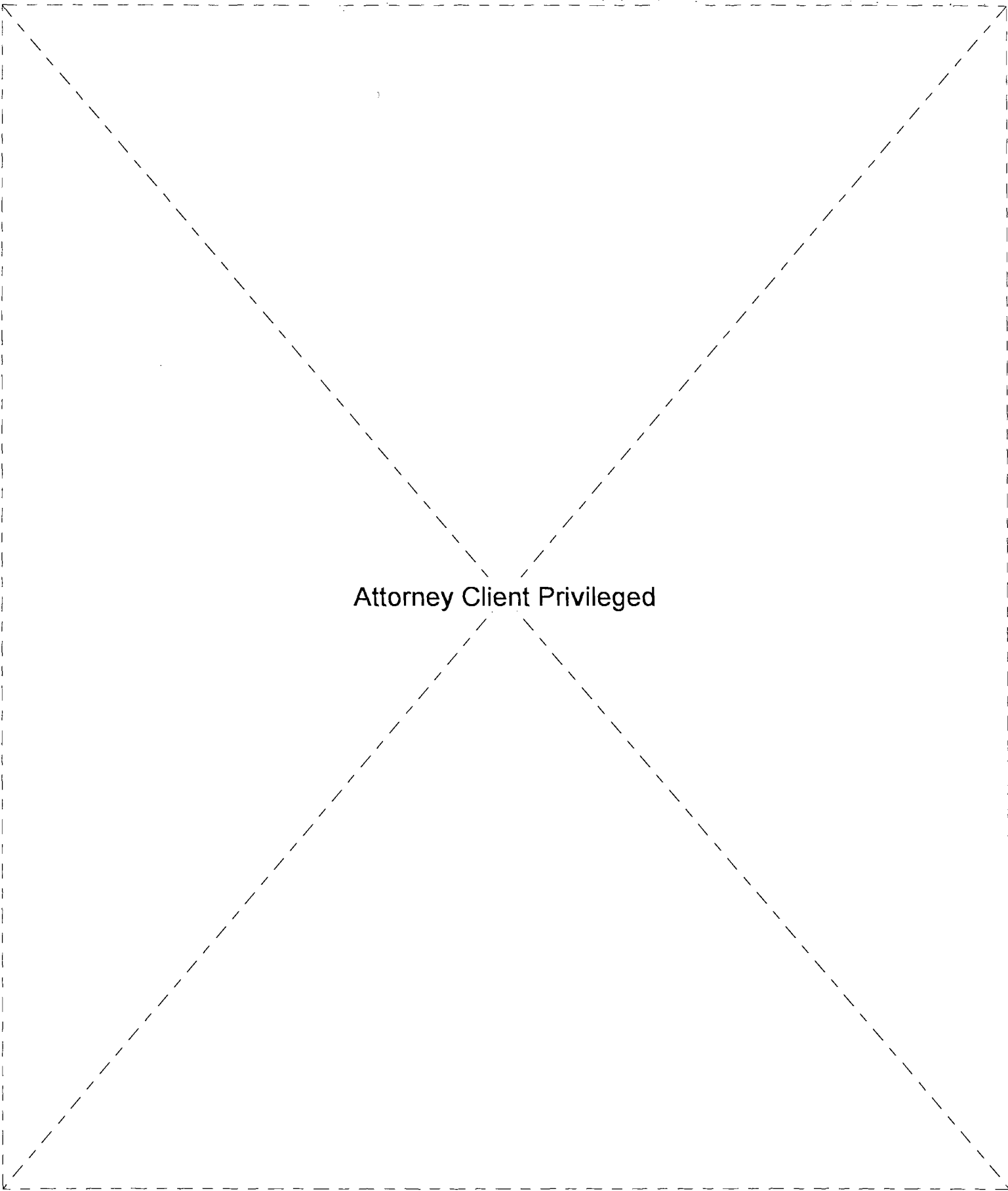
HELLER EHRMAN WHITE & MCAULIFFE

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ANCHORAGE LOS ANGELES PALO ALTO PORTLAND SEATTLE TACOMA

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



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OFM VANH 1
0421

SANTA BARBARA MUNICIPAL COURT
OR/BR REPORT

25 MARCH 1994

DOB: 47/04-02-47

VAN HANDEL, ROBERT MICHAEL

CHARGE: 288(A) PC

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

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

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

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0422

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

RESIDENCY/EMPLOYMENT: (CONT.)

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

PRIOR RECORD:

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

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

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

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

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0422

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0423

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION: (CONT.)

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

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

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

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0423



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0424

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION (CONT.):

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

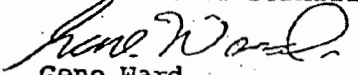
There have been no formal reference contacts made in this defendant behalf in that the Court did not grant the Unit sufficient time to conduct a thorough investigation between arraignment and this OR/BR Hearing. An effort was made to contact them but as yet this writer has not had any response from them.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

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

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

RESPECTFULLY SUBMITTED,

DATE: March 25, 1994


Gene Ward

Own Recognizance Supervisor

Attorney Client Privileged

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CASE # 94-4212

SANTA BARBARA POLICE DEPARTMENT
VICTIM CONFIDENTIALITY REQUEST

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

(This waiver applies only to Sections 261, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, or 422.75 of the California Penal Code.)

I HAVE BEEN ADVISED OF MY RIGHTS IN THIS MATTER AND:

☐ I WAIVE MY RIGHT TO PRIVACY IN THIS MATTER.

☒ I WISH TO EXERCISE MY RIGHT TO PRIVACY AND REQUEST MY NAME BE KEPT CONFIDENTIAL.

REDACTED

Signature of victim or parent/guardian:

(For Victim) Date 3-3-94

Signature of officer making admonishment:

Off G. Wilkins Date 3-3-94

(RECORDS PERSONNEL: THIS SHEET SHOULD BE KEPT ON THE TOP OF THE ACCOMPANYING CRIME REPORT & COPIES MUST BE DISTRIBUTED WITH THIS SHEET AS THE FIRST PAGE)

SBPD 8 25(1/93)

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0426

SANTA BARBARA POLICE DEPARTMENT
CRIMINAL INCIDENT REPORT

REDACTED

Case No. 94-4267

Page 1 of 4

Crime/Incident 288 PC CHILD MOLEST	Classification 11601	Offense Code 11601	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	EPO Offered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Arrest <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Date Occurred 9/23/83	Time Reported 1400	Date Reported 3-1-94	Time Reported 1400	Related Case No. N/A	
Address (Residence) 2300 GARDEN ST					
Date-Time of Occurrence (for earliest possible) 9/23/83					
Date-Time (latest possible) 12/01/89					

NAME TYPE: V = Victim, C = Complainant, I = Involved, W = Witness, O = Owner, Q = Questioned, R = Reporting Party, D = Discovered Crime
RACE CODE: D = Cambodian, I = Indian, O = Other, V = Vietnamese, A = Other Asian, F = Filipino, J = Japanese, P = Pacific Islander, W = White, B = Black, G = Guamanian, K = Korean, S = Samoan, X = Unknown, C = Chinese, H = Hispanic, L = Laotian, U = Hawaiian, Z = Asian Indian

Name Type <input checked="" type="checkbox"/> V	Last Name (for Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence) Number Street Apt. City State Zip Telephone (Residence)							
Address (Bus. School) Number Street Apt. City State Zip Telephone (Business)							
Work Hours to	Days Off	Interpreter Required Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

Name Type	Last Name (for Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence) Number Street Apt. City State Zip Telephone (Residence)							
Address (Bus. School) Number Street Apt. City State Zip Telephone (Business)							
Work Hours to	Days Off	Interpreter Required Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

CRIME INDICATOR (1 Choice) <input type="checkbox"/> In Public <input type="checkbox"/> In Commercial/Industrial Establishment That is Recurring Police Problem <input type="checkbox"/> Crime Occurred After Police Arrival <input type="checkbox"/> Crime Escalated After Police Arrival <input checked="" type="checkbox"/> None of the Above GENERAL PREMISE TYPE (1 Choice) <input checked="" type="checkbox"/> Residential Occupied <input type="checkbox"/> Residential Unoccupied <input type="checkbox"/> Commercial Occupied <input type="checkbox"/> Commercial Unoccupied <input type="checkbox"/> Public Place Occupied <input type="checkbox"/> Public Place Unoccupied <input type="checkbox"/> Vehicle Occupied <input type="checkbox"/> Vehicle Unoccupied	PREMISE TYPE (1 Choice) Residential <input type="checkbox"/> Single Family <input checked="" type="checkbox"/> Apt./Condo/Duplex <input type="checkbox"/> Garage, Carport <input type="checkbox"/> Hotel, Motel <input type="checkbox"/> Mobile Home Commercial <input type="checkbox"/> Bank/Financial <input type="checkbox"/> Convenience Store <input type="checkbox"/> Drug Store <input type="checkbox"/> Entertainment/Recreation <input type="checkbox"/> Fast Food <input type="checkbox"/> Gas Station/Garage <input type="checkbox"/> Grocery Store <input type="checkbox"/> Indust./Warehouse/Mfg. <input type="checkbox"/> Liquor Store <input type="checkbox"/> Medical, Dental <input type="checkbox"/> Professional Office <input type="checkbox"/> Restaurant/Bar <input type="checkbox"/> Retail/Dept. Store Public Place <input type="checkbox"/> Beach <input type="checkbox"/> Park <input type="checkbox"/> Parking Lot-City <input type="checkbox"/> Parking Lot-Other <input type="checkbox"/> Public Building/Restroom <input type="checkbox"/> School <input type="checkbox"/> Street/Alley/Sidewalk <input type="checkbox"/> Vacant Lot Vehicle <input type="checkbox"/> Auto <input type="checkbox"/> Aircraft <input type="checkbox"/> Boat-Commercial <input type="checkbox"/> Boat-Pleasure <input type="checkbox"/> Bus/Taxi <input type="checkbox"/> Motorhome/Camper <input type="checkbox"/> Train <input type="checkbox"/> Truck/Trailer <input type="checkbox"/> Other	POINT OF ENTRY (2 Choices) <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> Already on Premises <input type="checkbox"/> Door-Front <input type="checkbox"/> Door-Rear <input type="checkbox"/> Door-Side <input type="checkbox"/> Door-Upper <input type="checkbox"/> Window-Front <input type="checkbox"/> Window-Rear <input type="checkbox"/> Window-Side <input type="checkbox"/> Window-Upper <input type="checkbox"/> Duct/Vent <input type="checkbox"/> Roof <input type="checkbox"/> Adjacent Building <input type="checkbox"/> Wall <input type="checkbox"/> Basement <input type="checkbox"/> Balcony <input type="checkbox"/> Garage <input type="checkbox"/> Hood/Trunk <input type="checkbox"/> Pet Door <input checked="" type="checkbox"/> Other	METHOD OF ENTRY (2 Choices) <input type="checkbox"/> Unknown <input type="checkbox"/> Attempt Only <input type="checkbox"/> Hidden Inside <input type="checkbox"/> Bodily Force <input type="checkbox"/> Attack <input type="checkbox"/> Doorknob <input type="checkbox"/> Attack Lock <input type="checkbox"/> Smash Door <input type="checkbox"/> Pry Door <input type="checkbox"/> Attack Hinges <input type="checkbox"/> Cut Screen <input type="checkbox"/> Remove Screen <input type="checkbox"/> Smash Window <input type="checkbox"/> Pry Window <input type="checkbox"/> Attack Wall <input type="checkbox"/> Key/Shim <input type="checkbox"/> Channel Lock <input type="checkbox"/> Saw Drill <input type="checkbox"/> Torch/Burn <input type="checkbox"/> Wire/Hook <input type="checkbox"/> Explosive <input type="checkbox"/> Unlocked <input type="checkbox"/> Up Force <input type="checkbox"/> Other
Stolen Property Amount N/A	Stolen Vehicle Amount N/A	Damaged Property Amount N/A	

SOLVABILITY FACTORS 1. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Witnesses Available 2. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Suspect Named 3. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Suspect Located 4. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Suspect Described 5. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Suspect Identified 6. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Suspect Vehicle 7. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Property Tracable 8. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Significant M.O. 9. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Significant Physical Evidence 10. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Physical Evidence Developed by CSI 11. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Good Probability of Solution 12. <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> U Suspect Sole Responsible	SCORE <div style="border: 1px solid black; width: 50px; height: 50px; margin: 0 auto;"></div>
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Recommended/Current Status <input checked="" type="checkbox"/> Active/Active Arrest <input type="checkbox"/> Closed Arrest <input type="checkbox"/> Exceptional Clearance <input type="checkbox"/> Inactive <input type="checkbox"/> Closed/Referral <input type="checkbox"/> Administrative Clearance/Warrant Issued <input type="checkbox"/> Unbonded	Division Assigned PAT ENV
Invoking Officer FC. G. WILKINS 309462 ID. No. 312-194 Date 3/2/94 Supervisor CV ID. No. 90-3254 Date 4/3/94	
See To: <input checked="" type="checkbox"/> Det. <input type="checkbox"/> SO/PO <input type="checkbox"/> P.I.O. <input type="checkbox"/> ABC Licensed <input type="checkbox"/> Det. Atty. <input type="checkbox"/> Other	Date Entered <input type="checkbox"/> Inc. <input type="checkbox"/> Proc.

Client F

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SA BARBARA POLICE DEPARTMENT CRIME/INCIDENT REPORT

Case No. 14-4243
Page 2 of 4

DIRECTIONS: For crimes against person(s) select appropriate section below (i.e., Sex Crime, Robbery, or Felony Assault), and check up to five boxes. For multiple offenses, choose the most serious crime classification using the following order: 1. Homicide (complete the field associated with homicide); 2. Sex Crime; 3. Robbery; and 4. Felony Assault.

SEX CRIMES

VICTIM-SUSPECT RELATIONSHIP (1 Choice)	METHOD/FORCE TRICK USED (1 Choice)	SUSPECT ACTIONS (3 Choices)
A1. Family Friend A2. Relative A3. X-Boyfriend/Spouse A4. Met in Bar/Rest/Party A5. Vic. Neighbor A6. Sus. Neighbor A7. Kidnap A8. Vic. Working A9. Poses as Officer B1. Offers Vic. Gift B2. Offers Vic. Assistance B3. Request Vic. Assistance B4. 459/211/Prior Act B5. Ans. Vic./Sus. Advert B6. Lured Vic./Isol. B7. Public Restroom B8. Public Transportation B9. Other	C1. Blindfolded C2. Bound/Cuffed C3. Gagged C4. Beat Up C5. Choked C6. Bit/Lit Marks C7. Phasem C8. Knife C9. Other Weapon D1. Threats Only D2. Trick or Deception D4. Mutual Consent D5. Vic. Unable to Consent D6. Other	Masturbation E7. Vic. to Sus. E8. Sus. to Vic. E9. Mutual (Same Time) E1. Vic. to Sell E2. Sus. to Sell Oral Copulation E3. Vic. to Sus. E4. Sus. to Vic. E5. Mutual (Same Time) E6. Vic. to Sus. Anal E7. Exch. V. Mouth/Face Intercourse/Rape E8. Sus. on Top E9. Vic. on Top F1. Sus. Unable to Achieve Erection F2. Condom Used F3. Simulated Intercourse F4. Sodomy Miscellaneous F5. Sadism Used F6. Defecation/Urination F7. Porn Material Used F8. Photographs Victim F9. Exposed Self G1. Put Hand on Vic. Genitals G2. Request to See Vic. Genitals G3. Shared Genitals G4. Unusual Odor G5. Partially Disrobed G6. Fully Disrobed G7. Other

ROBBERY

METHOD OF ATTACK (2 Choices)	VICTIM ACTIVITY (1 Choice)	SUSPECT CARRIED WEAPON IN (1 Choice)	VALUABLES PLACED IN (1 Choice)
G8. Blindfolded Vic. G9. Bound/Gagged Vic. H1. Business Takeover H2. Entered as Customer H3. Force Vic. to Lay on Floor H4. Force Vic. to Open Reg/Safe H5. Hid in Vic. Vehicle H6. Hid in Business H7. Jumped Counter H8. Kidnapped Vic. H9. Knowledge of Business	J1. Multiple Weapons J2. Knife Used J3. Physical Force J4. Purse Snatch J5. Stolen Veh. Used J6. Sus. Close Area J7. Vic. Told to Count J8. Vic. Told to Go to Rear J9. Verbal Threats K1. Other	L1. Unknown L4. Sus. Not Armed L5. Hand L6. Shoulder Holster L7. Wrist Holster/Band L8. Purse L9. Bag/Paper, Etc. M1. Pocket (Coat) M2. Pocket (Pants) M3. Other	M1. Unknown M5. Hand M6. Pocket M7. Bag M8. Vehicle M9. Other

FELONY ASSAULT

MOTIVE/CAUSE (2 Choices)	TYPE (1 Choice)	EXTENT OF INJURIES (1 Choice)	TREATMENT (1 Choice)
N1. Unknown N2. Revenge N3. Money N4. Love Triangle N5. Jealousy N6. Mistaken Identity N7. Drunkenness N8. Other	N9. Drug Related P1. Alcohol Related P2. Sniper Attack P3. Riot/Large Party P4. Gang Related P5. Family Dispute P6. Child Abuse P7. Neighborhood P8. Landlord/Tenant	Q1. Result of T/C Q2. School Problem Q3. Boyfriend/Girlfriend Q4. No Injury Q5. Minor Injury Q6. Broken Bones Q7. Severe Laceration/Puncture Q8. Maiming/Mutilation Q9. Death R1. Other	R2. Refused R3. Treated/Rel. R4. Admitted Hosp. R5. Treated/Transported to

CRIMES AGAINST PERSONS/CRIMES AGAINST PROPERTY

TRADEMARK (2 Choices)	ALARM (1 Choice)	PROPERTY TYPE (3 Choices)	TYPE OF WEAPON (1 Choice)	WEAPON DESCRIPTION (1 Choice)	WEAPON USE (1 Choice)
Z. Unknown A. Approach Vic. from Rear B. Air Food C. Defecate/Urinate D. Disconnect Power E. Get Away Driver F. Gloves Used G. Bound/Gagged H. Hid Property/Return I. Lookout Used J. Matches Used K. Obscene Writing L. Prepared Exit M. Ransack/Vandal N. Selective in Property O. Smokes P. Specific Knowledge Q. Taped/Cut Glass R. Technical Skill/Knowledge S. Tool Left at Scene T. Trip Alarm/Return U. Unique Statement V. Victim Elderly W. Victim Handcuffed X. Victim Homosexual Y. Victim Juvenile 1. Victim's Teeth Used 2. Weapon Involved 3. Work Mark/Concealed Face 4. Other	5. No Alarm 6. Activated 7. False 8. Malfunctioned 9. Detonated	U. Unknown A. Animal B. Antique C. Appliance D. Art/Pictures E. Auto/Truck F. Auto Parts G. Bicycle H. Boat I. Camera/Photo Equip. J. Coin/Currency K. Const./Building Materials L. Drugs/Med. Supplies M. Furniture N. Jewelry/Precious Metals O. Motorcycle/Moped P. Musical Instrument Q. Purse/Wallet R. Rare Coin/Stamp S. Safe T. Sporting Goods V. Stocks/Bonds/Checks W. TV/Stereo/VCR X. None Y. Other	U. Unknown A. Handgun B. Semi-Auto C. Handgun D. Revolver E. Handgun F. Other G. Shotgun H. Knife/Force I. Knife/Force J. Knife/Cutting/Puncture K. Chemical Agent L. Explosive M. Vehicle N. Rope/Belt/Chain O. Simulated Weapon P. None Q. Other	Z. Unknown Q. Blue Steel R. Chrome/Nickel S. Short T. Long V. Small Bore W. Large Bore X. Double Y. Bolt Action 1. Pump 2. Semi-Auto 3. Sawed Off 4. Pellet/BB Gun 5. Toy Gun 6. Folding Knife 7. Fixed Blade Knife 8. Ice Pick 9. Shovel/Boat 0. Other	A. Shot Victim B. Shot at Police Officer C. Shot at Vehicle D. Shot at Dwelling E. Shot at Other Building F. Stab Victim G. Cut Victim H. Club Victim I. Hit/Kick Victim J. Bitt Victim K. Choke/Strangle/Suffocate L. Throat Use of Weapon M. None N. Other

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0427

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0428

☒ ADULT
☐ JUVENILE

SANTA BARBARA POLICE DEPARTMENT
ARREST/SUSPECT REPORT

Case No. 94-4212
Page 3 of 4

Name (First Middle Last)		AKA		Social Security	
VANHANDEL, ROBERT				UNK	
Address (Residence)		City		State Zip	
1712 EUGEN AVE		BERKELEY		CA 94709	
Address (Bus/School)		City		State Zip	
Sex	D.O.B.	Age	Race	Height	Weight
M	4-2-47	47	W	5'9"	175
Hair Color	Eye Color	Operator's Lic. # or ID # State			
BRN	GRN	PO454060/CA			
Veh. Lic. No./State		Veh. Year		Veh. Make	
UNK					
Veh. Model		Veh. Body Style		Veh. Top Color	
Veh. Unique Characteristics		Veh. Deposition		Location	
				CHP 180	
				<input type="checkbox"/> Y <input type="checkbox"/> N	

Companion 1: Last		First		Middle		D.O.B.		Age		Sex		Race	
Address (Residence)		Number		Street		Apt.		City		State		Zip	
Companion 2: Last		First		Middle		D.O.B.		Age		Sex		Race	
Address (Residence)		Number		Street		Apt.		City		State		Zip	

If Juvenile, Parent Notified		<input type="checkbox"/> Y By Officer <input type="checkbox"/> N Date/Time		ID #		Parent/Guardian/Relative Name		Relationship	
Address (Residence)		Number		Street		Apt.		City	
Address (Business)		Number		Street		Apt.		City	

ARREST ONLY

Arrest Location		Number		Street		Apt.		City		Date of Arrest		Time of Arrest	
Type of Arrest		On Probation or Parole		If Yes		P.O. Name, Jurisdiction							
<input type="checkbox"/> PC <input type="checkbox"/> Warrant <input type="checkbox"/> Citizen		<input type="checkbox"/> Y <input type="checkbox"/> N		<input type="checkbox"/> Formal <input type="checkbox"/> Informal									
ARREST LEVEL: M-Misdemeanor F-Felony D-Delinquent (601 W&J)													
Statute		Charge		M/F/D		Offense Code		Warrant No.		Date Issued		Court	
1													
2													
3													
4													
ARREST ACTION:				DISPOSITION/ADULT				DISPOSITION/JUVENILE					
<input type="checkbox"/> Booked at Jail <input type="checkbox"/> Booked at Juvenile Hall				<input type="checkbox"/> Fel. Complaint <input type="checkbox"/> Unarrested				<input type="checkbox"/> Released					
<input type="checkbox"/> Bailed on Warrant <input type="checkbox"/> Detained Only				<input type="checkbox"/> Misd. Complaint <input type="checkbox"/> Released				<input type="checkbox"/> Counselor Released					
				<input type="checkbox"/> Turned Over To:				<input type="checkbox"/> Refer Court Probation					

Citizen Arrest Statement:
I hereby arrest the above person on the charge indicated above and request a peace officer to take him/her into custody. If requested I will assist further with the investigation being conducted, and I will appear in court on the day set for trial if the defendant pleads "Not Guilty".

Arresting Officer		Signature		Date	
Last Name		First		Middle	
Work Hours		Days Off		Interpreter Required/Language	
				<input type="checkbox"/> Y <input type="checkbox"/> N	
Address (Residence)		Address (Business)		Telephone (Residence)	
Telephone (Business)					

Officer: E.G. Williams 30 9462 3/2/94 Supervisor: [Signature] 1

COPY TO: ☐ Parole ☐ Probation ☐ SO/PO

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0429

**SANTA BARBARA POLICE DEPARTMENT
ARREST/SUSPECT REPORT**

Case No. 94-4212
Page 4 of 4

PHYSICAL DESCRIPTORS

HAIR LENGTH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Bald <input type="checkbox"/> Receding <input type="checkbox"/> Short <input type="checkbox"/> Collar <input type="checkbox"/> Shoulder <input type="checkbox"/> Long <input type="checkbox"/> Other	HAIR STYLE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Abernatural <input type="checkbox"/> Braided <input type="checkbox"/> Bushy <input type="checkbox"/> Crewcut <input type="checkbox"/> Greasy <input type="checkbox"/> Military <input type="checkbox"/> Pony Tail <input type="checkbox"/> Processed <input type="checkbox"/> Straight <input type="checkbox"/> Wavy/Curly <input type="checkbox"/> Punk <input type="checkbox"/> Wig <input type="checkbox"/> Other	TEETH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Broken <input type="checkbox"/> Crooked <input type="checkbox"/> Missing <input type="checkbox"/> None <input type="checkbox"/> False-Dentures <input type="checkbox"/> Gold-Capped <input type="checkbox"/> Silver-Capped <input type="checkbox"/> Gapped <input type="checkbox"/> Chipped <input type="checkbox"/> Stained <input type="checkbox"/> Decayed <input type="checkbox"/> Braces <input type="checkbox"/> Perfect <input type="checkbox"/> Normal <input type="checkbox"/> Other	PHYSICAL CONDITION (1 Choice) <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> 5'10 W/C Appearance <input type="checkbox"/> Under Influence <input type="checkbox"/> Evidence of Use of Controlled Substance <input type="checkbox"/> Other <input type="checkbox"/> Normal	BUILD (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Thin <input type="checkbox"/> Medium <input type="checkbox"/> Fat/Heavy <input type="checkbox"/> Muscular <input type="checkbox"/> Other	FACIAL HAIR (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Clean <input type="checkbox"/> Full Beard <input type="checkbox"/> Thin Beard <input type="checkbox"/> Full <input type="checkbox"/> Goatee <input type="checkbox"/> Lower Lip <input type="checkbox"/> Mustache <input type="checkbox"/> Sideburns <input type="checkbox"/> Unshaved <input type="checkbox"/> Other	COMPLEXION (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Acne <input type="checkbox"/> Pockmarked <input type="checkbox"/> Freckles <input type="checkbox"/> Pale <input type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Dark <input type="checkbox"/> Tanned <input type="checkbox"/> Ruddy <input type="checkbox"/> Other
GLASSES (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> None <input type="checkbox"/> Prescription Wire <input type="checkbox"/> Prescription Plastic <input type="checkbox"/> Sunglasses Wire <input type="checkbox"/> Sunglasses Plastic <input type="checkbox"/> Contact Lens <input type="checkbox"/> Other	SCARS/MARKS/TATTOOS Type (1 Choice) Location (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Face <input type="checkbox"/> None <input type="checkbox"/> Neck <input type="checkbox"/> Tattoo-Letters <input type="checkbox"/> Chest <input type="checkbox"/> Tattoo-Emblem <input type="checkbox"/> Back <input type="checkbox"/> Tattoo-Picture <input type="checkbox"/> Abdomen <input type="checkbox"/> Scar-Small <input type="checkbox"/> Upper Arm-Right <input type="checkbox"/> Scar-Large <input type="checkbox"/> Upper Arm-Left <input type="checkbox"/> Birthmark <input type="checkbox"/> Forearm-Right <input type="checkbox"/> Mole <input type="checkbox"/> Forearm-Left <input type="checkbox"/> Wart <input type="checkbox"/> Hand-Right <input type="checkbox"/> Puncture/Needle Marks <input type="checkbox"/> Hand-Left <input type="checkbox"/> Amputee <input type="checkbox"/> Fingers-Right <input type="checkbox"/> Other <input type="checkbox"/> Fingers-Left <input type="checkbox"/> Leg-Right <input type="checkbox"/> Leg-Left <input type="checkbox"/> Foot-Right <input type="checkbox"/> Foot-Left <input type="checkbox"/> Other Describe: _____		CLOTHING-UNIQUE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Cap Hat <input type="checkbox"/> Wig <input type="checkbox"/> Mask <input type="checkbox"/> Uniform <input type="checkbox"/> Coat-Jacket <input type="checkbox"/> Shirt-Blouse <input type="checkbox"/> Pants-Skirt <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Shoes <input type="checkbox"/> Gloves <input type="checkbox"/> None <input type="checkbox"/> Other Describe: _____	SPEECH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Accent <input type="checkbox"/> Lipped <input type="checkbox"/> Mumbled <input type="checkbox"/> Offensive <input type="checkbox"/> Loud <input type="checkbox"/> Quiet <input type="checkbox"/> Rapid <input type="checkbox"/> Slow <input type="checkbox"/> Slurred <input type="checkbox"/> Incoherent <input type="checkbox"/> Stuttered <input type="checkbox"/> Talkative <input type="checkbox"/> Other <input type="checkbox"/> Normal	APPEARANCE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Conservative <input type="checkbox"/> Business <input type="checkbox"/> Casual <input type="checkbox"/> Dirty/Unkempt <input type="checkbox"/> Disguised <input type="checkbox"/> Flashy <input type="checkbox"/> Military <input type="checkbox"/> Well Groomed <input type="checkbox"/> Other	EXTENT OF INJURIES (1 Choice) <input type="checkbox"/> No Injury <input type="checkbox"/> Minor Injury <input type="checkbox"/> Broken Bones <input type="checkbox"/> Severe Lacerations <input type="checkbox"/> Punctures <input type="checkbox"/> Mayhem <input type="checkbox"/> Mutilation <input type="checkbox"/> Death <input type="checkbox"/> Other
					HAND USE <input type="checkbox"/> Unknown <input type="checkbox"/> Right <input type="checkbox"/> Left	TREATMENT (1 Choice) <input type="checkbox"/> Refused <input type="checkbox"/> Treated/Refused <input type="checkbox"/> Adm. Hosp. <input type="checkbox"/> Treated/Transported to: _____

Narrative: SUSPECT IS STILL BELIEVED TO BE IN
NORTHERN CALIFORNIA AREA.

RETRACTED

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of 4 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

Narrative Continued X

Signature A

Reporting Officer Sgt. Wilkins Div. 30 ID. No. 9462 Date 3/2/84 Supervisor _____ Div. _____ ID. No. _____

OFM VANH 1

0430

Attorney Client Privileged

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OFM VANH 1

0430

SANTA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

Page 1

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

Name Type	Last Name (or Business)	First	Middle	Additional Names to be Indexed
V				NO
Original Offense	Update Additional Cases	Reclassify to: Statute	Crime	Classification
288 PC	NO			Offense Code

Reporting Officer	I.D.No.	Div.No.	Date Dictated
WILKINS	9462	30	03/01/94

Special Instructions to Records

REDACTED

Narrative:

On 03/01/94 at approximately 1400 hours, _____, came to the Santa Barbara Police Department to report a 288 PC, Child Molest, which occurred between the years of 1983 through 1989.

It should be noted that some of the child molest acts occurred outside of the statute of limitations. _____ is now 18 years of age; these acts occurred when he was a member of the Santa Barbara Boys Choir at St. Anthony's Seminary located at 2300 Garden Street. The molest acts occurred when _____ was 8 or 9 years of age and ended when he was 14 years of age, spanning the years 1983 through 1989. The suspect in the case was the choir director, Robert VanHandel.

_____ told me that when he was a member of the Santa Barbara Boys Choir, his name at that time was _____. _____ went on to tell me he has since changed his name, and he now uses his mother's maiden name of _____. _____ went on to tell me the reason he has done that is that he feels that he is starting his life over now and the change of name gives him a fresh start. Even though this report reflects _____ as a last name, it should be noted that during all of the incidents that mostly occurred

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

Signature _____

Recommended/ Current Status	[] Active/Active Arrest [] Closed Arrest	[] Exceptional Clearance [] Inactive	[] Closed/Referral [] Administrative Clearance/Warrant Issued	[] Unfounded
Supervisor	I.D.No.	Div.No.	Date	Division Assigned [] Patrol [] Investigative

Copies [] Detective To: [] Dist Att'y	[] S.O./P.D. [] Other	[] P.I.O. [] Prop.	Date Entered [] Offense [] Arrest [] Inc. Name	[] Inc. Susp. [] Vehicle [] Property
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OFM VANH 1
0420

Attorney Client Privileged

Attorney Client Privileged

OEM VANH 1

0431

SA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

REDACTED

Case No. 94-04212
Page # 2

at St. Anthony's Seminary, name at that time was

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

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

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

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

stated that quite often he would stay at Robert VanHandel's apartment. He stated that always on Tuesday nights and on Sundays he would spend the night. said there were sometimes on Thursdays and once in a while Fridays and Saturdays he would also spend the night at Robert VanHandel's apartment. stated that on Tuesday nights, he attended

Signature _____

OFM VANH 1
0421

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0432

ST. BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

Case No. 94-04212

Page # 3

RECEIVED

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

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

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

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

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

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

Signature _____

OFM VANH 1

0432

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OFM VANH 1
0433

ST. BARBARA POLICE DEPARTMENT VT
CRIME/INCIDENT CONTINUATION

Case No. 94-04212

Page # 4

REDACTED

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

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

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

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

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

9
Signature _____

OFM VANH 1
0422

Attorney Client Privileged

Attorney Client Privileged

OFM VANH 1

0434

SANTA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

REDACTED

Case No. 94-04212
Page # 5

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

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

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

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

Refer to Investigative Division.

/mr

Signature _____

OEM VANH 1

0434

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Client Pr

OFM VANH I
0435

SAN FRANCISCO POLICE DEPARTMENT
MISDEMEANOR CRIME/INCIDENT REPORT

Case No. 92 9066
 Page 1 of 4

Crime/Incident SUSPICIOUS CIRCUMSTANCES		Classification 23F05	Offense Code	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	EPO Offered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No EPO Issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Address (Residence) 2100 BAYVIEW STREET, SANTA BARBARA		City SANTA BARBARA	Date Reported 4-23-92	Time Reported 1:00 PM	Reported Case No.
Date/Time of Occurrence (or earliest possible) 1978/6 1980		Day of Week	Date/Time (latest possible)	Mo. Day Year hrs.	Day of Week

NAME TYPE:

V = Victim C = Complainant O = Owner Reg. Q = Questioned
 W = Witness M = Motorist D = Discovered Crime L = Law Enforcement Officer
 R = Reporting Party F = Finder I = Involved S = Suspect
 A = Arrested

RACE CODE:

W = White I = Indian F = Filipino
 M = Mexican C = Chinese O = Other
 N = Negro J = Japanese

Name Type V	Last Name (for Business) I	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence) Number Street Apt. City State Zip		Telephone (Residence)					
Address (Bus./School) Number Street Apt. City State Zip		Telephone (Business)					
Work Hours to	Days Off	Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MIRANDA WARNING GIVEN Date Time By		Additional Names <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Stolen Property Amount	Damaged Property Amount
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ADDITIONAL NAMES

Name Type I	Last Name (for Business) I	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence) Number Street Apt. City State Zip		Telephone (Residence)					
Address (Bus./School) Number Street Apt. City State Zip		Telephone (Business)					
Work Hours DAYTIME	Days Off VAR	Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MIRANDA WARNING GIVEN Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Name Type I	Last Name (for Business) I	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence) Number Street Apt. City State Zip		Telephone (Residence)					
Address (Bus./School) Number Street Apt. City State Zip		Telephone (Business)					
Work Hours to	Days Off	Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MIRANDA WARNING GIVEN Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Name Type I	Last Name (for Business) VAN HANDEL	First ROBERT	Middle J.	D.O.B. 1/1	Age 45?	Sex M	Race CAUCASIAN
Address (Residence) 1712 EUCLID AVE. BERKELEY, CA 94709		Telephone (Residence)					
Address (Bus./School) 1500 34TH AVE, OAKLAND, CA 94601-3091		Telephone (Business)					
Work Hours to	Days Off	Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		MIRANDA WARNING GIVEN Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Recommended/Current Status

☐ Active/Active Arrest ☒ Exceptional Clearance ☐ Closed/Referral ☐ Unfounded
☐ Closed Arrest ☐ Inactive ☐ Administrative Clearance/Warrant Issued

Division Assigned

Officer SAAR	Div. No. 30	I.D. No. 2920	Date 4/23/92	Supervisor [Signature]	Div. ID No. 5207	Officer ID No. 92
Types Tr. <input checked="" type="checkbox"/> Detectives <input type="checkbox"/> SO-PO <input type="checkbox"/> P.I.O. <input type="checkbox"/> ABC Licensed	Data Entered By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Attorney Client Privileged

OFM VANH
0436

NARRATIVE

WHEN VICTIM WAS APPROXIMATELY 8-10 YEARS OF AGE, ON SEVERAL OCCASIONS REV. ROBERT VAN HANDEL, OFM, GAVE "BACK RUBS" THAT INVOLVED STROKING BACK; CHEST, STOMACH, LOWER ABDOMEN AND THIGHS IN THE GROCIN AREA CLOSE TO AND AROUND THE GENITALS BUT NOT TOUCHING THE GENITALS. THIS OCCURED AT VICTIM'S RESIDENCE, AT FR. VAN HANDEL'S OFFICE AT ST. ANTHONY'S SEMINARY, 2300 GARDEN ST., SANTA BARBARA, AND ONCE WHILE ON FAMILY VACATION. PLEASE REFERENCE ATTACHED LETTER FOR MORE DETAILS.

REDACTED

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

Signature _____

X-45 C-No

OFM VANH 1
0436

Attorney Client Privileged

Attorney Client Privileged

**OFM VANH 1
0437**

April 23, 1992

REDACTED

REDACTED

Dear Robert,

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

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

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

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

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

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Attorney Client Privileged

**OFM VANH 1
0438**

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

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

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

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

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

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OFM VANH 1
0439

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

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

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

Sincerely,

REDACTED

REDACTED

CONCUR

REDACTED

REDACTED

cc:

Bishop Patrick Ziemann
Rev.

Rev. Melvin Jurisich

Attorney Client Privileged

Attorney Client Privileged

OFM VANH 1
0440

TA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT FOLLOW UP

REDACTED

Page 1

Case No. 92-9066
Date February 19, 1993/pb
() File Only

Name Type Last Name (or Business) First Middle Additional Names to be Indexed

Original Offense Update Additional Cases Reclassify to: Statute Crime Classification Offense Code
SUSP CIRCS

Reporting Detective I.D.No. Div.No. Date Dictated
Det. P. McCaffrey 6051 40 02-09-93

Special Instructions to Records

REDACTED

Narratives:

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

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

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

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of 5 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

Signature P. McCaffrey

Recommended/ Current Status () Active/Active Arrest () Closed Arrest () Exceptional Clearance () Inactive () Closed/Referral () Administrative Clearance/Warrant Issued () Unfounded

Supervisor I.D.No. Div.No. Date Division Assigned () Patrol () Investigative

Copies To: () Detective () S.O./P.D. () P.I.D. () Prop. Data Entered () Offense () Inc. Name () Inc. Sup. () Priority

16

OEM VANH 1
0410

Attorney Client Privileged

Attorney Client Privileged

**OFM VANH 1
0441**

SA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT FOLLOW-UP CONTINUATION

REDACTED

REDACTED

Case No. 92-9066
Page # 2

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

I contacted father of . He was involved in a committee that was looking into the allegations of sexual abuse committed by Franciscan priests at St. Anthony Seminary. Note that in 1989, another Franciscan priest, Phillip Wolfe, was arrested and convicted for molesting and his brother, . See Case 89-5806. was concerned that there may be many other victims of sexual abuse who had attended either the seminary or participated in the Santa Barbara Boys Choir which was directed by Robert Vanhandel until May 1992. said that the committee organized to investigate these incidents included a psychiatrist, a lawyer, and a Franciscan priest. The spokes person for the group is Geoffrey Stearns, a Santa Barbara attorney. suggested I contact him for update information.

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

Signature

D. P. M.

17

OFM VANH 1
0441

Attorney Client Privileged

Attorney Client Privileged

**OFM VANH 1
0442**

SANTA BARBARA POLICE DEPARTMENT
CRIME INCIDENT FOLLOW-UP CONTINUATION

REDACTED

Case No. 92-9066
Page # 3

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

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

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

Signature

18

OFM VANH 1
0447

Attorney Client Privileged

Attorney Client Privileged

OFM VANH 1
0443

ST. BARBARA POLICE DEPARTMENT VT
CRIME INCIDENT FOLLOW-UP CONTINUATION

Case No. 92-9066
Page # 4

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

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

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

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

Signature D.P.M.

19

OFM VANH 1
0442

Attorney Client Privileged

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OFM VANH 1
0444

SANTA BARBARA POLICE DEPARTMENT
CRIM. INCIDENT FOLLOW-UP CONTINUATION

Case No. 92-9066
Page # 5

ADDITIONAL NAMES

REDACTED

Helman, Mary Ann

Telephone: 682-5473 or 682-5641

Gorsuch, Scott E., Dr.

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

Telephone: 966-2959

REDACTED

Signature

O.P.M.

20

OFM VANH 1
0444

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

BUT:

1) 2 cases - no right to report - no right to investigate -

2) police & people do not speak clearly of their situation -

- process of investigation has its own internal clock - cannot be rushed.
especially those of ours.

- we would like to do something - but what?

Parents - brought around that this is resolved.

- b/c of honesty, probably not more extensive.

Do we do damage in catching people? Make victims uncomfortable

slowly - in 30s - no force - no harm in staying
gradually?

- could be helpful for some, satisfy family,

How is this experienced - intrusively?

Have from other agencies - models of inquiry letters - cautious
re-intrusions.

He does know them - has contact of some.

- Question to explore?

Have non-specific letters - giving personal b/w Bill & kid -

becoming known to good of the kid...

X letters as free-to-free

① do nothing

② Built - make words

③ Police involvement -

involvement and, he gets him away with
impunity.

appears to be intrusion - you don't want to retaliate.

OFM VANH 1
0450

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



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OFM VANH 1
0453

MEMO TO:

FROM: [REDACTED]

RE: Robert's civil attorney

DATE: September 22, 1994

REDACTED

REDACTED

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

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

OFM VANH 1

0453

Bates Number 454 was removed by the Plaintiffs at the request of the Franciscans.

45-50 minutes, May 10, 1992

Even some [redacted] said, he wouldn't then was neither. It came out of the conversation. Why any of was. "Repair of the family." Frankly, I think, Dad, I think family. "Robert has loved us, as much the best of our lives." Not a single sentence, typically.

How should we feel of this? Prayer for the year - "a brother to the family."

[redacted] in New York and - going to move, have everything. "He's still a godson."

Three different conversations - "a reputable situation" & to 10 yrs old placed by some of people. Part of the choice. Everything since after Christmas. Need to protect them.

- 9th report: 2 weeks ago: After came to home & interview [redacted] They filed a report.

OFM VANH 1

0455

Dear [REDACTED]

Here in (1) the Mandatory Reporting law and (2) a copy of the case re statute of limitations for Civil suits.

The statute of limitations for Criminal case is 1 yr from the date of the offense for misdemeanor and, usually, 3-6 yrs for most felonies, except murder + theft of public money. So, in this case, the statute of limitations has run no matter what happened. The SBPO is not doing anything on the matter. It is closed. This answers your first 2 questions: why was it reported and what is going to

happen.

you find question - in there any obligation
to see if letter case - is not in my
area of expertise. Therefore, my advice
must only be based on personal advice,
not D.A. advice. Here are my
thoughts, for what they are worth: I
do not see that, on balance, there is
a lot to be gained by conversing with
the students during the period of
suspected abuse/worker touring. This
may turn up another case, but the
detrimetal effort of contacting everyone else
will be significant. I don't think the
failure to contact past possible victims
is significant as to future civil liability
since the employer is probably liable
anyway - without regard to past act.

OEM VANH 1

0457

Bates Numbers 458-460 were removed by the Plaintiffs at the request of the Franciscans.

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

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OFM VANH 1
0465

SANTA BARBARA COUNTY MUNICIPAL COURT
STATE OF CALIFORNIA

PC288(a)

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff

v.

ROBERT MICHAEL VANHANDEL

Defendant(s)

Case No. 940304737

Crt. No.

443356

FELONY COMPLAINT

Santa Barbara Municipal Court

FILED

The undersigned is informed and believes that:

MAR 21 1994

ALISTAIR G. CAMERON
Clerk of Court

COUNT 1

2/1/93

9/30/95

By

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

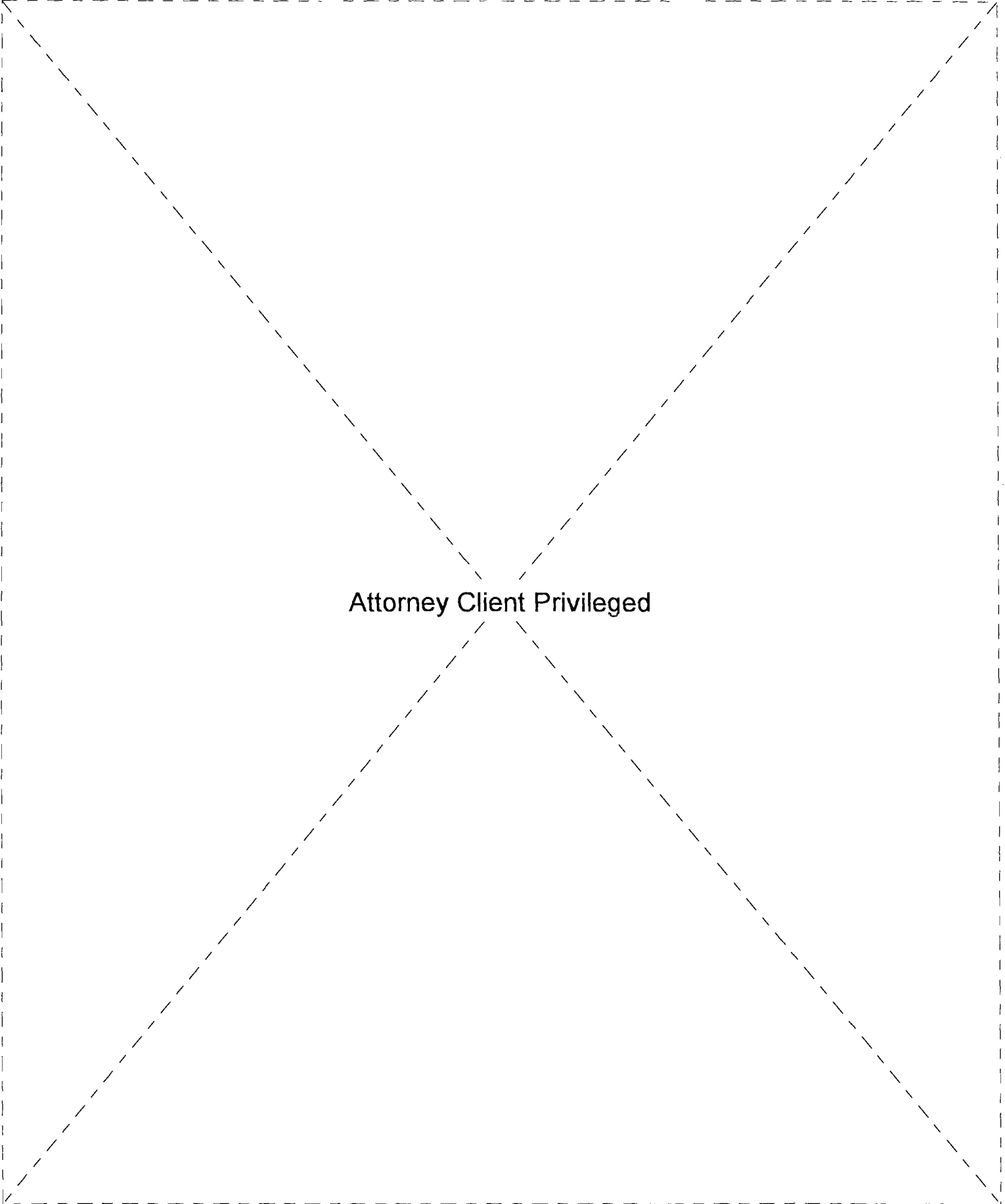
"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code Section 290. Willful failure to register is a crime."

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

PX 4/21

Page 1

OFM VANH 1
0465



Attorney Client Privileged

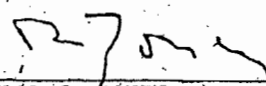
OEM VANH 1
0466

Pursuant to Penal Code Section 1054.3(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

Further, attached hereto and incorporated herein are official reports and documents of a law enforcement agency which the undersigned believes establish probable cause for the arrest of defendant(s) ROBERT MICHAEL VANHANDEL, in the above-listed crimes.

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

Executed at SANTA BARBARA, California, on March 21, 1994.


RONALD J. ZONEN
DEPUTY DISTRICT ATTORNEY

AGENCY: SBPD

DEFENDANT	CII NO.	DOB	BOOKING NO.	BAIL RECOM'D	CUSTODY R'TN DATE NCIC
VANHANDEL, ROBERT MI		4/02/47			WARRANT MG

xy 4/21
Page 1

OFM VANH 1
0466

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**OEM VANH 1
0467**

SANTA BARBARA MUNICIPAL COURT
OR/BR REPORT

25 MARCH 1994

DOB: 47/04-02-47

VAN HANDEL, ROBERT MICHAEL

CHARGE: 288(A) PC

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

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

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

OEM VANH 1

0467

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0468

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

RESIDENCY/EMPLOYMENT: (CONT.)

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

PRIOR RECORD:

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

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

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

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

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0469

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION: (CONT.)

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

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

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

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0470

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

25 MARCH 1994

VAN HANDEL, ROBERT MICHAEL

ADDITIONAL INFORMATION (CONT.):

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

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

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

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

RESPECTFULLY SUBMITTED,

DATE: March 25, 1994

Gene Ward
Gene Ward

Own Recognizance Supervisor

OFM VANH 1
0470

Attorney Client Privileged

Attorney Client Privileged

OFM VANH 1
0471

CASE # 94-4212

SANTA BARBARA POLICE DEPARTMENT
VICTIM CONFIDENTIALITY REQUEST

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

(This waiver applies only to Sections 261, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, or 422.75 of the California Penal Code.)

I HAVE BEEN ADVISED OF MY RIGHTS IN THIS MATTER AND:

☐ I WAIVE MY RIGHT TO PRIVACY IN THIS MATTER.

☒ I WISH TO EXERCISE MY RIGHT TO PRIVACY AND REQUEST MY NAME BE KEPT CONFIDENTIAL.

Signature of victim or parent/guardian:

(Redacted Signature) (For victim) Date 3-3-94

Signature of officer making admonishment:

Ofc G WILKINS Date 3-3-94

REDACTED

RECORDS PERSONNEL: THIS SHEET SHOULD BE KEPT ON THE TOP OF THE ACCOMPANYING CRIME & COPIES MUST BE DISTRIBUTED WITH THIS SHEET AS THE FIRST PAGE

SBPD 6 2511/931

OFM VANH 1
0471

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Attorney Client Privileged

UFM VANH
0472

SANTA BARBARA POLICE DEPARTMENT
CRIMINAL INCIDENT REPORT

Case No. 94-4262
Page 1 of 4

Crime/Incident <u>288 PC CHILD MOLEST</u>		Classification <u>11C01</u>	Offense Code <u>11C01</u>	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	EPO Offered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No EPO Issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Arrest <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Location Occurred <u>2300 GARDEN ST</u>		Beat <u>3-1-94</u>	Date Reported <u>12/01/89</u>	Time Reported <u>1400</u>	Related Case No. <u>N/A</u>	
Date-Time of Occurrence (or earliest possible) <u>9/23/83</u>	Mo. <u>9</u> Day <u>23</u> Year <u>83</u> Hrs. <u>—</u>	Day of Week <u>—</u>	Date-Time (latest possible) <u>12/01/89</u>	Mo. <u>12</u> Day <u>01</u> Year <u>89</u> Hrs. <u>—</u>	Day of Week <u>—</u>	

NAME TYPE: V = Victim C = Complainant I = Involved W = Witness O = Owner Q = Questioned R = Reporting Party D = Discovered Crime
RACE CODE: D = Cambodian I = Indian O = Other V = Vietnamese A = Other Asian F = Filipino J = Japanese P = Pacific Islander W = White B = Black G = Guamanian K = Korean S = Samoan X = Unknown C = Chinese H = Hispanic L = Lactian U = Hawaiian Z = Asian Indian

Name Type <input checked="" type="checkbox"/> V	Last Name (or Business) <u>—</u>	First <u>—</u>	Middle <u>—</u>	D.O.B. <u>—</u>	Age <u>—</u>	Sex <u>—</u>	Race <u>—</u>
Address (Residence) Number <u>—</u> Street <u>—</u>		Apt. <u>—</u> City <u>—</u>		State <u>—</u>	Zip <u>—</u>	Telephone (Residence) <u>—</u>	
Address (Bus. School) Number <u>—</u> Street <u>—</u>		Apt. <u>—</u> City <u>—</u>		State <u>—</u>	Zip <u>—</u>	Telephone (Business) <u>—</u>	
Work Hours to <u>—</u>	Days Off <u>—</u>	Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

Name Type <u>—</u>	Last Name (or Business) <u>—</u>	First <u>—</u>	Middle <u>—</u>	D.O.B. <u>—</u>	Age <u>—</u>	Sex <u>—</u>	Race <u>—</u>
Address (Residence) Number <u>—</u> Street <u>—</u>		Apt. <u>—</u> City <u>—</u>		State <u>—</u>	Zip <u>—</u>	Telephone (Residence) <u>—</u>	
Address (Bus. School) Number <u>—</u> Street <u>—</u>		Apt. <u>—</u> City <u>—</u>		State <u>—</u>	Zip <u>—</u>	Telephone (Business) <u>—</u>	
Work Hours to <u>—</u>	Days Off <u>—</u>	Interpreter Required/Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

TIME INDICATOR (1 Choice) <input type="checkbox"/> In Public <input type="checkbox"/> In Commercial/Industrial Establishment That Is Recurring Police Problem <input type="checkbox"/> Crime Occurred After Police Arrival <input type="checkbox"/> Crime Escalated After Police Arrival <input checked="" type="checkbox"/> None of the Above	PREMISE TYPE (1 Choice) Residential A. <input type="checkbox"/> Single Family B. <input type="checkbox"/> Apt./Condo/Duplex C. <input type="checkbox"/> Garage, Carport D. <input type="checkbox"/> Hotel, Motel E. <input type="checkbox"/> Mobile Home Commercial F. <input type="checkbox"/> Bank/Financial G. <input type="checkbox"/> Convenience Store H. <input type="checkbox"/> Drug Store I. <input type="checkbox"/> Entertainment/Recreation J. <input type="checkbox"/> Fast Food K. <input type="checkbox"/> Gas Station/Garage L. <input type="checkbox"/> Grocery Store M. <input type="checkbox"/> Indust./Warehouse/Mfg. N. <input type="checkbox"/> Liquor Store O. <input type="checkbox"/> Medical, Dental P. <input type="checkbox"/> Professional Office Q. <input type="checkbox"/> Restaurant/Bar R. <input type="checkbox"/> Retail/Dept. Store Public Place S. <input type="checkbox"/> Beach T. <input type="checkbox"/> Park U. <input type="checkbox"/> Parking Lot-City V. <input type="checkbox"/> Parking Lot-Other W. <input type="checkbox"/> Public Building/Restroom X. <input type="checkbox"/> School Y. <input type="checkbox"/> Street/Alley/Sidewalk 1. <input type="checkbox"/> Vacant Lot Vehicle 2. <input type="checkbox"/> Auto 3. <input type="checkbox"/> Aircraft 4. <input type="checkbox"/> Boat-Commercial 5. <input type="checkbox"/> Boat-Pleasure 6. <input type="checkbox"/> Bus/Taxi 7. <input type="checkbox"/> Motorhome/Camper 8. <input type="checkbox"/> Train 9. <input type="checkbox"/> Truck/Trailer 0. <input type="checkbox"/> Other		POINT OF ENTRY (2 Choices) U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Already on Premises B. <input type="checkbox"/> Door-Front C. <input type="checkbox"/> Door-Rear D. <input type="checkbox"/> Door-Side E. <input type="checkbox"/> Door-Upper F. <input type="checkbox"/> Window-Front G. <input type="checkbox"/> Window-Rear H. <input type="checkbox"/> Window-Side I. <input type="checkbox"/> Window-Upper J. <input type="checkbox"/> Duct/Vent K. <input type="checkbox"/> Roof L. <input type="checkbox"/> Adjacent Building M. <input type="checkbox"/> Wall N. <input type="checkbox"/> Basement O. <input type="checkbox"/> Balcony P. <input type="checkbox"/> Garage Q. <input type="checkbox"/> Hood/Trunk R. <input type="checkbox"/> Back Door S. <input checked="" type="checkbox"/> Other	METHOD OF ENTRY (2 Choices) U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Attempt Only B. <input type="checkbox"/> Hidden Inside C. <input type="checkbox"/> Bodily Force D. <input type="checkbox"/> Attack E. <input type="checkbox"/> Door Knob F. <input type="checkbox"/> Smash Door G. <input type="checkbox"/> Pry Door H. <input type="checkbox"/> Attack Hinges I. <input type="checkbox"/> Cut Screen J. <input type="checkbox"/> Remove Screen K. <input type="checkbox"/> Smash Window L. <input type="checkbox"/> Pry Window M. <input type="checkbox"/> Attack Wall N. <input type="checkbox"/> Key/Shim O. <input type="checkbox"/> Channel Lock P. <input type="checkbox"/> Saw Drill Q. <input type="checkbox"/> Torch/Burn R. <input type="checkbox"/> Wire/Hook S. <input type="checkbox"/> Explosive T. <input type="checkbox"/> Unlocked V. <input type="checkbox"/> Slip Force W. <input type="checkbox"/> Other
	GENERAL PREMISE TYPE (1 Choice) A. <input checked="" type="checkbox"/> Residential Occupied B. <input type="checkbox"/> Residential Unoccupied C. <input type="checkbox"/> Commercial Occupied D. <input type="checkbox"/> Commercial Unoccupied E. <input type="checkbox"/> Public Place Occupied F. <input type="checkbox"/> Public Place Unoccupied G. <input type="checkbox"/> Vehicle Occupied H. <input type="checkbox"/> Vehicle Unoccupied	Stolen Property Amount <u>N/A</u> Stolen Vehicle Amount <u>N/A</u> Damaged Property Amount <u>N/A</u>	Stolen Property Amount <u>N/A</u> Stolen Vehicle Amount <u>N/A</u> Damaged Property Amount <u>N/A</u>	Stolen Property Amount <u>N/A</u> Stolen Vehicle Amount <u>N/A</u> Damaged Property Amount <u>N/A</u>

SOLVABILITY FACTORS 1. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Witnesses Available 2. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Named 3. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Located 4. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Described 5. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Identified 6. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Vehicle 7. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Property Traceable 8. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Significant M.O. 9. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Significant Physical Evidence 10. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Physical Evidence Developed By CSI 11. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Good Probability of Solution 12. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> U Suspect Seen Recently										SCORE <div style="border: 1px solid black; width: 50px; height: 50px; margin: 0 auto;"></div>
--	--	--	--	--	--	--	--	--	--	---

Arrest Status <input checked="" type="checkbox"/> Active/Arrest <input type="checkbox"/> Closed Arrest <input type="checkbox"/> Exceptional Clearance <input type="checkbox"/> Inactive <input type="checkbox"/> Closed/Referral <input type="checkbox"/> Administrative Clearance/Warrant Issued <input type="checkbox"/> Unfounded				Division Assigned PAT <u>Klein</u>			
Reporting Officer <u>FC. G. WILKINS</u>	Div. No. <u>3094</u>	I.D. No. <u>312</u>	Date <u>9/2</u>	Supervisor <u>Klein</u>	Div. No. <u>30</u>	I.D. No. <u>4254</u>	Date <u>9/3</u>
Sent To: <input checked="" type="checkbox"/> SO/PO <input type="checkbox"/> PLO <input type="checkbox"/> ABC Licensed <input type="checkbox"/> Inc. <input type="checkbox"/> Proc.				Date Entered <u>—</u> By <u>—</u>			

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Client F

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SANTA BARBARA POLICE DEPARTMENT TIME/INCIDENT REPORT

Case No. 14-424
Page 2 of 4

DIRECTIONS: For crimes against persons select appropriate section below (i.e., Sex Crime, Robbery, or Felony Assault), and check up to five boxes. For multiple offenses, choose the most serious crime classification using the following order: 1. Homicide (complete the field associated with homicide); 2. Sex Crime; 3. Robbery; and 4. Felony Assault.

SEX CRIMES

VICTIM/SUSPECT RELATIONSHIP (1 Choice)	METHOD/FORCE TRICK USED (1 Choice)	SUSPECT ACTIONS (2 Choices)
A1. <input type="checkbox"/> Family Friend A2. <input type="checkbox"/> Relative A3. <input type="checkbox"/> X-Boyfriend/Spouse A4. <input type="checkbox"/> Met in Bar/Rest/Party A5. <input type="checkbox"/> Vic. Hitchhiker A6. <input type="checkbox"/> Sus. Hitchhiker A7. <input type="checkbox"/> Kidnap A8. <input type="checkbox"/> Vic. Walking A9. <input type="checkbox"/> Posed as Officer B1. <input type="checkbox"/> Offers Vic. Gift B2. <input type="checkbox"/> Offers Vic. Assistance B3. <input type="checkbox"/> Request Vic. Assistance B4. <input type="checkbox"/> 459/211/Prior Act B5. <input type="checkbox"/> Ans. Vic./Sus. Advert B6. <input type="checkbox"/> Lured Vic./Isol. B7. <input type="checkbox"/> Public Restroom B8. <input type="checkbox"/> Public Transportation B9. <input type="checkbox"/> Other	C1. <input type="checkbox"/> Blindfolded C2. <input type="checkbox"/> Bound/Cuffed C3. <input type="checkbox"/> Gagged C4. <input type="checkbox"/> Beat Up C5. <input type="checkbox"/> Choked C6. <input type="checkbox"/> Bit/Let Marks C7. <input type="checkbox"/> Firearm C8. <input type="checkbox"/> Knife C9. <input type="checkbox"/> Other Weapon D1. <input type="checkbox"/> Threats Only D2. <input type="checkbox"/> Trick or Deception D3. <input type="checkbox"/> Mutual Consent D4. <input type="checkbox"/> Vic. Unable to Consent D5. <input type="checkbox"/> Other	Masturbation D7. <input type="checkbox"/> Vic. to Sus. D8. <input type="checkbox"/> Sus. to Vic. D9. <input type="checkbox"/> Mutual (Same Time) E1. <input type="checkbox"/> Vic. to Self E2. <input type="checkbox"/> Sus. to Self Oral Copulation E3. <input type="checkbox"/> Vic. to Sus. E4. <input type="checkbox"/> Sus. to Vic. E5. <input type="checkbox"/> Mutual (Same Time) E6. <input type="checkbox"/> Vic. to Sus. Anal E7. <input type="checkbox"/> Etc. V. Mouth/Face Intercourse/Rape F1. <input type="checkbox"/> Sus. on Top F2. <input type="checkbox"/> Vic. on Top F3. <input type="checkbox"/> Sus. Unable to Achieve Erection F4. <input type="checkbox"/> Condom Used F5. <input type="checkbox"/> Simulated Intercourse F6. <input type="checkbox"/> Sodomy Miscellaneous F7. <input type="checkbox"/> Sack/Bag Used F8. <input type="checkbox"/> Defecation/Urination F9. <input type="checkbox"/> Porn Material Used F10. <input type="checkbox"/> Photographs Victim F11. <input type="checkbox"/> Exposed Self G1. <input type="checkbox"/> Put Hand on Vic. Genitals G2. <input type="checkbox"/> Request to See Vic. Genitals G3. <input type="checkbox"/> Shaved Genitals G4. <input type="checkbox"/> Unusual Odor G5. <input type="checkbox"/> Partially Drressed G6. <input type="checkbox"/> Fully Drressed G7. <input type="checkbox"/> Other

ROBBERY

METHOD OF ATTACK (2 Choices)	VICTIM ACTIVITY (1 Choice)	SUSPECT CARRIED WEAPON IN (1 Choice)	VALUABLES PLACED IN (1 Choice)
G8. <input type="checkbox"/> Blindfolded Vic. G9. <input type="checkbox"/> Bound/Gagged Vic. H1. <input type="checkbox"/> Business Takeover H2. <input type="checkbox"/> Entered as Customer H3. <input type="checkbox"/> Force Vic. to Lay on Floor H4. <input type="checkbox"/> Force Vic. to Open Reg/Safe H5. <input type="checkbox"/> Hid in Vic. Vehicle H6. <input type="checkbox"/> Hid in Business H7. <input type="checkbox"/> Jumped Counter H8. <input type="checkbox"/> Kidnaped Vic. H9. <input type="checkbox"/> Knowledge of Business	J1. <input type="checkbox"/> Multiple Weapons J2. <input type="checkbox"/> Note Used J3. <input type="checkbox"/> Physical Force J4. <input type="checkbox"/> Purse Snatch J5. <input type="checkbox"/> Stolen Veh. Used J6. <input type="checkbox"/> Sus. Cases Area J7. <input type="checkbox"/> Vic. Told to Count J8. <input type="checkbox"/> Vic. Told to Go to Rear J9. <input type="checkbox"/> Verbal Threats K1. <input type="checkbox"/> Other	K2. <input type="checkbox"/> Opening/Closing K3. <input type="checkbox"/> Confronting Sus. K4. <input type="checkbox"/> At Home K5. <input type="checkbox"/> Going To/From K6. <input type="checkbox"/> Walking K7. <input type="checkbox"/> In Vic. Vehicle K8. <input type="checkbox"/> In Sus. Vehicle K9. <input type="checkbox"/> Riding Bicycle L1. <input type="checkbox"/> A Customer L2. <input type="checkbox"/> Other	L3. <input type="checkbox"/> Unknown L4. <input type="checkbox"/> Sus. Not Armed L5. <input type="checkbox"/> Hand L6. <input type="checkbox"/> Shoulder Holster L7. <input type="checkbox"/> Wst. Holster/Band L8. <input type="checkbox"/> Purse L9. <input type="checkbox"/> Bag/Paper, Etc. M1. <input type="checkbox"/> Pocket (Coat) M2. <input type="checkbox"/> Pocket (Pants) M3. <input type="checkbox"/> Other

FELONY ASSAULT

MOTIVE/CAUSE (2 Choices)	TYPE (1 Choice)	EXTENT OF INJURIES (1 Choice)	TREATMENT (1 Choice)
N1. <input type="checkbox"/> Unknown N2. <input type="checkbox"/> Revenge N3. <input type="checkbox"/> Money N4. <input type="checkbox"/> Love Triangle N5. <input type="checkbox"/> Jealousy N6. <input type="checkbox"/> Mistaken Identity N7. <input type="checkbox"/> Drunkenness N8. <input type="checkbox"/> Other	N9. <input type="checkbox"/> Drug Related P1. <input type="checkbox"/> Alcohol Related P2. <input type="checkbox"/> Snider Attack P3. <input type="checkbox"/> Riot/Large Party P4. <input type="checkbox"/> Gang Related P5. <input type="checkbox"/> Family Dispute P6. <input type="checkbox"/> Child Abuse P7. <input type="checkbox"/> Neighborhood P8. <input type="checkbox"/> Landlord/Tenant	P9. <input type="checkbox"/> Result of T/C Q1. <input type="checkbox"/> School Problem Q2. <input type="checkbox"/> Boyfriend/Girlfriend Q3. <input type="checkbox"/> Other	Q4. <input type="checkbox"/> No Injury Q5. <input type="checkbox"/> Minor Injury Q6. <input type="checkbox"/> Broken Bones Q7. <input type="checkbox"/> Severe Laceration/Cont. Q8. <input type="checkbox"/> Maiming/Mutilation Q9. <input type="checkbox"/> Death R1. <input type="checkbox"/> Other

CRIMES AGAINST PERSONS/CRIMES AGAINST PROPERTY

TRADEMARK (2 Choices)	ALARM (1 Choice)	PROPERTY TYPE (3 Choices)	TYPE OF WEAPON (1 Choice)	WEAPON DESCRIPTION (1 Choice)	WEAPON USE (1 Choice)
Z. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Approach Vic. from Rear B. <input type="checkbox"/> At Food C. <input type="checkbox"/> Defecate/Urinate D. <input type="checkbox"/> Disconnect Power E. <input type="checkbox"/> Get Away Driver F. <input type="checkbox"/> Gloys Used G. <input type="checkbox"/> Bound/Gagged H. <input type="checkbox"/> Hid Property/Return I. <input type="checkbox"/> Lookout Used J. <input type="checkbox"/> Matches Used K. <input type="checkbox"/> Obvious Writing L. <input type="checkbox"/> Prepared Exit M. <input type="checkbox"/> Ramack/Vandal N. <input type="checkbox"/> Selective in Property O. <input type="checkbox"/> Smoked P. <input type="checkbox"/> Specific Knowledge Q. <input type="checkbox"/> Tied to Glass R. <input type="checkbox"/> Unknown Sus. Knowledge S. <input type="checkbox"/> Tied to Car T. <input type="checkbox"/> Tied to Person U. <input type="checkbox"/> Unknown Sus. Knowledge V. <input type="checkbox"/> Victim Escaped W. <input type="checkbox"/> Victim Handcuffed X. <input type="checkbox"/> Victim Handcuffed Y. <input type="checkbox"/> Victim Injured Z. <input type="checkbox"/> Victim's Tools Used 1. <input type="checkbox"/> Weapon Involved 2. <input type="checkbox"/> Work Mask/Concealed Face 3. <input type="checkbox"/> Other	5. <input type="checkbox"/> No Alarm 6. <input type="checkbox"/> Activated 7. <input type="checkbox"/> False	U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Animal B. <input type="checkbox"/> Antique C. <input type="checkbox"/> Appliance D. <input type="checkbox"/> Art/Pictures E. <input type="checkbox"/> Auto/Truck F. <input type="checkbox"/> Auto Parts G. <input type="checkbox"/> Bicycle H. <input type="checkbox"/> Boat I. <input type="checkbox"/> Camera/Photo Equip. J. <input type="checkbox"/> Coins/Currency K. <input type="checkbox"/> Contr./Building Materials L. <input type="checkbox"/> Drugs/Med. Supplies M. <input type="checkbox"/> Furniture N. <input type="checkbox"/> Jewelry/Precious Metals O. <input type="checkbox"/> Motorcycle/Moped P. <input type="checkbox"/> Musical Instrument Q. <input type="checkbox"/> Purse/Wallet R. <input type="checkbox"/> Rare Coins/Stamp S. <input type="checkbox"/> Self T. <input type="checkbox"/> Sporting Goods V. <input type="checkbox"/> Stocks/Bonds/Checks W. <input type="checkbox"/> TV/Stereo/VCR X. <input type="checkbox"/> None Y. <input type="checkbox"/> Other	U. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Handgun B. <input type="checkbox"/> Semi-Auto C. <input type="checkbox"/> Handgun D. <input type="checkbox"/> Revolver E. <input type="checkbox"/> Rifle F. <input type="checkbox"/> Shotgun G. <input type="checkbox"/> Bodily Force H. <input type="checkbox"/> Head/Foot I. <input type="checkbox"/> Brick/Block J. <input type="checkbox"/> Club/Stick K. <input type="checkbox"/> Knife/Cutting/Puncture L. <input type="checkbox"/> Chemical Agent M. <input type="checkbox"/> Explosive N. <input type="checkbox"/> Vehicle O. <input type="checkbox"/> Rock/Ball/Chain P. <input type="checkbox"/> Shredding Q. <input type="checkbox"/> Weapon R. <input type="checkbox"/> None S. <input type="checkbox"/> Other	Z. <input type="checkbox"/> Unknown A. <input type="checkbox"/> Blue Steel B. <input type="checkbox"/> Chrome C. <input type="checkbox"/> Nickel D. <input type="checkbox"/> Short E. <input type="checkbox"/> Knife F. <input type="checkbox"/> Long G. <input type="checkbox"/> Barbed H. <input type="checkbox"/> Small Bore I. <input type="checkbox"/> Large Bore J. <input type="checkbox"/> Double K. <input type="checkbox"/> Barrel L. <input type="checkbox"/> Bolt Action M. <input type="checkbox"/> Pump N. <input type="checkbox"/> Semi-Auto O. <input type="checkbox"/> Shot Off P. <input type="checkbox"/> Shot Q. <input type="checkbox"/> Shot R. <input type="checkbox"/> Shot S. <input type="checkbox"/> Shot T. <input type="checkbox"/> Shot U. <input type="checkbox"/> Shot V. <input type="checkbox"/> Shot W. <input type="checkbox"/> Shot X. <input type="checkbox"/> Shot Y. <input type="checkbox"/> Shot Z. <input type="checkbox"/> Shot 1. <input type="checkbox"/> Shot 2. <input type="checkbox"/> Shot 3. <input type="checkbox"/> Shot 4. <input type="checkbox"/> Shot 5. <input type="checkbox"/> Shot 6. <input type="checkbox"/> Shot 7. <input type="checkbox"/> Shot 8. <input type="checkbox"/> Shot 9. <input type="checkbox"/> Shot 0. <input type="checkbox"/> Other	A. <input type="checkbox"/> Shot Victim B. <input type="checkbox"/> Shot at Police Officer C. <input type="checkbox"/> Shot at Vehicle D. <input type="checkbox"/> Shot at Dwelling E. <input type="checkbox"/> Shot at Other Building F. <input type="checkbox"/> Stab Victim G. <input type="checkbox"/> Cut Victim H. <input type="checkbox"/> Club Victim I. <input type="checkbox"/> Hit Victim J. <input type="checkbox"/> Hit Victim K. <input type="checkbox"/> Hit Victim L. <input type="checkbox"/> Choke/Strangle/Suffocate M. <input type="checkbox"/> Throat Use of Weapon N. <input type="checkbox"/> None O. <input type="checkbox"/> Other

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ADULT
JUVENILE

SANTA BARBARA POLICE DEPARTMENT
ARREST/SUSPECT REPORT

Case No. 94-4212
Page 3 of 4

Name		First		Middle		AKA		Social Security									
VANHANDEL		ROBERT						UNK									
Residence		Number		Street		Apt.		City		State		Zip		Telephone (Residence)			
1712		EUCALYPTUS		AVE				BERKELEY		CA		94709		UNK			
Address (Bus/School)		Number		Street		Apt.		City		State		Zip		Telephone (Business)			
Sex		DOB		Age		Race		Height		Weight		Hair Color		Eye Color		Operator's Lic. # or ID # - State	
M		4-2-47		47		W		5'9"		175		BRN		GRN		PO454060/C	
Veh. Lic. No./State		Veh. Year		Make		Model		Body Style		Top Color		Bottom Color					
UNK																	
VIN		Unique Characteristics		Veh. Disposition		Location		CHP 180									

Companion 1: Last		First		Middle		DOB		Age		Sex		Race			
Address (Residence)		Number		Street		Apt.		City		State		Zip		Telephone (Residence)	
Companion 2: Last		First		Middle		DOB		Age		Sex		Race			
Address (Residence)		Number		Street		Apt.		City		State		Zip		Telephone (Residence)	
Parent/Guardian		Number		Street		Apt.		City		State		Zip		Telephone (Business)	
Parent/Guardian		Number		Street		Apt.		City		State		Zip		Telephone (Business)	

ARREST ONLY

Arrest Location		Number		Street		Apt.		City		Date of Arrest		Time of Arrest			
Type of Arrest		On Probation or Parole		If Yes		P.O. Name, Jurisdiction									
<input type="checkbox"/> PC <input type="checkbox"/> Warrant <input type="checkbox"/> Citizen		<input type="checkbox"/> Y <input type="checkbox"/> N		<input type="checkbox"/> Formal <input type="checkbox"/> Informal											
ARREST LEVEL: M-Misdemeanor F-Felony D-Delinquent (S01 W&I)															
Statute		Charge		M/F/D		Offense Code		Warrant No.		Date Issued		Court		Bal.	
1															
2															
3															
4															
ARREST ACTION				DISPOSITION ADULT				DISPOSITION JUVENILE							
<input type="checkbox"/> Booked at Jail <input type="checkbox"/> Booked at Juvenile Hall				<input type="checkbox"/> Fel. Complaint <input type="checkbox"/> Unreleased				<input type="checkbox"/> Released							
<input type="checkbox"/> Bailed on Warrant <input type="checkbox"/> Detained Only				<input type="checkbox"/> Misd. Complaint <input type="checkbox"/> Released				<input type="checkbox"/> Courtroom Released							
				<input type="checkbox"/> Turned Over To:				<input type="checkbox"/> Refer Court/Probation							

Citizen Arrest Statement:

I hereby arrest the above person on the charge indicated above and request a police officer to take him/her into custody. If requested I will assist further with the investigation being conducted, and I will appear in court on the day set for trial if the defendant pleads "Not Guilty".

Signature		Date	
[Signature]		[Date]	
Address (Residence)		Telephone (Residence)	
Address (Business)		Telephone (Business)	

Officer		Off. No.		LD No.		Date		Supervisor		Off. No.		LD No.		Date	
G. Williams		30		2462		3/12/94									
COPY TO: <input type="checkbox"/> Police <input type="checkbox"/> Probation															

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NTA BARBARA POLICE DEPARTMENT
ARREST/SUSPECT REPORT

Case No. 94-4212
Page 4 of 4

PHYSICAL DESCRIPTORS

HAIR LENGTH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Bald <input type="checkbox"/> Receding <input type="checkbox"/> Short <input type="checkbox"/> Collar <input type="checkbox"/> Shoulder <input type="checkbox"/> Long <input type="checkbox"/> Other	HAIR STYLE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Afro/Natural <input type="checkbox"/> Braided <input type="checkbox"/> Bushy <input type="checkbox"/> Crewcut <input type="checkbox"/> Greasy <input type="checkbox"/> Military <input type="checkbox"/> Pony Tail <input type="checkbox"/> Processed <input type="checkbox"/> Straight <input type="checkbox"/> Wavy/Curly <input type="checkbox"/> Punk <input type="checkbox"/> Wig <input type="checkbox"/> Other	TEETH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Broken <input type="checkbox"/> Crooked <input type="checkbox"/> Missing <input type="checkbox"/> None <input type="checkbox"/> False-Dentures <input type="checkbox"/> Gold-Capped <input type="checkbox"/> Silver-Capped <input type="checkbox"/> Gapped <input type="checkbox"/> Chipped <input type="checkbox"/> Stained <input type="checkbox"/> Decayed <input type="checkbox"/> Braces <input type="checkbox"/> Perfect <input type="checkbox"/> Normal <input type="checkbox"/> Other	PHYSICAL CONDITION (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> 5'10" WIC <input type="checkbox"/> Appearance <input type="checkbox"/> Under <input type="checkbox"/> Influence <input type="checkbox"/> Appearance <input type="checkbox"/> Evidence <input type="checkbox"/> of Use of <input type="checkbox"/> Controlled <input type="checkbox"/> Substance <input type="checkbox"/> Other <input type="checkbox"/> Normal	BUILD (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Thin <input type="checkbox"/> Medium <input type="checkbox"/> Fat/Heavy <input type="checkbox"/> Muscular <input type="checkbox"/> Other	FACIAL HAIR (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Clean <input type="checkbox"/> Full Beard <input type="checkbox"/> Thin Beard <input type="checkbox"/> Fuzz <input type="checkbox"/> Goatee <input type="checkbox"/> Lower Lip <input type="checkbox"/> Moustache <input type="checkbox"/> Sideburns <input type="checkbox"/> Unshaved <input type="checkbox"/> Other	COMPLEXION (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Acne <input type="checkbox"/> Pocked <input type="checkbox"/> Freckles <input type="checkbox"/> Pale <input type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Dark <input type="checkbox"/> Tanned <input type="checkbox"/> Ruddy <input type="checkbox"/> Other
GLASSES (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> None <input type="checkbox"/> Prescription <input type="checkbox"/> Wire <input type="checkbox"/> Prescription <input type="checkbox"/> Plastic <input type="checkbox"/> Sunglasses <input type="checkbox"/> Wire <input type="checkbox"/> Sunglasses <input type="checkbox"/> Plastic <input type="checkbox"/> Contact Lens <input type="checkbox"/> Other	SCARS/MARKS/TATTOOS Type (1 Choice) Location (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Face <input type="checkbox"/> None <input type="checkbox"/> Neck <input type="checkbox"/> Tattoo-Letters <input type="checkbox"/> Chest <input type="checkbox"/> Tattoo-Emblem <input type="checkbox"/> Back <input type="checkbox"/> Tattoo-Picture <input type="checkbox"/> Abdomen <input type="checkbox"/> Scar-Small <input type="checkbox"/> Upper Arm-Right <input type="checkbox"/> Scar-Large <input type="checkbox"/> Upper Arm-Left <input type="checkbox"/> Birthmark <input type="checkbox"/> Forearm-Right <input type="checkbox"/> Mole <input type="checkbox"/> Forearm-Left <input type="checkbox"/> Wart <input type="checkbox"/> Hand-Right <input type="checkbox"/> Hand-Left <input type="checkbox"/> Puncture/ <input type="checkbox"/> Needle Marks <input type="checkbox"/> Fingers-Right <input type="checkbox"/> K. O. Arpites <input type="checkbox"/> M. O. Fingers-Left <input type="checkbox"/> Leg-Right <input type="checkbox"/> Leg-Left <input type="checkbox"/> Foot-Right <input type="checkbox"/> Foot-Left <input type="checkbox"/> Other Describe:	CLOTHING-UNIQUE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Cap Hat <input type="checkbox"/> Wig <input type="checkbox"/> Mask <input type="checkbox"/> Uniform <input type="checkbox"/> Coat-Jacket <input type="checkbox"/> Shirt-Blouse <input type="checkbox"/> Pants-Skirt <input type="checkbox"/> Shorts <input type="checkbox"/> Dress <input type="checkbox"/> Shoes <input type="checkbox"/> Gloves <input type="checkbox"/> None <input type="checkbox"/> Other Describe:	SPEECH (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Accent <input type="checkbox"/> Liped <input type="checkbox"/> Mumbled <input type="checkbox"/> C. O. Masked <input type="checkbox"/> Offensive <input type="checkbox"/> Loud <input type="checkbox"/> Quiet <input type="checkbox"/> Rapid <input type="checkbox"/> Slow <input type="checkbox"/> Slurred <input type="checkbox"/> Incoherent <input type="checkbox"/> Stuttered <input type="checkbox"/> Talkative <input type="checkbox"/> Other <input type="checkbox"/> Normal	APPEARANCE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Conservative <input type="checkbox"/> Business <input type="checkbox"/> Casual <input type="checkbox"/> Dirty/Unkempt <input type="checkbox"/> Disputed <input type="checkbox"/> Flashy <input type="checkbox"/> Military <input type="checkbox"/> Well Groomed <input type="checkbox"/> Other	EXTENT OF INJURIES (1 Choice) <input type="checkbox"/> No Injury <input type="checkbox"/> Minor Injury <input type="checkbox"/> Broken Bones <input type="checkbox"/> Severe Lacerations <input type="checkbox"/> Punctures <input type="checkbox"/> Mayhem <input type="checkbox"/> Mutilation <input type="checkbox"/> Death <input type="checkbox"/> Other	
					HAND USE (1 Choice) <input type="checkbox"/> Unknown <input type="checkbox"/> Right <input type="checkbox"/> Left	TREATMENT (1 Choice) <input type="checkbox"/> Refused <input type="checkbox"/> Treated/Refused <input type="checkbox"/> Adm. Hosp. <input type="checkbox"/> Treated Transferred to:

Narrative: SUSPECT IS STILL BELIEVED TO BE IN
NORTHERN CALIFORNIA AREA.

REDACTED

I hereby declare under penalty of perjury that the information contained in this report, consisting of 4 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

Narrative Continued

Signature

Arresting Officer: OFC VAN H 30942 Div. 312-84 Date 3/2/84 Supervisor: OFC VAN H 10475

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OEM VANH 1

0476

SANTA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

REDACTED

Page 1

Case No. 94-04212

Date/Time Reported: 03/01/94, 1400 HOURS

[] File Only

Name Type Last Name (or Business) First Middle Additional Names to be Indexed
MO

Original Offense Update Additional Cases Reclassify to: Statute Crime Classification Offense Code
288 PC MO

Reporting Officer I.D.No. Div.No. Date Dictated
WILKINS 9462 30 03/01/94

Special Instructions to Records

Narrative:

On 03/01/94 at approximately 1400 hours, , came to the Santa Barbara Police Department to report a 288 PC, Child Molest, which occurred between the years of 1983 through 1989.

It should be noted that some of the child molest acts occurred outside of the statute of limitations. is now 18 years of age; these acts occurred when he was a member of the Santa Barbara Boys Choir at St. Anthony's Seminary located at 2300 Garden Street. The molest acts occurred when was 8 or 9 years of age and ended when he was 14 years of age, spanning the years 1983 through 1989. The suspect in the case was the choir director, Robert VanHandel.

told me that when he was a member of the Santa Barbara Boys Choir, his name at that time was went on to tell me he has since changed his name, and he now uses his mother's maiden name of went on to tell me the reason he has done that is that he feels that he is starting his life over now and the change of name gives him a fresh start. Even though this report reflects as a last name, it should be noted that during all of the incidents that mostly occurred

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

Signature _____

Recommended/ Current Status [] Active/Active Arrest [] Exceptional Clearance [] Closed/Referral [] Unfounded [] Closed Arrest [] Inactive [] Administrative Clearance/Warrant Issued
Supervisor I.D.No. Div.No. Date Division Assigned [] Patrol [] Investigative

Copies [] Detective [] S.O./P.O. [] P.I.O. Data Entered [] Offense [] Inc. Supp.
To: [] Dist. Att'y [] Other [] Prop. [] Arrest [] Vehicle
[] Inc. Name [] Property

OEM VANH 1

DATE

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OFM VANH 1
0477

Attorney Client Privileged

ST. BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

REDACTED

Case No. 94-04212
Page # 2

REDACTED

at St. Anthony's Seminary, name at that time was

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

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

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

stated that quite often he would stay at Robert VanHandel's apartment. He stated that always on Tuesday nights and on Sundays he would spend the night. said there were sometimes on Thursdays and once in a while Fridays and Saturdays he would also spend the night at Robert VanHandel's apartment. stated that on Tuesday nights, he attended

OFM VANH 1
0477

Signature _____

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OFM VANH 1
0478

Attorney Client Privileged

ST. BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION

REDACTED

Case No. 94-04212
Page # 3

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

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

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

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

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

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

OEM VANH 1
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Signature _____

6

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OFM VANH.1
0479

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S. A BARBARA POLICE DEPARTMENT VT
CRIME/INCIDENT CONTINUATION

Case No. 94-04212
Page # 4

REDACTED

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

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

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

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

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

OFM VANH.1
0479

9

Signature _____

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OFM VANH 1
0480

Attorney Client Privileged

SANTA BARBARA POLICE DEPARTMENT
CRIME/INCIDENT CONTINUATION JN

REDACTED

Case No. 94-04212
Page # 5

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

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

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

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

Refer to Investigative Division.

/mr

REDACTED

OEM VANH 1
0480

10
Signature _____

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**OFM VANH 1
0481**

SAN BARRA POLICE DEPARTMENT
MISDEMEANOR CRIME/INCIDENT REPORT

Case No. 92 9066
 Page 1 of 4

Crime/Incident SUSPICIOUS CIRCUMSTANCES		Classification 23F05	Offense Code	Domestic Violence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	EPO Offered <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Arrest
Date/Time of Occurrence (or earliest possible) 1978/6/18		Day of Week	Date Reported 4-23-92	Time Reported 1:00 PM	Related Case No.
Address (Residence) 2100 LAS TUNAS RD SANTA BARBARA		City	State	Zip	Telephone (Residence)
Address (Bus./School)		City	State	Zip	Telephone (Business)

NAME TYPE:

V = Victim
 W = Witness
 R = Reporting Party
 A = Arrested

C = Complainant
 M = Molester
 F = Finder

O = Owner Reg.
 D = Discovered Crime
 I = Involved

Q = Questioned
 L = Law Enforcement Officer
 S = Suspect

RACE CODE:

W = White
 M = Mexican
 N = Negro
 I = Indian
 C = Chinese
 J = Japanese
 F = Filipino
 O = Other

Name Type V	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours	Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional Names	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

REDACTED

Stolen Property Amount	Damaged Property Amount
------------------------	-------------------------

ADDITIONAL NAMES

Name Type I	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours	Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional Names	
DAYTIME VARY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Name Type I	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours	Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional Names	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Name Type I	Last Name (or Business)	First	Middle	D.O.B.	Age	Sex	Race
Address (Residence)		Number	Street	Apt.	City	State	Zip
Address (Bus./School)		Number	Street	Apt.	City	State	Zip
Work Hours	Days Off	Interpreter Required/Language		MIRANDA WARNING GIVEN <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Additional Names	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Date Time By		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Recommended/Current Status				Division Assigned			
<input type="checkbox"/> Active/Active Arrest	<input type="checkbox"/> Exceptional Clearance	<input type="checkbox"/> Closed/Referred	<input type="checkbox"/> Unfounded				
<input type="checkbox"/> Closed Arrest	<input checked="" type="checkbox"/> Inactive	<input type="checkbox"/> Administrative Clearance/Warrant Issued					
Div. No.	I.D. No.	Date	Supervisor	Div. No.	I.D. No.	Date	Supervisor
30	2920	4/23/92	[Signature]	30	2920	4/23/92	[Signature]

Copies To	<input checked="" type="checkbox"/> Detective	<input type="checkbox"/> S.O.P.O.	<input type="checkbox"/> P.I.O.	<input type="checkbox"/> ABC Licensed	Date Entered
	<input type="checkbox"/> Disc. Only	Other			

OFM VANH 1
0481

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0482

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NARRATIVE

WHEN VICTIM WAS APPROXIMATELY 8-10 YEARS OF AGE, ON SEVERAL OCCASIONS REV. ROBERT VAN HANDEL, OFM, GAVE "BACK RUBS" THAT INVOLVED STROKING BACK, CHEST STOMACH, LOWER ABDOMEN AND THIGHS IN THE GROIN AREA CLOSE TO AND AROUND THE GENITALS BUT NOT TOUCHING THE GENITALS. THIS OCCURED AT VICTIM'S RESIDENCE AT FR. VAN HANDEL'S OFFICE AT ST. ANTHONY'S SEMINARY, 2300 GARDEN ST., SANTA BARBARA, AND ONCE WHILE ON FAMILY VACATION. PLEASE REFERENCE ATTACHED LETTER FOR MORE DETAILS.

OFM VANH 1
0482

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**OFM VANH 1
0483**

REDACTED

April 23, 1992

REDACTED

Dear Robert,

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

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

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

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

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

OFM VANH 1
0483

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OFM VANH 1

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

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

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

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

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

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OFM VANH 1
0485

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

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

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

Sincerely,

REDACTED

REDACTED

CONCUR

REDACTED

cc:

Bishop Patrick Ziemann

Rev. Melvin Jurisich

Attorney Client Privileged

Attorney Client Privileged

OFM VANH 1
0486

A BARBARA POLICE DEPARTMENT
CRIME/INCIDENT FOLLOW UP

Page 1

REDACTED

Case No. 92-9066
Date February 19, 1993/pb
() File Only

Name Type Last Name (or Business) First Middle Additional Names to be Indexed
V
Original Offense Update Additional Cases Reclassify to: Statute Crime Classification Offense Code
SUSP CIRCS
Reporting Detective I.D.No. Div.No. Date Dictated
Det. P. McCaffrey 6051 40 02-09-93
Special Instructions to Records

REDACTED

Narrative:

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

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

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

I (swear) (certify) or (declare) under penalty of perjury that the information contained in this report, consisting of 5 pages, is true and correct except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

Signature

P. McCaffrey

Recommender/ Current Status () Active/Active Arrest () Closed Arrest () Exceptional Clearance () Inactive () Closed/Referral () Administrative Clearance/Warrant Issued () Unfounded
Supervisor I.D.No. Div.No. Date Division Assigned () Patrol () Investigative
Jr *5505* *222/93*

Copies To: () Detective () S.O./P.D. () P.I.O. () Prop. Data Entered () Offense () Inc. Sup. () Arrest () Vehicle () Inc. Name () Priority

16

OFM VANH 1
0486

RECEIVED
FEB 22 1993
FBI - BARBARA

Attorney Client Privileged

OEM VANH 1
0487

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SE BARBARA POLICE DEPART
CRIME/INCIDENT FOLLOW-UP CONTINUATION

REDACTED

Case No. 92-9066
Page # 2

I then reviewed Case 92-9066. The report consists of a letter sent by age 50 years, who is the mother of , 22 years. The letter discloses that told his mother about inappropriate sexually related touching committed by Robert Vanhandel. felt was about 10 years old when this happened (approximately 12 years ago). The touching consisted of back rubs, stomach and abdomen rubs, and touching of the thighs and groin area. There was no disclosure that there was any genital contact. The letter sent to SBPD is only a copy of a letter sent to different Franciscan priests who supervise Robert Vanhandel.

I contacted father of He was involved in a committee that was looking into the allegations of sexual abuse committed by Franciscan priests at St. Anthony Seminary. Note that in 1989, another Franciscan priest, Phillip Wolfe, was arrested and convicted for molesting and his brother, . See Case 89-5806. was concerned that there may be many other victims of sexual abuse who had attended either the seminary or participated in the Santa Barbara Boys Choir which was directed by Robert Vanhandel until May 1992. said that the committee organized to investigate these incidents included a psychiatrist, a lawyer, and a Franciscan priest. The spokes person for the group is Geoffrey Stearns, a Santa Barbara attorney. suggested I contact him for update information.

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

OFM VANH 1

0487

Signature

D. P. M.

Attorney Client Privileged

OFM VANH 1
0488

Attorney Client Privileged

SA BARBARA POLICE DEPARTMENT
CRIME INCIDENT FOLLOW-UP CONTINUATION

REDACTED

REDACTED

Case No. 92-9066
Page # 3

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

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

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

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

OFM VANH 1
0488

Signature

1 Q

Attorney Client Privileged

OFM VANH 1
0489

Attorney Client Privileged

S. BARBARA POLICE DEPARTMENT
CRIME/INCIDENT FOLLOW-UP CONTINUATION

REDACTED

Case No. 92-9066

Page # 4

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

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

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

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

OFM VANH 1

0489

Signature

A.P.M.

19

Attorney Client Privileged

OFM VANH 1
0490

Attorney Client Privileged

SANTA BARBARA POLICE DEPARTMENT
CRIM. INCIDENT FOLLOW-UP CONTINUATION

Case No. 92-9066
Page # 5

ADDITIONAL NAMES

REDACTED

Helman, Mary Ann

Telephone: 682-5473 or 682-5641

REDACTED

Gorsuch, Scott E., Dr.

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

Telephone: 966-2959

OFM VANH 1
0490

Signature

D.P.M.

70

(Dispensed Friar)
LEGAL (abuse) FILE

CONFIDENTIAL

2

OFM VANH I
0491

Bates Numbers 492-500 were removed by the Plaintiffs at the request of the Franciscans.

TO: [REDACTED]
FROM: TOM WEST

Dear [REDACTED]

Here is a draft of the letter you requested this afternoon. I hope it is sufficient to meet your needs in this matter.

Peace



June 4, 1992

Dear

I am concerned for Fr. ---- and wish to support him in his treatment at St. Luke's and in his aftercare plan when he is discharged. I am also concerned for the present and future welfare of his victims and their emotional and psychological needs.

After discussions with the Definitorium of the Province and in consultation with Tom Tobin Ph.D. and Fr. Tom West OFM M.A., I would like the following recommendations to be part of his discharge planning. In addition to the other components of his aftercare program, Fr. ---- will also make efforts to contact those victims he has sexually violated and to make amends to them, either through a letter or in person.

Because such contact has the potential to be intrusive and reoffending in itself, I would like his treatment program to include planning with Fr. ---- for the most sensitive way he might approach this matter. Upon returning to the province he will be supported by myself and other Friars in these efforts as well as in all other areas of his discharge plan.

Sincerely

OFM VANH 1
0501

sometimes unavoidable necessity of failed marriages, the rediscovers of love and the search for a place in the Church; the prevalence of violence and sickness; the ^{unresolvable} conflicts which arise over the obligations of child bearing and rearing and the core father's identity. Certainly, we experience our Church as sometimes publicly ridiculed or dismissed as irrelevant. Within it seems sharply divided on issues of ^{the place of} women, married clergy, and social policy.

What kind of faith can correspond to this experience of life? What does it mean to believe?

The readings this morning speak to this experience - they come to us in the time between Ascension and Pentecost, the time, if you like, when we experience our Lord as absent and the gifts of the Spirit - peace, joy, love - are not yet fully evident. The readings make, I think, three small points about the faith of a community in these present circumstances.

① The Gospel presents the beautiful passage of Jesus in our intercession: that we may be one, that we would may believe, that eventually we may be in his company; he appeals to a 'Fath' Father to recognize us

Make the prayer, Jesus as universal harbinger of faith.

② The first reading shows Stephen: 'Look, I see the heaven opening and Jesus standing at the right hand of the Father.'

John, from a vision: 'I am coming soon'

Make the promise of a better future & overcome

demands of faith

OFM VANH 1
0503

③ The purpose of Jesus' mission when he gathered the disciples around himself and offered his body and blood. He was his presence to those who were in sorrow and suffering - he refused to let the bonds be broken.

Let our faith be active...

8.VH:

What is appropriate action needed?

Is this in violation?

X Am I bound? Consultation to Bureau.

- Date cannot be involved; - if request to reporting -

- Wagon of the broken

Bates Numbers 506-507 were removed by the Plaintiffs at the request of the Franciscans.

27 August 1992
Feast of St. Monica

Dear [REDACTED]

Thank you very much for the letter which arrived today. I know full well how little time you have for anything, so I am doubly grateful for the letter. I was just thinking today that I should set up a time every week to call or else I will lose touch with you and [REDACTED]. I felt I made up for some years of distance last year, but now I am drifting away again. I think I will ask [REDACTED] if I can call him at his apartment. I don't want to speak with just anyone so I am reluctant to call FST or the Provincial Office.

Thank you for voicing your personal support for me. I think you are wonderful and have been very good to me. I never doubted your support, but I do feel quite badly for the trouble I have caused. You have told me that you are glad to do whatever you can, but I still know that I have betrayed you, the province, and the Order, and that is both true and difficult. On the other hand, I cannot undo the past. As my therapist says, the only thing I can do now is give myself and you the gift of a solid recovery, and an ongoing recovery.

As you know, Srs. Monica and Ann came for a weekend. I am so blessed with good friends that it is overwhelming. We met twice with my therapist, and were able to say some difficult things to each other. We also had a great time visiting and traveling about Washington. Their love and care for me seems boundless. I know that Monica spoke with you, as I was hoping she would, and was able to describe the visit and here feelings. Everyone here was quite stunned that the two of them would fly here to visit for the weekend. Their visit was very good for me. I have you to thank for introducing us eight years ago when I went on sabbatical. I was a mess that time also.

The program here goes fairly well. I have had my second patient-staff conference, and they seem to be pleased with my progress. It is a difficult matter to quantify, and at times I feel as though I am standing still, but my therapist tells me to have more trust in him. I meet in a small group of eight with two therapists three times a week. I started the group a couple of weeks ago with great fear. You will remember I am not fond of small group work. Yesterday I realized that I am no longer at all frightened in the group and speak up quite easily. Everyone else may wish I would shut up, but I feel good about it. I have also spoken several times at large group meetings, but that is more difficult. On Wednesday afternoons we have "intercom", a meeting of all the patients and all the therapists. There is no agenda, just discussion about life, conflicts, addictions, etc. Last session several people got into quite a fight, but I just sat there and enjoyed it. A short time before I would have bolted for the door. This time I found it interesting and was sorry when we ran out of time.

OFM VANH 1

0509

This week and next we are having a workshop on sexuality. I will enclose the horarium. I'm quite interested in seeing what the psychodrama groups are like. They are an integral part of the program here, and people always come out of the sessions looking stunned, but I do not have a regular group yet. During this workshop will be my first time.

My sister Christine was just here in Virginia for a week, and I met her in D.C. on Saturday. She is arranging Redskins tickets for me to go to about five home games. As always I have to have someone from SLI with me -- called a prudent companion -- but I have just about cleared the bureaucracy here so that we can go. I hope San Diego does well this year or my brother-in-law's ass will be on the line.


How was the Denver Conference? I suppose you were as brilliant as usual. Did Scott's decorating job work well? You are just about to leave for the San Antonio Retreat that I was supposed to go to. Please give them my regrets, I don't think I will be able to make it. Maybe next year.

Well, I want to get this into the morning mail, so I'll close for now. Give my best to [REDACTED] (I guess he is on vacation) and [REDACTED] I pray for all of you often and I know that I receive the same. Once again I am sorry for all the trouble I have caused.

Love,

Robert

OFM VANH 1
0510



Dear Boys' Choir Parents:

Although it saddens us to do so, it is our duty to inform you of an incident about which we have recently learned. The situation concerns Fr. Robert Van Handel, a founder of the Boys' Choir who was involved with the organization from 1976 until 1991. A boy who was in the choir approximately twelve years ago has told us that he was touched by Fr. Robert in an inappropriately sexual way. This behavior consisted of back rubs, tummy rubs, and stroking of the lower abdomen and inner thighs that felt embarrassing to him. On some occasions the child was asked to engage in games that involved this kind of touching. Fr. Robert has entered a psychiatric facility for treatment. He is very contrite and shares our concern that we want to act in the most considerate and pastoral way possible. From discussions with Fr. Robert, we believe another boy may also have been touched inappropriately, and we have contacted him to offer our assistance.

Fr. Robert enriched the lives of many, and news of this event is sure to generate a variety of emotions in all of us. In order to best deal with these emotions, and to protect the interests of the boys and parents who have been associated with the choir over the years the Franciscan Province of Santa Barbara along with the board of directors of the Boys' Choir has taken the following steps:

1) By way of this letter, we are informing the parents of boys who were involved with the choir during Fr. Robert's tenure about this incident.

2) The Franciscan Province and the directors of the choir are in ongoing communication about this matter. The Franciscans pledge their full cooperation, including financial reimbursement for counseling.

3) The choir has retained the services of an independent psychologist, Dr. Scott Bersuch, to assist individuals and families of the Boys' Choir in dealing with this incident. He is available to persons on by phone, in person, or in writing. He can answer questions, offer suggestions, or provide individual or family counseling. This is provided without cost to you and is completely confidential.

christine beathard

Third Party Privacy Rights

August 2, 1992

Dear [REDACTED],

Isn't this great stationery? It was a gift from a friend of mine; she sent me a box of at least 2000 sheets. Only one problem: my address is 1008 Neptune [REDACTED]

Please don't worry about sending back a note about this check. What I'll do is, every time I send a check, I'll reread the kind letter you sent last time...well, wait. Send me back a note only if you have good news. Really, though, don't worry to write back. It hardly makes a dent, but I do like to do it. My husband likes to as well, except he doesn't know he's doing it.

Thank you again so much for your friendship and your support of Robert, and please thank [REDACTED] and Mike for me. I don't need to tell you that it means everything to him, and to me too. I read a book entitled The Light Beyond. It says that in the next life (my eraser tape just went out) the only two things from here that count are the amount of knowledge we've gained, and the amount of love we've given to others. If that's true (and I want to think it is), you don't have much to worry about.

Hope we'll all be together again sometime soon.

*Your friend,
Christine*

108 neptune • leucadia, california 92024

OFM VANH 1
0512

17 Nov 92

Dear [REDACTED]

Thank you for your letter regarding the regrets you feel regarding the actions of Father Robert against our children. In my heart they are still those ages, but reality places them in manhood, and I respect that portion of their lives.

However, we and all the other parents and friars (as I understand the friars were the "parents") did not expect this "antagonism" of our sacred trust. I really believe from the core of my being that there is no more sacred and urgent task than that of responsibly raising and educating and nurturing our children. All the more so for diligent parents. A sad betrayal indeed.

At this time I imagine you are busy meeting with the Definitorium. Since my Latin from Mercy High School, Burlington, still lives, that title means "of the definite" - a deciding body is the way I figure it. For your collective benefit I suggest humbly that the multitalented and charismatic Friars should bend their efforts towards making a real difference in this mission. With the resources and education you share, you could and should set about creating a moral program for rock-against-front dealing with clerical/abused persons and the abusers. Have that meeting. Then set to work. As a challenge. Blessings.

To trust. You are stupid. You are not.

Rather it's a time to be smart and bold on behalf of everyone. It seems clear to me. My expertise is Nuclear Medicine, not psychology, but your group is full of (or fraught with, depending on one's interpretation) experts.

Pretty simple. Just look & tell my kids every time they procrastinate or ignore. "Put your shoulder to that boulder and push." It will move if you work. Smarter and harder. Can a little push now or a big push later?

This is an intentionally informal letter from a person who gives a damn for everybody in their situation. There is no copy sent to anyone, but I cannot have the letter closed without my putting my own shoulder to the boulder with all pushing.

Good luck. This is a saying. Shame.

P. S. I suggested to Jim West that the Trans find a person (a male) that former students trust & deal with whom they are familiar. I think you'll help. I hope some facilitator, who may introduce the idea, the S.B. Unitarian Minister, the Wonder is an expert regarding clerical abuse. Perhaps you might contact her for some

Third Party Privacy Rights

H. [REDACTED]

I would appreciate if you would send this letter to Fr Robert. I just wanted to let him know how Mary & I feel about what is happening. It has been said that the man upstairs knows the truth. Well I know it beside him. It is a very sick family trying to make business for the media. Mary with Phil Wolf with his alcohol problem but that is where it stops period. I am writing this because of Gus but because all that Fr Robert has accomplished in his life and can't stand to see him torn apart. I would do anything to help him. He has Mary and my prayers and will always love him.

Love as always

Bob Krumm

P.S. Thank You over

Dear [REDACTED]

11/22

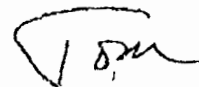
I spoke with Eugene Merlin. He looks forward to being on the board. However he asks that if there are any meeting times that are proposed that he be informed well in advance to clear his calendar. He also did not want to be included in the letter. He wants to begin fresh so to speak.

I am still reluctant to be on it myself. I do see this letter as part of the investigation and thus as part of the board's mandate. [REDACTED] doesn't feel much happier about being on it than I do. However there we are. I added the option to write to the board directly. I think this is an important option. There well may be someone who doesn't wish to contact a friar about these matters. I can't see how the time is going to be very significant. They will be receiving the letter just before Christmas. I can't imagine many will want to respond until after the holidays. That will be about the time the board begins.

Because this is a letter from you, I left the draft very unpolished. I know you'd want to rewrite it. I believe its got the major points we want to cover.

Good luck on the fourth!

Peace,



OFM VANH 1
0517



4-16-93

Dear [REDACTED]

Psychotherapist/Patient Privilege

could. I know from your letter that you respect my feelings on this point. I hope that's the best of it.

I have had some very good support from the friars. Recently Doug Hamill wrote me a beautiful letter about shame and how we all participate in it, whether or not our secrets have become public. That meant a lot to me. Tom Thiry wrote about life in Mormon country, and remembered fondly our lives together at STS. Barnabas and Tom Messner sent cards. William Brand has been very caring and we exchange letters regularly. Albie phoned recently with no alarming news for a change. Jim Hurley and the Helmans have written



REDACTED

4-16-93

Dear

REDACTED

I just sent you a rather curt letter about the Board of Inquiry's request for a release of confidential information. I didn't know if you would have to show it to Dr. Martin and I did not want to appear "chatty." Dr. Valcom and I discussed it and he is going to help as he can. Actually it makes me angry that the Board would request such information. Certainly Dr. Martin knows better from his own practice. At first I was a bit upset, but now I am trying to face this like an adult with rights and needs instead of like a whipped child. I worked in the SHI program with the clear understanding that all of this would be strictly confidential. I do not want to cast off that protection which allowed me to be as honest as I could. I know from your letter that you respect my feelings on this point. I hope that's the best of it.

I have had some very good support from the friars. Recently Doug Hamill wrote me a beautiful letter about shame and how we all participate in it, whether or not our secrets have become public. That meant a lot to me. Tom Thing wrote about life in Mormon country, and remembered fondly our lives together at SSS. Barnabas and Tom Messner sent cards. William Brand has been very caring and we exchange letters regularly. Albie phoned recently with no alarming news for a change. Jim Hunley and the Helmses have written

VANH 1
0518

and Mary Humphreys sent cookies. Yum, yum!

Our community here has been recently upset by one of the patients who may become famous soon in N.Y. He was in 3/4 way program but the staff found out that he had withheld some important secrets. NY is starting a criminal investigation. The staff here moved him back into the main program, raked him over the coals publicly, and is using him as an example of not following the program. He is a good friend of mine and I was alarmed at his misfortune. Psychotherapist/Patient Privilege asked me how I was feeling. I said that it was amazing to me that Ed (my friend) was even in it at all.

Psychotherapist/Patient Privilege

I so much want everything to be right in my own life. I want all the loose ends done up and for everything to be perfect and presentable. From many directions staff and friends, my family, and friends comes acceptance of me along with all my garbage. It is still very difficult for me to stop trying to clean up the stage and the "perfect facade."

Psychotherapist/Patient Privilege

Psychotherapist/Patient Privilege

Psychotherapist/Patient Privilege

That helped.

I have to stop considering myself "terminally unique." I seem to need to hear the same message over and over again.

OEM VANH 1
0519

and Mary Humphreys sent cookies. Yum, yum!

Our community here has been recently upset by one of the patients who may become famous soon in N.Y. He was in 3/4 way program but the staff found out that he had withheld some important secrets. NY is starting a criminal investigation. The staff here moved him back into the main program, raked him over the coals publicly, and is using him as an example of not following the program. He is a good friend of mine and I was alarmed at his misfortune. Dr. Valcour asked me how I was feeling. I said that it was amazing to me that Ed (my friend) was coping so well with this disaster. Dr. Valcour said that the program is about progress, not perfection, and that by following it almost any difficulty can be handled. That is good for me to try to remember. I so much want everything to be right in my own life. I want all the loose ends done up and for everything to be perfect and presentable. From many directive staff and friends, my family, and friends comes acceptance of me along with all my garbage. It is still very difficult for me to stop trying to clean up the stage and present a "perfect facade." Several days ago I had an appointment with Dr. Valcour and I was lamenting that because of my pedophilia I had brought so much destruction to people's lives. He said that people with perfectly "normal" sex lives have caused just as much damage and hurt. That helped. I have to stop considering myself "terminally unique." I seem to need to hear the same message over and over again.

OFM VANH 1
0519

Psychotherapist/Patient Privilege

Christine still phones daily. What a wonderful support she has been! No one could do or be more. My mom phones weekly and we have had several good long talks. She is really looking forward to the family being together for their anniversary. (I will be in Portland area June 16-22.) Of course Monica calls every Thursday evening. I feel that many of the wounds I caused have healed in our relationship. She continues to be a phenomenal support and blessing. I very much realize your support, that of Mike D., [redacted] Warren and the Definitorium. I have seen many men here abandoned by their bishops. Often they say they wish for a superior like mine. Should I offer to take them in? *Refugio peccatorum*. [redacted] take care of yourself. Know that I appreciate all you do on my behalf - much of which I will never know. I thank God for you often.

OFM VANH 1

0520

Love, R[edacted] ST/Pe

REDACTED

I am still doing good work in therapy. I'm trying to get over my reluctance to look at my own "family of origin" as they say. Last Thursday, April 8, I had a very stormy session which involved some very strong feelings about my father. I was ~~am~~ unprepared for that and felt greatly distressed. At the same session my therapist, Sharon, said that she would be away this week. I felt terribly abandoned and desperate. I don't think I like getting "in touch" with my feelings. The life of the store is much nearer.

Christine still phones daily. What a wonderful support she has been! No one could do or be more.

My mom phones weekly and we have had several good long talks. She is really looking forward to the family being together for their anniversary. (I will be in Portland area June 16-22.) Of course Monica calls every Thursday evening. I feel that many of the wounds I caused have healed in our relationship. She continues to be a phenomenal support and blessing. I very much realize your support, that of Mike D., [REDACTED] Warren and the Definitorium. I have seen many men here abandoned by their bishops. Often they say they wish for a superior like mine. Should I offer to take them in? *Refugio peccatorum*.

Take care of yourself. Know that I appreciate all you do on my behalf - much of which I will never know. I thank God for you often.

Love,
Robert

OEM VANH 1

0520



CONFIDENTIAL

Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (415)536-3722 Fax (415)536-3970

FACSIMILE TRANSMISSION
FAX: (510) 536-3970

To:

Number:

From:

Mel Jurisich, OFM

Date:

November 24, 1992

Total No. of Pages:

(Including this page)

Dear

Raymond and I have reviewed Tom's draft letter. We both feel that it lacks warmth and is too objective. Not very pastoral and there is no flow. Either the Boys Choir letter or even Albie's letter is much better than this. Perhaps those two letters should be used as models and some elements of Tom's be added. Tom's first paragraph jumps right into it and it is too cold, too objective.

OFM VANH 1

0521

Tom West:

- (1) Nick & Jack Conrad are veterans
 - (2) Spokane: Tom will ask boys not to contact.
 - (3) ✓ if Joyce has not contacted ~~Tom~~ Tom
 - (4) Program for S.B. 1
 - ✓ Tom will ask Spangelle -
 - ✓ Cart also
 - retreat for women & families (see notes)
 - Spokane has people who do ad. workshops
 - Father's Family Service -
 - Topic / educational / notes -
- ✓ Set up by Jack of Blumery -
-

Meet 1/2 year community after first recommendations are presented jointly.

- Tom willing to give retreat -
- - Alluvium
 - John Harkin

PROVINCIAL OFFICE LOG

October 8 - 23, 1992

Attorney Client Privileged

October 9, 1992

Tom West called. He has read the Berard file and has many questions. He thinks that there are many more victims out there. He also asked (and I could not tell him) if the contents of the file was shared with Berard's therapist. If not, perhaps that is why Berard is doing so well. For example, Tom asked [REDACTED] if he had told the therapist about [REDACTED] and [REDACTED] did not know about the [REDACTED] situation. As soon as you return, you will have to contact the therapist and give him all the info or else Berard's therapy will not be profitable.

OFM VANH 1

0523

Attorney Client Privileged

I also called Berard today. He is doing quite well and feels that his life has really been changed with this therapy. I called him because he sent Pat Groves a letter addressed to the Editor of Westfriars. I knew he would think he was being replaced. I made it clear to him that he was still Editor. He mumbled a bit and then thanked me because that is what he had thought. He is not thinking of suicide anymore and he is convinced that he will be out very soon—he says the therapists are also saying this. This would all be fine if he knew everything that was going on.

October 23, 1992

Not much has gone on during the past week. The regional council was Monday-Wednesday. According to Mike Doherty, it was not well attended—maybe 40 at the most. Since a number of friars heard about your talk in the other regions, they asked Ray about the abuse cases; he made a general statement—nothing specific and told them you would be holding meetings in the Bay Area to go into detail. I am sure Ray will go over this with you.

Kenny Scott has been in the hospital for several days. Same problem as last year: he blacked out at Mass and collapsed. Kaiser can't seem to find out what is wrong so they sent him home today. He seems confused and still not well. Joe Schwab is trying to get the doctor to give some response as to cause.

Kelly Cullen, from the newly elected Steering committee, has asked if a date could be set for the first meeting since dates will be hard to find as we get closer to the holidays. I said that I would pass the information onto you.

OFM VANH 1

0524

Attorney Client Privileged

Warren just called. Emerito Gomez has been accused to the Chancery of inappropriate behavior (dancing), excessive drinking, and bad language. Gregory Sotello as Hispanic Vicar has been sent by the Bishop to investigate. Warren will call Sotello tomorrow to get a report.

A/C Privilege - Attorney Work Product

Attorney Client Privileged

October 15, 1992

Bob Pementell called to tell me that Paul Warren's mother is not well at all. She is not in the hospital but she is not eating and can't breathe. It is just a matter of time. Paul is still in denial. Bob also wanted you to know that he is very concerned about John MacDonell's health; he is deteriorating rapidly and finding it more and more difficult to walk. Next time you see John, take note.

October 16, 1992

Warren informed me that he had spoken with Sotello re Emerito. The situation seems to be OK; much like what happened at San Luis Rey with Nestor. No truth to the accusations except the bad language and Warren had a long talk with Emerito. Warren feels that he has painfully learned his lesson. Alfred is in the hospital with gas; they feel that it might be a partial blockage of the bowel.

Got word that Msgr. John Tracy Ellis passed away Friday. I called your mother so that in case you called home she could tell you. I also faxed the Prov. Office in Dublin with the information.

October 17, 1992

Paul Warren's mother died last night. There will be a small service in Santa Rose this coming Wednesday, but there will be a memorial service at St. Cecilia's in SF on Tuesday, October 27. Time is still not determined.

October 19, 1992

The funeral for Tracy Ellis will be Monday night wake at the National Shrine and Tuesday funeral at the Shrine; burial will be in Seneca, ILL. It was Ray's idea to send flowers on your behalf to the Tracy Ellis funeral as a way of you being present. I put on the card: In loving memory of my friend and mentor, [REDACTED] charged it to our PO Financial Community account.

Attorney Client Privileged

Attorney Client Privileged

October 10, 1992

I talked with Tom again today. He read me the letter which he has prepared to be read by [REDACTED] to the SAS greater community. It is basically parts of the first draft of the Boys' Choir letter. He said that he talked it over with you. It will be read on Sunday, October 25.

Tom got a call from [REDACTED] who continues to be upset. Apparently some mother and son have come to her and said that they know of a boy who was molested by Robert while he was a student at SAS. But they can't get the boy to come forward. Tom told her that there was too much of this hearsay going on and people need to be direct themselves—too many intermediaries. Since this boy won't come forward, [REDACTED] says that it is time for [REDACTED] to come forward since he was supposed to know about this other boy, too. Tom called [REDACTED] once again says that no one ever told him that they were being molested. Tom feels that [REDACTED] are getting desperate because they feel alone in the sense that they are standing alone—there aren't any other victims who are willing to come forward and stand with them; that is where the isolation is coming from. Are we the only ones? We can't be.

October 12, 1992

[REDACTED] wants to be prepared if any of this goes public. Floyd is on vacation until the end of October and therefore will not be able to make a statement. [REDACTED] is asking Tom W. to draw something up for Santa Barbara since he has been

A/C Privilege - Attorney Work Product

[REDACTED] called re Malibu lumber. He has agreed to send them a check today.

October 13, 1992

Attorney Client Privileged

3RD PARTY PRIVACY



February 11, 1993

Father Robert Van Handel
St. Luke Institute
2420 Brooks Drive
Suitland, MD 20746

Dear Father Robert,

We, Bob Niemack and Ann Hassett, are documentary filmmakers. We have been asked to make a documentary film about sexual abuse and the clergy for broadcast on HOME BOX OFFICE. Enclosed is a one page treatment for the film we plan to make. We've also enclosed some information about us and a list of the other films we have made.

If you are interested in seeing our work, we will be happy to send you a VHS tape. We have been making social issue films for almost 20 years, and have produced a body of work we are very proud of. Most of our films are about real people facing real crisis in their lives. The films have little or no narration, no hidden faces, and the stories are told in the words of the people involved.

We have researched the issue of sexual compulsion in the clergy for the last 6 months. We've also seen several news and documentary broadcasts on the issue, and have concluded that the "voice" that has not been heard is that of the priests involved. We believe telling that story will be an important step in the healing process for a church torn apart by mistrust and misinformation.

We hope to find a priest (or several) who has experienced sexual addiction, treatment and recovery, and who is willing to talk about it honestly. Our goal is to tell that priest's story frankly, with sympathy and understanding. We believe that seeing a film about someone's personal crisis is a powerful way to help others find freedom from their own isolation.

In the course of our research, we attended the VOCAL conference in Chicago. One of the participants of the conference was [REDACTED] who told us about [REDACTED] abuse at St. Anthony's School. Recently we visited the [REDACTED] in Santa Barbara. They told us about you and suggested that you might be the priest who could tell his story and begin the healing process. They are a family in pain, wounded by a sense of betrayal both by the church, by priests they adored, and by the church community who they feel abandoned them. They are typical of the hundreds of participants at the VOCAL conference: wounded, confused, and feeling abandoned.

4629 VAN NUYS BOULEVARD - SUITE A
SHERMAN OAKS - CALIFORNIA - 91403
TELEPHONE 818-784-8477

OFM VANH 1
0528

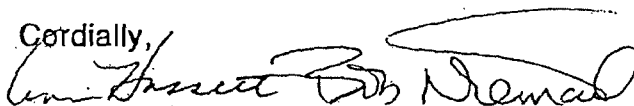
As journalists at the conference, we couldn't help feeling frustration at the inability of these victims to get what they need to heal. It seemed that what they needed was some support and an apology. But a recent conversation with a priest suggested another need: they need to be able to forgive. Without that, they will remain in agony, consumed with their own anger. It is our belief that a film that reveals the truth about the human tragedy of sexual abuse - about the roots of sexual addiction as well as about treatment and the possibility of recovery - would be a catalyst for understanding and healing.

Our research into the treatment program at St. Luke has convinced us that the most likely participants for this film would come from their former patients. We have had many conversations with Father Canice Connors, who has expressed a need for this type of film. We are very aware that we are asking you to become one of the rare individuals who is willing to speak out. We cannot offer money. This film is a documentary, not a dramatic version of a priest's story. Our only offer is a guarantee of sensitive cooperation and a mutual goal of honest enlightenment. Our hope is to make a compassionate film that will open the mind of the viewer and begin the process necessary to implement healing and understanding. To this end we solicit your help.

Our first request is for an anonymous telephone conversation with you. We don't expect you to give us a commitment to participate based on this letter. We can be reached at our office, and you are welcome to call collect.

We hope we are not being too bold, and that you will have the time and interest to help us with this film. Perhaps you could call us after you review this material.

Cordially,



Ann Hassett and Bob Niemack

OFM VANH 1

0529

2025 RELEASE UNDER E.O. 14176



CONFESSIONS OF A PRIEST

Sexual abuse by a Priest is a shocking accusation but since 1985, more than 200 American priests and brothers have been reported for molesting minors, in most cases boys -- an average of one case every ten days.

Jeffrey Anderson, a lawyer who represents the victims in such cases estimates that the actual number is closer to 1,000.

It has been reported that damages, legal and medical fees have cost the Church \$400 million. In 1986 the insurance company representing over half the nation's dioceses adopted an exclusion of coverage clause for claims against priests for sexual abuse.

Approximately 6 percent of the 50,000 Roman Catholic priests in the U.S. have had sexual contact with children according to author Richard Sipe, who counseled or interviewed over 1,000 priests and 500 other sources for his book A Secret World: Sexuality and the Search for Celibacy.

Sexual abuse of children by priests is one of the most serious scandals that the church has ever had to face because it destroys the one element that is essential for ministry: trust. Slayer of the Soul, Stephen J. Rossetti.

Of the 600 abusing priests treated at a New Mexico facility, 98% returned to clerical life immediately after treatment. It is widely believed that the priests behavior was not altered by treatment, and there is little contradictory proof. The public remains terrified of these men and angry with the church officials who re assign them seemingly unconcerned with public pessimism about "cure".

Very little, if anything, has been written or reported on these cases telling the offending priest's side of the story. Pressured by the Church not to tell their stories, and shamed by the social stigma attached to these crimes, the accused remain silent.

AMERICA UNDERCOVER: CONFESSIONS OF A PRIEST

reveals the tortured struggle of the men who have committed these crimes. It is an attempt to understand the obsession these men suffer, it's cause and the treatment that will allow them to live productive, abuse free lives.

4629 VAN NUYS BOULEVARD - SUITE A
SHERMAN OAKS CALIFORNIA 91403
TELEPHONE 818-754-8477

OFM VANH 1
0530

RICH CSARNY'S TALK AT DEPARTURE MASS: January 5, 1993

Robert's journey has been a most excruciating encounter with honesty: honesty with oneself, honesty with God, honesty with others. And as Robert knows even today, this work of honesty is never finished, but it calls forth the healthy lifestyle of the Twelve Step Program.

In the famous chapter five of the Big Book, it is said: Rarely have we seen a person fail who has thoroughly followed our path. Those who do not recover are people who cannot or will not completely give themselves to this simple program, usually men and women who are constitutionally incapable of being honest with themselves.

This has not come easily to Robert -- his own admission of illness and unmanageability continues to take hard work and endurance of pain. To see himself honestly -- without illusion -- remains a never ending challenge.

But the second part is to see God clearly and be honest with God. If it were not for this step, Robert could easily despair and be depressed. Rather, for the first time in his life, Robert is being honest with God and seeing God more clearly. It is wise to remember here the teaching of one spiritual master that when we miss the mark and sin and falter, that God seeks to draw us only closer to Godself. It's as though God connects to us with a string, and when we miss the mark the string is broken, but God desires to pick up the loose ends and tie them together once again and thus pulls us all the closer. God's love, not our goodness, keeps us from despair, and honesty with God connects us over and over with the truth of God's love.

Thirdly -- with others. How many of us have had to work so hard to regain the capacity for a simple, humble honesty with others. To be honest is to risk a real relationship instead of a facade of one; it is to know that love endures and wins out over evil and tragedy -- but what a risk it is to trust others and simply be who we are. In fact, this honesty with others is often the source of grace -- our connection with God is mediated through imperfect others and imperfect self.

Not easy was all this for Robert. Private and unique in his former path, and very unhappy and tormented by his duplicity and his addiction. But Robert, the Lord, your Franciscan community, and the fellowship have given you a new song -- a new harmony, and another concert -- but not as one who stands apart from the choir, but one who stands in the midst of it and who receives direction in pursuit of a life-giving harmony.



16 April 1993

Dear [REDACTED]

Thank you very much for your letter of April 12, and Easter greeting. We had services here on Thursday, Friday, and Easter Sunday which were well celebrated. I played the flute on Sunday - that should raise the dead! I hope you enjoyed Cambria and had some respite from the slings and arrows.

I received the "release of information" form which you enclosed. At this point I do not feel that I can release confidential information to Dr. Merlin and the Board of Inquiry. On the other hand I would like them to have information about the program which I participated in and continue to work in.

Dr. Frank Valcom is sending Dr. Merlin a letter inviting him to phone and discuss the quality of the St. Luke's program. Dr. Valcom will not give out confidential information about me. I would like to cooperate with the Board as well as I am able without doing harm to myself.

Thank you very much for your great help and support.

OFM VANH 1

0532

Fraternally,

Robert

CHRISTOPHER G. BAUER, Ph.D.

CLINICAL PSYCHOLOGIST LIC. #PG 7936

1428 TULANE DR.

DAVIS, CA 95616

TEL. (916) 753-2681

Third Party Privacy Rights

DATE 2-17-93

TO [REDACTED]

SUBJECT services for [REDACTED]

FOLD

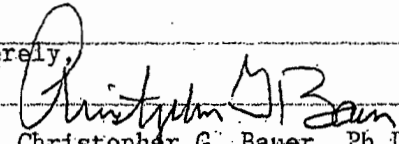
Dear [REDACTED]

I have been working in psychotherapy with [REDACTED]. He was referred to me to work on issues stemming from his sexual molestation while in seminary. He has stated that billing for my services is to be made to or through you. Hence, I have enclosed a bill for my services to date (\$900.00). I am sorry for the delay in getting this statement to you. However, I had not gotten your name and address from [REDACTED] until last week.

Should you have questions about my services or require additional information to process my bills please let me know.

Thank you for your assistance in this matter.

Sincerely,


Christopher G. Bauer, Ph.D.
Licensed Psychologist
Calif. License # PG7936

FOLD

OFM VANH 1
0533

29-01-1993 22:43

FROM 0235 535829

TO 01015105363970

P.

**FACSIMILE TRANSMISSION FROM
OUR LADY'S CONVENT SENIOR SCHOOL**

Radley Road ABINGDON Oxfordshire OX14 3PS
Tel No 0235 - 524658 Fax No 0235 - 535829

To

[REDACTED]

of Provincial Office, Oakland

Fax No 510 536 3970

Date 29. I. '93

From Monica & Anne

Number of Pages 1

If you do not receive all the pages please telephone 0235 - 524658

Message

[REDACTED] After speaking with our mutual friend, RVH, on the telephone last night, Thursday, January 28th, I feel you ought to call him at this crucial transitional stage. I believe he needs your reassurance. Sorry to add to your burdens.
Thanks for letters & we await details of your next sojourns.

Monica

OFM VANH 1
0534



3RD PARTY PRIVACY

Province of St. Barbara

FRANCISCAN FRIARS

1500 34th Avenue Oakland California 94601 (415)536-3722 Fax (415)536-3970

Facsimile Transmission

FAX: (510) 536-3970

To: Sr. Monica Sheehy, SM, Headmistress

Number 011-44-235-535829

From: [REDACTED]

Date: June 18, 1993

Total No. of Pages: 2
(including this page)

Monica

Attached please find a letter which I would like you to deliver to [REDACTED]. It is self-explanatory. Thanks very much. I would appreciate it if they not talk to GH about this.

[REDACTED]

OFM VANH 1
0535



Province of St. Barbara

FRANCISCAN FRIARS

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

Third Party Privacy Rights

c/o Sr. Monica Sheehy, SM
Our Lady's Convent School
3 Oxford Rd.
Abingdon, Oxfordshire
England OX14-2EB

fax: 011-44-235-535829

June 18, 1993

Dear [REDACTED]

Peace,

I am sorry to disturb your planning trip in this way, but something important has arisen which I think it best I communicate to you right away.

It has come to my attention that you are in England at the moment in order to plan for a choir trip in the summer of 1994. Great; I hope it goes well.

I do feel, however, that I need to caution you about dealings with GH. Planning is fine, but I would not advise that he become in any way associated with your and the choir's daily program, monitoring, or associated with the members of the choir. There is some initial indication, still very spotty, that he may have been partially associated with some of the difficulties we have been dealing with in the past year with respect to SBBC. Prudence would dictate caution. I will be happy to explain this in more detail when I see you in Santa Barbara after your return. At any rate, he should not be involved in the program.

I hope this is sufficient for the time being; I will be in the provincial office Wednesday, June 23rd, should you wish to talk. Monica has the number.

I wish you all the best, and hope this is of some help.

Sincerely

OFM VANH 1

0536

LETTERS TO THE EDITOR

State legislators moving to tighten 'predator' laws

Several hundred members of the New Zealand House of Representatives have signed a petition asking the Government to consider legislation to tighten the predator laws.

The petition, which was presented to the House of Representatives, asks the Government to consider legislation to tighten the predator laws.

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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 to having a walkman on during the assaults. One Student. said he saw a visit to another students room, the moderators and friars were the only ones with 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 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-

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 "accidently" 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 Gerald Heather 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 G.H. 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.

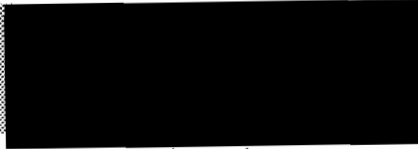


Province of St. Barbara

FRANCISCAN FRIARS

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

Copy



Third Party Privacy Rights

October 28, 1996

Dear 

Peace and good. Thank you for your letter of October 10th. I am sorry for the delay in responding. Enclosed please find a check for the requested amount.

Please receive with this letter my best wishes and prayers for you and for your family. After the second week in January, I will no longer be in the office of provincial minister. I would like to take this opportunity to assure you of my continued support and prayers and particularly of my admiration for your courage and perseverance. Our lives have touched in a painful way, in a way we certainly would never have wished. I recognize the terrible suffering inflicted on you by the friars, and even at times probably by myself, and for all of this I am profoundly sorry. Still, I am grateful for the way in which you have both witnessed to the Holy Spirit of truth and compassion and have challenged me to grow in this Christian life.

I am confident that our good God will bless you for this and for so much more. May the Lord bless all of you.

Sincerely



Provincial Minister

OFM VANH 1

0539

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.

OFM VANH 1
0540

Sept 22 - under contract
- Buy down letter

May 5, 1992 - letter to Paul, Mary, Bonnie informing incident
- received May 10th - letter to brother

① contract to take. incident - immediate solution

② Long 4144

May 17 - Bill for looking -

22 one week I went back

May 20 - Mr. L. Letter - consulting

met of solution - 5/22

June 8 - Bill to take. incident

- Board met of his specialists

① pre-solution position -

② regard of report was found -

regard pre-solution is separate process for
thing - report report

Reports: met of Holmes & Harby - would not change situation

issue of public decision process -

Tom met with of them

Set 10th - met of department

Buy down of letter - went for by down work

Decided by: ① letter for written - information

② for flexible policy

OEM VANH 1

0541

Byg Chini

1983-87

Bernie + Paul Smith

Steve Youngs

Michael Higgins

Bernie Smith

Jason, Charles, Loren

Loren King (Charles)

Dee Unkahl

Other cases:

A. 1981-82

B. 1972-74

C. 1966-68

Third Party Privacy Rights

2100 Las Tunas Rd.
Santa Barbara, Ca. 93103

May 5, 1992

Dear Robert,

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,

Third Party Privacy Rights

[REDACTED]

CONCUR

[REDACTED]

cc: [REDACTED]
Bishop Patrick Ziemann
Rev. Alberic Smith

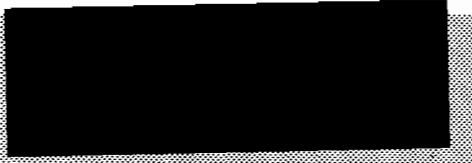
Rev. Melvin Jurisich



Province of St. Barbara

FRANCISCAN FRIARS

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



Third Party Privacy Rights

May 20, 1992

Dear [REDACTED]

Peace.

I wish for you that it were that easy, simply to give peace, but we both know that it is not. I am so sorry for this latest turn of events, the further abuse of [REDACTED] and the family. As we both just mentioned on the phone: words are hardly adequate. My heart is grieved.

I have taken the liberty of mentioning this to Father Virgil, whom, I am sure, will prove as always to be a good pastor.

I will be coming down to Santa Barbara, arriving the morning of May 29th and leaving sometime on June 1st. If it is possible for you, I will be glad to meet with you during the weekend sometime. Friday afternoon or evening, Sunday or Monday would be best for me.

I would like formally to offer to you to pay for any counselling for the family or members of the family. Also, if you want, I will be glad to ask members of a counselling team, friars and other professionals, to work with you. Perhaps we can talk about this when I see you.

You are in my prayers and thoughts, for certain.

Sincerely



OFM VANH 1

0547

Bates Number 548 was ordered removed by the trial court.

Psychotherapist/Patient Privilege

OFM VANH 1
0549

Psychotherapist/Patient Privilege



Province of St. Barbara

FRANCISCAN FRIARS

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

Fr. Robert Van Handel, OFM
St. Luke Institute
2420 Brooks Dr.
Suitland, Maryland 20746-5294

*to be printed when
possible*

June 5, 1992

REDACTED

Dear Robert

Peace. Well, now you have arrived at this place and are probably getting settled. I just want you to know that you have my love and full support. Together, we can address the issues and get through them. I just look forward to your return, and cannot emphasize enough how you are a valued and loved member of the fraternity and a good priest. I know it is difficult; I know also, there is much more good, an infinitely greater amount, than bad here. Let's move always towards the good.

I know you are aware of and somewhat concerned about what will happen in Santa Barbara, especially with those who might have been offended. Yesterday, the definitorium met with two specialists (Thomas Tobin, PhD, and Tom West) and our attorney to see what needs to be done. Everyone wants to do what is best for you and for everyone involved.

I would like to ask if, during the therapeutic process the issue of how best to deal with people who have been offended might not be addressed; perhaps action in this area can be made part of the aftercare program; at the moment, we are suggesting that it may be best if you contact those who have been offended most and make some personal amends. I have written to Dr. Valcour along these lines and ask you to discuss the situation, when appropriate, with him. I know it is difficult; certainly, everything will become clearer for all of us as the process unfolds.

I am asking Fr. Tom West to work with you and with the staff at St Luke's as to how best to approach the situation with respect to Santa Barbara. It seems better to ask him, given our own friendship, and the need for objectivity in the pastoral situation.

Robert, again, let me assure you of my support. It is our journey together. I do not mind making it with you; in fact, I am grateful for our friendship. Thank you for the courage.

Love

REDACTED

OFM VANH 1

0549

Third Party Privacy Rights

September 22, 1992

Dear [REDACTED]

Recently we were made aware that during the time period when you were a member of the Santa Barbara Boy's Choir, some of the choir boys were touched in an inappropriately sexual way by Fr. Robert Van Handel. Since Fr. Robert is a Franciscan Friar, I am writing you on behalf of the Provincial Minister to express our concern for those who might have been emotionally hurt by such conduct. We want to offer psychological and emotional support to anyone who feels they are in need of it. Please contact me at the address and phone number below if you wish to talk with me about anything in regards to these matters.

In the Peace of Christ,

Fr. Tom West OFM

Fr. Tom West OFM
133 Golden Gate Ave.
San Francisco, Ca. 94102
415-863-0111 ext. 35



Dear Boys' Choir Parent:

Although it saddens us to do so, it is our duty to inform you of an incident about which we have recently learned. The situation concerns Fr. Robert Van Handel, a founder of the Boys' Choir who was involved with the organization from 1976 until 1991. A boy who was in the choir approximately twelve years ago has told us that he was touched by Fr. Robert in an inappropriately sexual way. This behavior consisted of back rubs, tummy rubs, and stroking of the lower abdomen and inner thighs that felt embarrassing to the boy. On some occasions the child was asked to engage in games that involved this kind of touching. Fr. Robert has entered a psychiatric facility for treatment. He is very contrite and shares our concern that we want to act in the most considerate and pastoral way possible. From discussions with Fr. Robert, we believe another boy may also have been touched inappropriately, and we have contacted him to offer our assistance.

Fr. Robert enriched the lives of many, and news of this event is sure to generate a variety of emotions in all of us. In order to best deal with these emotions, and to protect the interests of the boys and parents who have been associated with the choir over the years, the Franciscan Province of Santa Barbara along with the board of directors of the Boys' Choir have taken the following steps:

1. By way of this letter, we are informing the parents of boys who were involved with the choir during Fr. Robert's tenure about this incident.
2. The Franciscan Province and the directors of the choir are in ongoing communications about this matter. The Franciscans pledge their full cooperation, including financial reimbursement for counseling.
3. The choir has retained the services of an independent psychologist, Dr. Scott Gorsuch, to assist individuals and families of the Boys' Choir in dealing with this matter. He is available in person or by phone, at 687-3128, to answer questions. This is provided without cost to you and is completely confidential.
4. The Franciscan Province has asked Fr. Tom West, M.A. (Counseling Psychology) to also be available to all parties concerned for spiritual or counseling assistance. He can be at (415) 863-0111.

OFM VANH 1

0551

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 Dr. Gorsuch's recommendation that they be given a copy of this letter to read for themselves.

Parents of younger children may wish to refer to the enclosed suggestions, or to consult Dr. Gorsuch or Fr. Tom West for assistance. You should be aware 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.

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) 687-3128 or in writing at 1335 State Street, Santa Barbara, CA 93101. They may also contact Fr. Tom West confidentially at (415) 863-0111 or write him at 133 Golden Gate Avenue, San Francisco, CA 94102.

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 is being scheduled for Wednesday, October 28th, at 7:00 PM. 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

[REDACTED]
Provincial Minister

Santa Barbara Boys Choir
Board of Directors

The Friars want to make an announcement to the greater community about Fr. Robert. A boy who was in the Santa Barbara Boy's Choir approximately 12 years ago recently revealed that he was touched in an inappropriately sexual way by Fr. Robert. Fr. Robert acknowledges that the incidents took place and has entered a psychiatric facility for treatment. He is very contrite and shares our concerns that we act in the most considerate and pastoral way possible. A letter describing Fr. Robert's inappropriate behavior has gone out to all the parents of boys in the Choir during Fr. Robert's tenure. The Friars are offering psychological and spiritual assistance to all who have been involved.

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, that is disbelieving the truth. Or we may use projection and focus blame on an institution or at other individuals. Conversely, our anger may be directed at the individual in question. Any or all of these feelings are normal. In any event, we hope families and individuals 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 Boy's Choir, or they may wish to do so privately or with a professional.

A group meeting, primarily for those from the Boy's Choir, has been scheduled for Wednesday evening, October 28 at 7 pm. Anyone from the greater community who wishes to attend is also invited. The purpose of the meeting will be to answer questions, share common concerns, and express many feelings that emerge in this type of situation. Please RSVP to 682-5641 if you are going to attend. Fr. [REDACTED] the Franciscan Minister Provincial, Boy's Choir Director Robert Helman, Fr. Tom West and psychologist Dr. Scott Gorsuch will be present.

*Announcement to
SAS Greater Community
Oct. 25, 1992*

FRANCISCAN FRIARS PROVINCE OF SAINT BARBARA

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[Redacted]

November 3, 1992

Third Party Privacy Rights

Dear Mr. and Mrs. [Redacted]

Peace.

On behalf of all the friars and myself I would like to express our concern and sorrow at the great suffering endured by you, [Redacted], and your family. As difficult as it was, I am appreciative that you could express yourself at our joint meeting last Wednesday.

I know that Father Tom West has contacted you and I hope you will continue to feel free to contact him. We want to do all that we can to help.

As provincial minister I am determined to do all that I can to find out everything and to prevent any future occurrences. It seems rather lame, but I do assure you of my continued concern and prayers.

Sincerely in Christ

[Redacted]

FRANCISCAN FRIARS
PROVINCE OF SAINT BARBARA

OFM VAN H 1
0554

FRANCISCAN FRIARS PROVINCE OF SAINT BARBARA

November 3, 1992

Third Party Privacy Rights

Dear [REDACTED]

Peace.

Thank you very much for your letter to me of October 26th. I will consult, as I am bound, with the definitorium which meets the week of November 15th and will get back to you as soon as I am able.

I was very concerned about some of the issues which came up at the meeting we had last Wednesday and will be following them up with all haste and decisiveness. As I mentioned at the meeting, we continue to learn, and I try always to respond with the best lights available. We know that our responsibilities are different, but I am grateful for your continued desire and expression that the best things be done for all and also I am grateful for your personal patience and respect.

This is not easy, and once again I express to you my heartfelt concern. I am glad that Father Tom West has been able to meet to you with some satisfaction.

Sincerely

1500 Chicago-Fourth Avenue
Oakland, CA 94601

Provincial Minister (415) 536-3722
Provincial Office (415) 536-1266

FRIARS
PROVINCE OF SAINT BARBARA

OFM VAN H 1
0555

FRANCISCAN FRIARS PROVINCE OF SAINT BARBARA

November 3, 1992

Third Party Privacy Rights

Dear Mr. and Mrs. [REDACTED]

Peace.

On behalf of all the friars and myself I would like to express to you our deepest sorrow for the pain which you and your family have suffered, and continue to suffer. I am appalled by what you described in your eloquent and moving letters.

I would like very much to offer you the support of the friars, and especially any help which we can give towards counselling costs. Since last Wednesday was the first time which I had heard of the events you describe, I would appreciate it if one of the friars could contact you and [REDACTED] to get the relevant details and see how best we might help. I have asked Father Thomas West, our specialist in these matters, to contact you. You may have met him at the meeting on Wednesday.

As provincial minister, I certainly want to act in the most sensitive way to yourselves and [REDACTED] and in the most decisive way to see that this type of behavior and abuse does not happen again. Once again, I ask you please to accept my own expressions of sorrow and outrage.

Sincerely

1500 Chicago Avenue
Oakland CA 94601

Provincial Minister (415) 536-3722
Provincial Office (415) 536-1266

OFM VANH 1
0556

MCIVERS & LINDENAUER

Attorneys at Law

Kevin McIvers
Victoria Lindenauer
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1213 State Street, Suite L
Post Office Box 91901
Santa Barbara, CA 93190-1901
(805) 897-3838
Fax (805) 897-3842

April 20, 1993

Dear [REDACTED]

This will confirm our telephone discussion on April 13, 1993, regarding my clients. I represent two men in their early twenties who were the victims of inappropriate touching and other behavior by Father Robert and others affiliated with the choir. One of my clients lives in the Washington DC area, and the other lives locally. Both have asked for me to make arrangements for counselling. They do not want to use a counsellor who has been designated or approved by representatives of the Franciscans, but would like to select their own counsellor.

You have assured me that the Franciscans will finance counselling for the young men, and that they may choose their own counselor. Per your direction, I will either have the counsellors bill you directly at the address indicated above, or will have the bills sent to my office and I will bill you on my letterhead for each visit (if my clients prefer to keep the identity of the counsellors confidential).

I will ask each counsellor to provide a projection, perhaps after the first month of treatment, of the future course of therapy, so that you may gauge the anticipated costs. At that point, we should contact one another to make sure that the counselling that is proposed for the future can be financed by the Franciscans. Neither of my clients are in a position to pay for their own counselling.

I greatly appreciate your sympathetic and constructive attitude about this problem. If my clients are comfortable with it, I will ask them at some point in the future to provide the factual details of what occurred to them to you, to assist with the investigation which is underway through the Franciscans.

You have also indicated that the Board of Inquiry, headed by Geoff Sterns, is not currently authorized to extend its investigation to the boys' choir, and that I should deal through you unless I receive further notice to the contrary.

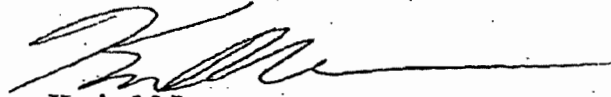
OFM VANH 1
0557

[REDACTED]
April 20, 1993

Page 2

Thank you again for your help.

Very truly yours,



Kevin McIvers

KMcI:sw

OFM VANH 1
0558

McIvers & LINDENAUER

**POLICIES AND PROCEDURES IN THE
ST. BARBARA PROVINCE ON
REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE**

BACKGROUND INFORMATION

California's statute with respect to reporting suspected child abuse is strict and detailed. The goal of this statute requires that such reporting be made quickly. The statutory guidelines are clear. This statute mandates that employers inform employees hired after January 1, 1985, of the child-abuse reporting statute.

In the State of California, child abuse is the abuse of anyone, male or female, under the age of eighteen (18).

In the following pages, the term "employee" means both those who receive compensation and those who volunteer their services at one of our Franciscan institutions.

The lawyers of the Province have recommended that we, as a Province:

- A. Adopt a policy on reporting such instances;
- B. Develop a procedure for such reporting;
- C. Recommend that Friars in ministerial leadership roles inform all employees of the current law.

Province policy on this matter, then, is (as far as California is concerned), no more than a restatement of California law.

WHO ARE AFFECTED BY THIS STATUTE?

Friars and those working in our parishes, retreat centers, and other apostolic works, who observe or learn from a child that he or she has been a victim of child abuse are affected by this statute. The law envisions primarily those who are child-care custodians, medical practitioners; but also non-medical practitioners are included.

"Non-medical practitioners means...a marriage, family, or child counselor; or a religious practitioner who diagnoses, examines or treats children." (Cal. Penal Code, 11165)

Many friars and employees of our Franciscan apostolates might be considered "non-medical practitioners". Moreover, in the case of *People vs. Younghez* it was stated: "The statute imposes a duty to report on a very large group of people." The law, then, embraces a wide group of people.

Since our Friars and those whom we hire in our parishes, retreat centers and other apostolates do have contact with children (minors), we could easily be held by this law to report cases of suspected or known child abuse. One need not have a license for counseling; one would be under the definition of the law by the de facto act of counseling.

Moreover, if any of our Friars or those in our employ are licensed to practice as social workers, psychologists, psychiatrists, marriage, family, or child counselors or any other position which requires a license from the State, they are also within the scope of the reporting requirements.

Friars and other employees of a Franciscan apostolate who serve as teachers in private Catholic schools, or as school principals, or as counselors are within the definition of "child care custodians." The statute covers both the teacher and the care taker, as well as the administrative officer and supervisor. Friars who are pastors or directors of a retreat center or administrators of some other Franciscan apostolate might, therefore, be included under this aspect of the law.

Friars and others who are in a supervisory position and who learn of suspected child abuse not directly from the minor would also be held to make a report if they have reasonable suspicion of child abuse as defined by California State Law as described below.

We also have the obligation to inform all professional staff who are in our employ since January 1, 1985. These people must sign a statement indicating that he or she has knowledge of the reporting provisions, the standard for reasonable suspicion, and will comply with the requirements. The signed statements are to be retained by the employer (i.e., at the local level).

Employees who are "support staff or maintenance staff and who do not work with, observe, or have knowledge of children as part of their official duties" are not included in this statute [Cal. Penal Code 11166.5 (a)]. For the most part, then, cooks, maintenance people, gardeners, etc., are not affected.

In our parishes, retreat centers and other apostolates, friars, too, should sign such a statement, which should also be kept on file by the employer (pastor, retreat director, etc.).

We would recommend that even those who may have been hired prior to January 1, 1985, sign such statements. This would apply to friar and non-friar alike.

WHAT IS A REASONABLE SUSPICION OF CHILD ABUSE?

The reporting duty is triggered when a friar or other employee of the friars "knows or reasonably suspects" a case of child abuse. The legal standard of "reasonable suspicion" reads as follows:

"that it is objectively reasonable for a person to entertain such a suspicion, based on facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse." [Cal. Penal Code, 11166 (a)]

Child abuse can be known or suspected by the behavior of the child through signs of emotional distress, or through direct communication. Child abuse can be known through other channels as well.

The law focuses on "reasonable suspicion." The law also favors the child. As a result, even though there might not be certainty as to child abuse, if there is a reasonable suspicion, child abuse must be reported. Failure to report can result in a possible legal suit against the Province and/or against the person involved.

It should be noted that:

- (a) if a suspected child abuse situation is reported, the one suspected of such child abuse will indeed suffer as also perhaps the institution to which he or she belongs.
The law favors the child. Concern for the reputation of an individual or an institution is, in the eyes of this law, completely secondary. The position of the child must be favored over the reputation of the suspected person involved or the institution (parish, retreat center, etc.).
- (b) if a suspected child abuse situation is not reported, the individual failing to report is liable to possible legal suit, and, in certain cases, the institution (parish, retreat center, even province) would most probably be included in the legal suit.

If several people in our employ notice the same instance of suspected or known child abuse and are aware that the others have reached a similar conclusion, only one such person needs to make the report.

Even with the above description of "reasonable suspicion" of child abuse, some doubts might remain. Advice should be sought in such matters from people who have experience in this regard. In determining whether to report a situation or not, it should be recalled that the law will always favor the child and negligence in reporting might be construed as a criminal act. However, witch-hunting is also not the intent of the law.

WHEN MUST THE REPORT BE MADE?

If the accusation has met the legal standard defined above, a friar or other employee has the duty to report immediately to the child protective agency. The child protective agency will then pursue its own investigation procedures and determine the accuracy of such an accusation. To delay reporting under these circumstances would be a violation of California State law, which could then be punished as a misdemeanor.

The province, parish, retreat center, etc. is not allowed to make an internal, preliminary investigation first before the individual contacts the local child protective agency. Rather, the reporting to the child protection agency must be made first.

"However, internal procedures to facilitate reporting and appraise supervisors and administrators of reports may be established provided that they are not inconsistent with the provisions of this article." [Cal. Penal Code, 11166 (f)]

The individual is required to report known or suspected instances of child abuse "immediately or as soon as possible by telephone and shall prepare and send a written report thereof within 36 hours of receiving the information concerning the incident." [Cal. Penal Code, 11166; emphasis added by the Province lawyer].

Such reporting is to be made to the Child Protective Agency. If the telephone of this agency is not known, one can simply call the local police department.

The reporting requirements are individual and cannot be fulfilled by reporting to one's superior.

Indeed, the statute expressly prohibits a supervisor from impeding or interfering with an employee's reporting duties.

"The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties and no person making such a report shall be subject to any sanctions for making the report."
[Cal Penal Code, 11166 (f)]

INTERNAL REPORTS CONCERNING ALLEGATIONS OF CHILD ABUSE

If the province itself, or the parish, or the retreat center, or other Franciscan apostolate arranges for an internal investigation, such internal reports may be subject to court subpoenas or other discovery in a subsequent criminal or civil proceeding. This possibility should be made clear to all those who take part in any internal review and reporting.

LIABILITY

Not only is the person alleged to have committed child abuse subject to investigation, and if the suspicion seems verified, subject to possible criminal charges, but the institution itself might also come under "vicarious liability". This means that the parish, the retreat center, another Franciscan apostolate and even the Province as such might be liable to suit, if the administrators of any of these institutions: (a) have deliberately delayed or prevented such reporting, or (b) have not

adequately advised all employees of this California statute, or (c) have negatively sanctioned any employee who has made such a reporting.

This policy is in no way meant to be construed as either supplanting California State Law or as impeding and inhibiting the obligation of individuals to report child abuse cases.

This Province Policy serves as the statement required by the California Penal Code 1116.5 (a)

(April 1988)

IF 4

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0562

[The following would be typed on a separate page and serve as the document set by the California Penal Code on this matter of child abuse and notification of employees.]

AFFIDAVIT

I have read the St. Barbara Province policy statement on child abuse, and I understand the reporting provisions, the standard for reasonable suspicion as described, and hereby state that I will comply with the requirements.

Signed

Date

IF5

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0563

**SUPPLEMENT TO THE
ST. BARBARA PROVINCE'S POLICY
ON REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE
THE STATE OF ARIZONA**

BACKGROUND INFORMATION

Province policy is no more than a restatement of Arizona state law (Criminal Code 13-3620).

WHO MUST REPORT?

Any physician, hospital intern or resident, surgeon, dentist, osteopath, chiropractor, podiatrist, county medical examiner, nurse, psychologist, school personnel, social worker, peace officer, parent or counselor or any other person having responsibility for the care or treatment of children whose observation or examination of any minor discloses grounds to believe that a minor is or has been the victim of injury, sexual molestation, death, abuse, or physical neglect which appears to have been inflicted upon such minor by other than accidental means or which is not explained by the available medical history as being accidental in nature or who has reasonable grounds to believe there has been a denial or deprivation of necessary medical treatment or nourishment with the intent to cause or allow the death shall immediately report or cause reports to be made of such information to a peace officer or to the protective services of the department of economic security.

Any person other than one required to report or cause reports to be made who has reasonable grounds to believe that a minor is or has been a victim of abuse or neglect may report the information to a peace officer or to the child protective services.

In any civil or criminal litigation in which a child's neglect, dependency, abuse or abandonment is an issue, a clergyman or priest shall not, without his consent, be examined as a witness concerning any confession made to him in his role as a clergyman or a priest in the course of the discipline enjoined by the church to which he belongs. However, nothing in the law discharges the clergyman or priest from the duty to report.

HOW TO REPORT?

The reports shall be made immediately by telephone or in person and shall be followed by a written report within seventy-two (72) hours. This report is made to a peace officer or to the child protective services. IN ADDITION THE PROVINCIAL OFFICE MUST BE INFORMED IMMEDIATELY THAT SUCH A REPORT HAS BEEN MADE.

WHAT TO REPORT?

Such reports shall contain:

- The names and addresses of the minor and his parents or person or persons having custody of such minor, if known;
- The minor's age and the nature and extent of his injuries or physical neglect, including any evidence of previous injuries or physical neglect;
- Any other information that such person believes might be helpful in establishing the cause of the injury or physical neglect.

LIABILITY

A person furnishing a report, information, or records required or authorized under this law, or a person participating in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under this law, shall be immune from any civil or criminal liability by reason of such action unless such person acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

VIOLATION/PENALTY

A person who violates any provision of this law is guilty of a class 1 misdemeanor.

(7-19-89)

**SUPPLEMENT TO THE
ST. BARBARA PROVINCE'S POLICY
ON REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE**

THE STATE OF NEVADA

BACKGROUND INFORMATION

Province policy is no more than a restatement of Nevada state law (432B.010 to 432B.400).

WHO MUST REPORT?

A report must be made immediately to an agency which provides protective services or to a law enforcement agency when there is reason to believe that a child has been abused or neglected.

Reports must be made by the following persons who, in their professional or occupational capacities, know or have reason to believe that a child has been abused or neglected: those in the medical field or as well as psychologists, marriage and family therapists, alcohol or drug abuse counselors; any personnel of a hospital or similar institution engaged in the administration, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of suspected abuse or neglect of a child by a member of the staff of the hospital; a clergyman, practitioner of Christian science or religious healer, unless he has acquired the knowledge of the abuse or neglect from the offender during a confession; a social worker and an administrator, teacher, librarian or counselor of school; any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met.

A report may be made by any other person.

HOW TO REPORT?

A report must be made to an agency which provides protective services or to a law enforcement agency immediately, but in no event later than 24 hours after there is reason to believe that a child has been abused or neglected. IN ADDITION THE PROVINCIAL OFFICE MUST BE INFORMED IMMEDIATELY THAT SUCH A REPORT HAS BEEN MADE.

WHAT MUST BE REPORTED?

The report must contain the following information, if obtainable:

- The name, address, age and sex of the child;
- The name and address of the child's parents or other person responsible for his care;
- The nature and extent of the abuse or neglect of the child;
- Any evidence of previously known or suspected abuse or neglect of the child or the child's siblings;
- The name, address and relationship, if known, of the person who is alleged to have abused or neglected the child; and
- Any other information known to the person making the report that the agency which provides protective services considers necessary.

LIABILITY

Immunity from civil or criminal liability extends to every person who in good faith:

- Makes a report pursuant to the provisions of this law;
- Conducts an interview or allows an interview to be taken pursuant to this law;
- Participates in a judicial proceeding resulting from a referral or recommendation.

PENALTY/VIOLATION

Any person who knowingly and willfully violates the provisions of this law is guilty of a misdemeanor.
(7-19-89)

**SUPPLEMENT TO THE
ST. BARBARA PROVINCE'S POLICY
ON REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE**

THE STATE OF NEW MEXICO

BACKGROUND INFORMATION

The Province's policy is no more than a restatement of the New Mexico state law (Children's Code 32-1-15).

WHO MUST REPORT?

Any licensed physician, resident or intern examining, attending or treating a child, any law enforcement officer, registered nurse, visiting nurse, schoolteacher or social worker acting in his official capacity or **any other person knowing or suspecting** that a child is an abused or a neglected child shall report the matter immediately.

HOW TO REPORT?

The report shall be made immediately to:

- 1) the criminal prosecution division of the office of the district attorney; or
- 2) the county social services office of the human services department in the county where the child resides; or
- 3) the probation services office of the judicial district in which the child resides:

IN ADDITION THE PROVINCIAL OFFICE MUST BE INFORMED IMMEDIATELY THAT SUCH A REPORT HAS BEEN MADE.

WHAT MUST BE REPORTED?

The report shall contain the names and addresses of the child and his parents, guardians or custodians, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries, and other information that the maker of the report believes might be helpful in establishing the cause of the injuries and the identity of the person or persons responsible for the injuries.

LIABILITY

Anyone reporting an instance of alleged child neglect or abuse or participating in a judicial proceeding brought as a result of a report required by the law is presumed to be acting in good faith and shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed by the law, unless the person acted in bad faith or with malicious purpose.

VIOLATION/PENALTY

Any person failing, neglecting or refusing to report is guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 nor more than \$100.00

(7-19-89)

**SUPPLEMENT TO THE
ST. BARBARA PROVINCE'S POLICY
ON REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE
THE STATE OF OREGON**

BACKGROUND INFORMATION

Province policy is no more than a restatement of Oregon state law (ORS 418.740 to 418.775).

WHO MUST REPORT?

Any public or private official (physician, dentist, school employee, licensed practical nurse or registered nurse, peace officer, psychologist, clergyman, social worker, optometrist, chiropractor, certified employer of day care, etc) having reasonable cause to believe that any child with whom the official comes in contact in an official capacity has suffered abuse, or that any person with whom the official comes in contact in an official capacity has abused a child shall report or cause a report to be made in the manner required.

Nothing contained in Oregon law shall affect the duty to report imposed by this section, except that a psychiatrist, psychologist, clergyman or attorney shall not be required to report such information communicated by a person if the communication is privileged under Oregon law.

Oregon law (ORS 40.260 Rule 506) defines privileged communication for clergy-penitent to be:

- "Confidential communication" means a communication made privately and not intended for further disclosure except to other persons present in furtherance of the purpose of the communication.
- A member of the clergy shall not, without consent of the person making the communication, be examined as to any confidential communication made to the member of the clergy in the member's professional character.

If a clergyman receives information concerning a child abuse instance outside of this privileged communication definition, he is required to make a report according to the law.

HOW TO REPORT?

An oral report shall be made immediately by telephone or otherwise to the local office of the Children's Services Division or to a law enforcement agency within the county where the person making the report is at the time of the contact. IN ADDITION THE PROVINCIAL OFFICE MUST BE INFORMED IMMEDIATELY THAT SUCH A REPORT HAS BEEN MADE.

WHAT MUST BE REPORTED?

If known, such reports shall contain the names and addresses of the child and or other persons responsible for care of the child, the child's age, the nature and extent of the abuse (including any evidence of previous abuse), the explanation given for the abuse and any other information which the person making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

LIABILITY

Anyone participating in good faith in the making of a report pursuant to Oregon law and who has reasonable grounds for the making thereof, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of such report.

(7-19-89)

IF 10

OEM VANH I
0568

**SUPPLEMENT TO THE
ST. BARBARA PROVINCE'S POLICY
ON REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE
THE STATE OF UTAH**

BACKGROUND INFORMATION

Province policy is no more than a restatement of the Utah state law (Social Services Code 62-A-4-501 to 504).

WHO MUST REPORT?

Whenever any person including, but not limited to, persons licensed under the Medical Practices Act or the Nurse Practice Act, has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or who observes a child being subjected to conditions or circumstances which would reasonably result in sexual abuse, physical abuse, or neglect, he shall immediately make a report.

Reporting requirements of this law do not apply to a clergyman or priest, without the consent of the person making the confession, with regard to any confession made to him in his professional character in the course of discipline enjoined by the church to which he belongs, if:

- a) the confession was made directly to the clergyman or priest by the perpetrator; and
- b) the clergyman or priest is, under canon law or church doctrine bound to maintain the confidentiality of that confession.

If a clergyman or priest receives information about abuse or neglect from any source other than confession of the perpetrator, he is required to give notification on the basis of that information even though he may have also received a report of abuse or neglect from the confession of the perpetrator. Exemption of notification requirements for a clergyman or priest does not exempt a clergyman or priest from any other efforts required by law to prevent further abuse or neglect by the perpetrator. (62A-4-503)

HOW TO REPORT?

The report is made immediately to the nearest police officer, law enforcement agency, or office of the division. Oral reports shall be followed by a written report within 48 hours, if so requested by the division. IN ADDITION THE PROVINCIAL OFFICE MUST BE INFORMED IMMEDIATELY THAT SUCH A REPORT HAS BEEN MADE.

LIABILITY

Any person or official participating in good faith in making a report is immune from any liability, civil or criminal, that otherwise might result by reason of those actions.

VIOLATION/PENALTY

Any person or official required to report a case of suspected child abuse, neglect, fetal alcohol syndrome, or fetal drug dependency, who willfully fails to do so is guilty of a class B misdemeanor.

(7-19-89)

**SUPPLEMENT TO THE
ST. BARBARA PROVINCE'S POLICY
ON REPORTING KNOWN OR SUSPECTED INSTANCES OF CHILD ABUSE
THE STATE OF WASHINGTON**

BACKGROUND INFORMATION

In the State of Washington a child is legally defined as any person under 18 years of age; developmentally disabled persons of any age are also protected under the law.

Province policy is no more than a restatement of Washington state law (Chapter 26.44).

WHO MUST REPORT?

The Washington State law (RCW 26.44) requires the following persons to report suspected child abuse: licensed providers of health care (physicians, nurses, dentists, pharmacists, psychologists, physician assistants, etc) and religious healing practitioners, professional school personnel, social workers, employees of the Department of Social and Health Services.

Any other person who has reasonable cause to believe that a child or adult dependent or developmentally disabled person has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services.

Since clergy are not specifically mentioned in the statute naming those classifications of persons who are obliged by law to report instances of child abuse, clergy then fall automatically into the category of those who may report.

In Washington state law, there is a specific statute recognizing the priest-penitent privilege but the state legislature has deliberately qualified that privilege to exclude child abuse. Therefore, clergy are not required by law to report child abuse, but clergy are obliged by the law to testify if they are subpoenaed. There is evidence to indicate that this particular statute will be tested in the courts.

HOW TO REPORT?

Reports are made by phone, in writing (if requested) or in person to the local law enforcement agency or Department of Social and Health Services Community Service Office, Child Protective Services. To find out which local CPS office should be contacted call: 1-800-562-5624. THIS TOLL FREE, 24 HOUR NUMBER WILL GIVE YOU THE LOCAL PROTECTIVE SERVICES' PHONE NUMBER IN YOUR AREA.

The report shall be made at the first opportunity, but in no case longer than forty-eight (48) hours after the reasonable cause to believe that the child or adult has suffered abuse or neglect. IN ADDITION THE PROVINCIAL OFFICE MUST BE INFORMED THAT SUCH A REPORT HAS BEEN MADE.

WHAT MUST BE REPORTED?

- Name, address, age, height, weight, and head circumference (when appropriate) of the child;
- Name and address of the adult having custody of the child;
- Description of current physical and/or emotional condition, abuse, and/or neglect;
- Any evidence of previous injuries or negligence and their nature and extent;
- Any information which would help establish the cause of the child's death, injuries, or neglect, and the possible identity of the perpetrator. Include pertinent notes by paramedical, nursing, or social work staff in addition to physician's record.

LIABILITY

Any person who in good faith makes a report and gives testimony in regard to suspected child abuse is immune from civil or criminal liability.

VIOLATION/PENALTY

Every person who is required to make, or to cause to be made, a report and who knowingly fails to make, or fails to cause to be made, such a report, shall be guilty of a gross misdemeanor.

(7-19-89)

Diary, autobiography help convict molester

VAN HANDEL

Continued from Page A1

del wrote, "I did whatever I could to resist the inevitable arrival of puberty."

But puberty came and so did his education at the now closed St. Anthony's in Santa Barbara, where he said he, too, was molested by a priest.

Van Handel wrote that the incident occurred in 1962, during his sophomore or junior year, as he slept alone in the school's infirmary.

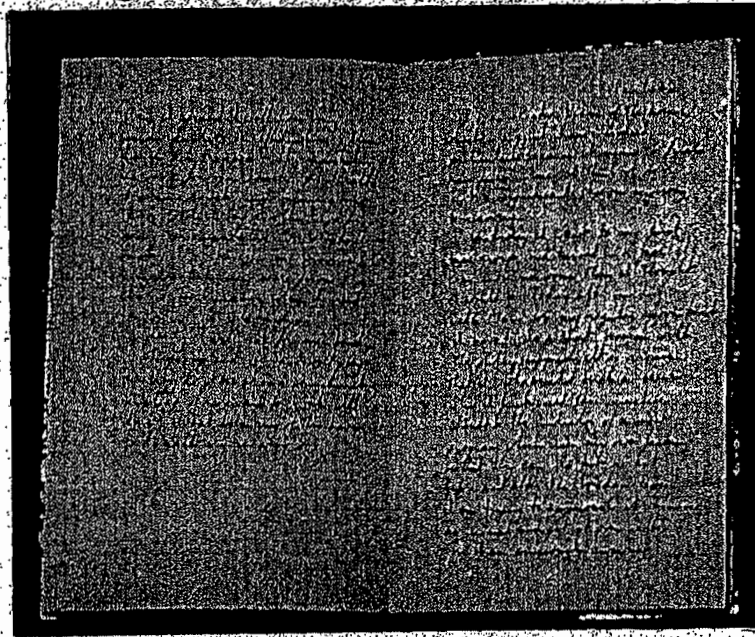
"He went on to abuse the way he had been abused. It was almost a carbon copy," said Annette Goodheart, a Santa Barbara psychologist who has treated some of Van Handel's victims.

The Franciscan father's abuse of boys began in the early 1970s while he attended graduate school in Berkeley. He wrote that his first victim was either a 5-year-old relative in Oregon or a young choir boy he met in 1972.

He took nude photographs of some victims and kept the snapshots until fear of discovery drove him to destroy the evidence.

"There is something about me that is happier when accompanied by a small boy," Van Handel wrote. "I think it is probably a combination of sexual feelings, emotional attachment and perhaps the child in me wants a playmate."

The need to be near boys led him to form the Santa Barbara Boys



RAFAEL MALDONADO/NEWS-PRESS

Police say the Rev. Robert Van Handel provided a self-portrait of a pedophile through writings in his diary.

the "kinky" games he played with a 9-year-old choir member, dressing the boy up in rags so the youngster would have an "impoverished child" appearance.

Van Handel, as with other successful molesters, used his friendship with the boys' families to gain their trust so he could be near the children.

"He was able to exploit this position of power," said Santa Barbara psychotherapist and child abuse

investigative board of inquiry that determined 34 former St. Anthony's students had been molested by 11 faculty members as long ago as the 1960s.

Only Van Handel and another priest were prosecuted because the other molestations were revealed after the statute of limitations had expired.

"Everyone held the priests in high regard, so who could the boys turn to for help?" Mar asked. "The successful molester is someone

who will be very skilled at being able to endear himself to others."

Van Handel proved quite adept. "He was very likable on the face of it," said Santa Barbara police Officer [redacted] whose two younger brothers were victimized by Van Handel. "The families trusted him to care for their little ones."

Van Handel presided at [redacted] 1985 wedding. She only learned of the molestations years later.

The night after Van Handel's sentencing, [redacted] dreamed the priest had stolen her 20-month son.

"My parents don't go to church anymore," [redacted] said. "Everyone in my family is bitter. There is a deep ache inside."

The St. Anthony's nightmare came to light when police arrested Van Handel's associate, the Rev. Philip Wolfe, who was convicted of molesting a child in 1989.

Attention then focused on Van Handel, who confessed to church officials in the spring of 1992. He received months of therapy at a church-run institution in Suitland, Md., before being moved to another center in Santa Cruz County.

On March 1 of this year, one of Van Handel's victims told officers Van Handel had abused him from 1983 to 1989.

Despite his long and self-documented history as an abuser, the arrest that followed took him by surprise.

"Oh, my God!" Van Handel said when McGrew arrived.

"He was shocked, but he instantly clammed up," McGrew said.

Priest's writings describe descent into degradation

By **BARRY BORTNICK**
NEWS-PRESS STAFF WRITER

By the Rev. Robert Van Handel's account, his journey from piety to prison began with a view of sex twisted by a stern, religious upbringing and his molestation at the hands of a deviant cleric.

The 47-year-old former St. Anthony's Seminary rector provided a self-portrait of a pedophile through writings in a diary and typed autobiography.

The recently released materials were key evidence in the case against Van Handel, who was sentenced by Santa Barbara Superior Court Judge Patrick McMahon on Aug. 12 to an eight-year prison term for child molestation.

Santa Barbara police Detectives Mike McGrew and Brian Abbott seized the writings March 22 after arresting Van Handel at a San Juan Bautista religious retreat. The documents gave investigators what they needed to put him away.

"When I got this (diary), I knew I had hit the jackpot,"

McGrew said.

The autobiography also proved useful.

"It is sad and disgusting," McGrew said. "But from a cop's point of view it is very interesting. It reveals the mind of a pedophile. I read it, I thought, 'This is like reading the thoughts of a serial killer.'"

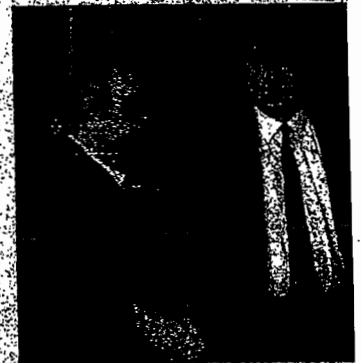
The autobiography starts with Van Handel's birth in British Guyana, where his father, an officer with the Army Air Corps, was stationed during World War II. Van Handel's father was a strict Catholic.

After many different postings, the family settled in California. Van Handel's sexual education began at age 13, when his father explained the facts of life with the help of a church book.

"They could not have chosen a worse source," Van Handel wrote. "It was very anti-sex and I believed every word."

It taught him that wet dreams were "like poison candy, it tasted sweet, but would kill the immortal soul," he wrote.

Van Handel prayed that sexu-



STEVE MATONE/NEWS-PRESS

Police Detective Mike McGrew escorts the Rev. Robert Van Handel to court on Aug. 12.

al fantasies would not invade his sleep, the diary shows. Afraid that he would succumb to temptation, he wanted to remain a child.

"When I began to grow pubic hair, I secretly used an electric shaver to remove it," Van Han-

SEE **VAN HANDEL ON A10**

St. Anthony's Seminary Priest Gets Maximum Prison Time

Q Santa Barbara—Superior Court Judge Patrick McMahon sentenced former Santa Barbara Boys Choir leader and St. Anthony's Seminary Rector Robert Van Handel to eight years in state prison, the maximum possible sentence, for sexually molesting a former choirboy in the late 1980s.

Van Handel, 47, had been accused by several former choirboys and seminary students of molestation, but in all of those cases, the statute of limitations had already expired. It was only early this year that an 18-year-old former choirboy, approached police and told them that he too had been molested by Van Handel, recently enough that the six-year statute of limitations had not expired. Police arrested Van Handel at a retreat house in San Juan Bautista, where he was living while receiving psychiatric treatment at an outpatient clinic in Santa Cruz. Among his possessions, police seized a diary Van Handel had written as part of his therapy which chronicled his sexual history with boys. Shortly after his arrest, Van Handel pleaded guilty to one charge of lewd behavior with a minor.

The revealing diary, together with the written evaluations of Van Handel's court-appointed psychiatrists and probation officer, convinced the judge he should deny a defense request for

parole and sentence Van Handel to the harshest possible sentence. "That the defendant on one day could give communion to the same child he had fondled or photographed the day before is evidence of a criminal pathology so severe it shocks even the most hardened members of the criminal justice system," wrote Van Handel's probation officer in his recommendation for stiff sentencing.

Among the diary's revelations was a confession that the priest molested his five-year-old nephew, and a narrative of his "relationship" with a boy whom he tied up and photographed posed as a prisoner in the seminary tower. In addition to the boys he abused, Van Handel also wrote about his experiences with three adult female parishioners with whom he had sex. While the diary was often filled with passages about self-loathing, suicide, and failure, it also showed a side of the priest's tortured psyche that McMahon characterized as "evil." Prior to making up his mind, said McMahon, "I read, and I read, and I read, and it was not easy reading."

Van Handel himself was a victim of sexual abuse at St. Anthony's when he was fifteen, and the way he chose to molest boys by giving them "massages" and fondling their genitals eerily paralleled his own experience at the

hands of another priest.

In an interview with a court-appointed psychiatrist prior to the sentencing, Van Handel said he had been threatened several times in the San Barbara County Jail and was afraid being stabbed to death in prison. He said the priest he expected to do time for his crime, writing in his diary, took advantage of innocence, "I am disgrace and a scoundrel and have harmed people to such a degree that can't be a priest." (AR)

Independent
8/18/94

Ex-student is fourth to sue seminary

By RHONDA PARKS
NEWS-PALMS STAFF WRITER

A fourth ex-student of St. Anthony's Seminary in Santa Barbara is suing a priest and church hierarchy for an alleged sexual molestation that occurred 30 years ago.

Last November, the Franciscan Order consented to an inquiry into allegations that boys had been molested by priests at the school. Investigators revealed that at least 34 boys had been molested by 11 faculty members over 20 years. The school closed in 1987.

In a lawsuit filed in Superior Court in Santa Barbara last week, former student Michael J. Donnelly alleges he was molested by Mario Cimmarusti in 1964. Other former students have publicly said Cimmarusti molested them, but they have not filed suit.

The court filing does not say how old Donnelly was at the time the alleged molestation occurred, or where he lives now. He attended the school until 1968.

Donnelly's court papers say he was molested by Cimmarusti when he visited the friar for treatment of a poison oak rash in his groin area. Cimmarusti administered first aid at the school.

The lawsuit alleges that Cimmarusti fondled the boy's genitals and attempted to orally copulate him. Donnelly's suit says he repressed his memory of the incident until he was reminded of it during the inquiry last year by a panel made up of priests, abuse counselors and a representative of students' families.

Two seminary priests have been adjudicated for criminal child molestations.

The Rev. Robert Van Handel, the seminary's last rector and the leader of the unaffiliated Santa Barbara Boys Choir, pleaded guilty to charges of molestation and is due for sentencing Aug. 12.

The Rev. Philip Wolfe, a former seminary teacher and a boys choir director, was jailed for a year in 1991 for sexually molesting a boy and has since been defrocked.

OFM VANH 1
0575

25 April 1994

Dear [REDACTED]

This is just a note to thank you for all you have done for me, and to wish you a restful, happy sabbatical. Never has me been so well deserved. I think you are a wonderful person who has had to make too many difficult decisions and face an endless number of unsolvable problems. You need a break!

I want to thank you for the good care you have taken of me. Again there have been difficult decisions, but I have felt confident to place myself in your hands. I'm sorry I have developed into such a problem, but never out of ill will. I have been trying to turn my present difficulties over to God, and pray that he works through me and my lawyer to come up with the best result possible. Sometimes I like to see myself as a martyr, but if I don't also pay attention to my needs, I think I would only end up resentful. I want to do the right thing for the right reason. The side show is not in my hands. I do want you to know that I am okay, that I am trying to live one day at a time, and let God work on the result. I am that

OEM VANH I
0576

Whatever happens I can learn to control my fears and trust in God's presence.

I'm glad you are going to England, although that won't be all joy either. I have been deluged by postcards from Spain, bringing messages of love, support, and prayers. Who could have more loyal friends? Good luck over there. Don't let my situation dominate the conversations or put a damper on your fun. Some day I'll be back over there to celebrate. Give my love to Monica, Ann, and the community. They have been wonderful.

So I wish you "bon voyage", many blessings, and a good rest.
Vaya con Dios.

Love,

Robert

P.S. - Don't try to answer this letter, just go have a good time!

R.

cl, Robert Van Handel, hereby give Michael Eremia
permission to send a copy of his letter to the

Probation Dept. to: The Provincial*-

1500-34^B Ave.

Oakland, CA 94601

Robert Van Handel

5-24-94

x

OEM VANH 1

0578

LICENSED MARRIA
FAMILY AND CHILD
COUNSELOR #577

LICENSED CLINICAL
SOCIAL WORKER
#3591

SUITE E
GOLETA PROFESSIONAL BLDG.
GOLETA, CALIF. 93117
TEL. (805) 967-8513

6228 CATHEDRAL OAKS RD.
GOLETA, CALIFORNIA 93117
TEL. (805) 967-8513



michael john eremia, m.s.w.

Copy

June 1, 1994

Robert Van Handel
c/o Robert Sanger
Attorney-At-Law
233 East Carrillo St.
Suite C
Santa Barbara, CA 93101

STATEMENT OF FEES

Previous Balance	540.00
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5-16-94 Payment - Check 24479	540.00	-0-
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Psychotherapist/Patient Privilege

5-15-94 and 5-16-94
Review of Case Record, Composition
and Revision of 12 Page Report To
Probation Department (Enclosed)
9 Hours
Typist's Fee

360.00
55.00

Balance Due	\$1,045.00
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OEM VANH 1
0579

memberships:

AMERICAN ASSOCIATION
OF MARRIAGE AND
FAMILY THERAPISTS

AMERICAN ORTHOPSYCHIATRIC
ASSOCIATION, INCORPORATED

AMERICAN ASSOCIATION OF
SEX EDUCATORS, COUNSELORS
AND THERAPISTS

LICENSED MARRIAGE,
FAMILY AND CHILD
COUNSELOR #577

LICENSED CLINICAL
SOCIAL WORKER
#3591

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michael john eremia, m.s.w.

Copy

June 1, 1994

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c/o Robert Sanger
Attorney-At-Law
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Suite C
Santa Barbara, CA 93101

STATEMENT OF FEES

Previous Balance		540.00
5-16-94 Payment - Check 24479	540.00	-0-
May 3, 6, 11, 13, 17, 20, 24. Seven Psychotherapy Sessions At county IRC Facility 1:30pm - 3:15pm Each Day Portal-To-Portal @ 90.00	630.00	
5-15-94 and 5-16-94 Review of Case Record, Composition and Revision of 12 Page Report To Probation Department (Enclosed) 9 Hours	360.00	
Typist's Fee	55.00	
Balance Due		\$1,045.00

OFM VANH 1
0579

memberships

AMERICAN ASSOCIATION
OF MARRIAGE AND
FAMILY THERAPISTS

AMERICAN ORTHOPSYCHIATRIC
ASSOCIATION, INCORPORATED

AMERICAN ASSOCIATION OF
SEX EDUCATORS, COUNSELORS
AND THERAPISTS

THE PROCESSED WORD

422 Coronado Drive
Goleta, CA 93117

968-2807

May 18, 1994

Michael John Eremia, M.S.W.
5730 Hollister Ave., Suite E
Goleta, CA 93117 (967-8513)

One 11-page letter (two copies)

5 1/2 hours @ \$10.00/hr.

TOTAL DUE \$ 55.00

Thank you,
Phyllis Elliott

COPY

OFM VANH 1
0580

OEM VANH 1
0581

Joe from Virginia

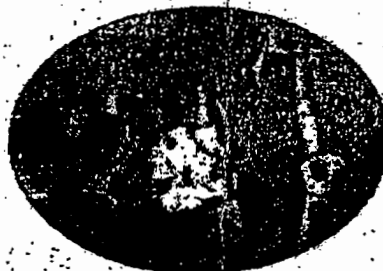
March 23, 94

03-23-94 03:19PM



MAGIC'S BACK

FORMER ALL-STAR
MAGIC JOHNSON
WILL REPLACE RANDY
PFUND AS COACH OF
THE LAKERS C1



FAMILY NOTES

NURTURING MUSIC
APPRECIATION IN
INFANTS AND
TODDLERS STRIKES
A CHORD D1

FED MOVES

THE FED VOTES TO
RAISE SHORT-TERM
INTEREST-RATES FOR
THE 2ND TIME IN 7
WEEKS B6

SANTA BARBARA News-Press

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The voice of Santa Barbara County since 1855

SOUTH COAST EDITION

Ex-St. Anthony's priest held on molest charges

by MORGAN GREEN
NEWS-PRESS STAFF WRITER

The Rev. Robert Van Handel, former rector of St. Anthony's Seminary and founder of the Santa Barbara Boys Choir, was arrested Tuesday afternoon on charges of sexually molesting a former student.

Van Handel is the second priest to face

criminal charges in connection with the Santa Barbara seminary scandal, one of the worst in the history of the Catholic Church.

Santa Barbara police detectives arrested Van Handel at 3:45 p.m. at St. Francis Retreat Center, a Franciscan Order facility just north of Salinas.

Police expected to book him into the Santa Barbara County Jail by late Tues-

day. His bail was set at \$250,000. He is charged with lewd and lascivious acts with a child, based on accusations of a former seminary student, an unnamed Santa Barbara resident who is now 18.

Church-acknowledged molestations at the seminary spanned at least 23 years and involved at least 11 priests — a quarter of the now-defunct school staff — according to a church-funded investigative board's

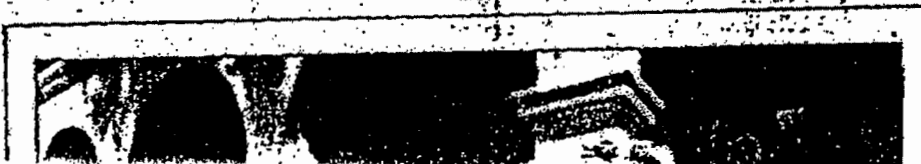
report in November.

Parents of other victims and fellow victims rejoiced at Van Handel's arrest.

"Well, fantastic. This is great," said [redacted] father of [redacted] who has said Van Handel molested him in the 1980s.

SEE ARREST ON A5

75 killed as Ducian jet



Supervisors vote down

Former rector faces sexual charges

ARREST

Continued from Page A1

_____ was unavailable for comment. Now 25, he is one of two men seeking monetary damages in civil lawsuits against the Franciscan Order that ran the seminary. Both men missed California's six-year legal deadline to file criminal charges.

Before Van Handel's arrest Tuesday, "It looked like all of these guys were going to get away with molestation," _____ said.

The latest accuser stepped forward March 2. He told police Van Handel had sexually abused him many times from March 1983 to September 1989. The man reported that the sexual molestations started when he was 8 years old and continued until he was 14, said Lt. John Thayer, a Police Department spokesman.

The former student told police he frequently spent the night on a couch in Van Handel's apartment

at the seminary at 2420 Garden St. During those visits, Van Handel would massage him and fondle his genitals, he reported. The visits continued once weekly from December 1987 to December 1989, after the victim left the seminary to attend Santa Barbara High School, Thayer said.

Nelther Cardinal Roger Mahony of the Archdiocese of Los Angeles nor the _____ head of the Franciscan Order in the Western United States, was available for comment Tuesday.

Van Handel in 1992 admitted sexually abusing some seminary students, including _____, after the state's statute of limitations on the crime had lapsed.

In 1989, seminary priest and choir leader Philip Wolfe was convicted of child molestation and was sentenced to one year in jail. He was defrocked. He now reportedly resides at a religious center in New Mexico.

Van Handel's latest accuser kept

his secret until the special inquiry board started its probe last year to find and get counseling for victims at church expense.

_____ a board member and a victim's parent, said the confidential board referred Van Handel's accuser to a counselor, who evidently convinced him to go public.

"This all came from his therapist," _____ said.

Nine abusive priests who were documented by the board were sent to Catholic treatment centers for troubled clerics. The Franciscans did not reveal their names nor their exact whereabouts. One accused molester had died, and one reportedly had left the order and was untraceable, Franciscan officials said last year.

Van Handel was at St. Luke's treatment center in Suitland, Md., from May 1992 to June 1993. Thayer said police received information that he had returned to California recently.

Complaints rise over failed deliveries

MAIL

Continued from Page A1

plaints to Runyon.

"I wouldn't expect it to be delivered if I mailed it," she said.

"Maybe we should go back to the times of the Pony Express," said Irene Jackson. "Then maybe I'll get my mail."

About 40,000 pieces of undelivered mail, some more than 2 months old, were found in February in a letter carrier's truck parked outside the Lakeview station.

The station was among those cited in a Postal Service report earlier this month that said some Chicago postal employees use drugs and alcohol on the job and threaten and intimidate co-workers.

On Friday, police discovered more than 100 pounds of burning mail under a South Side viaduct. A mail carrier was charged Monday with dumping that mail. Sen. Paul Simon, D-Ill., who joined Sen. Carol Moseley-Braun, D-Ill., in pressuring Runyon to visit Chicago, said that mail may have been burned to cover up another delivery problem.

under investigation.

Alderman Eugene Schuler, whose ward includes the Lakeview station, said his constituents routinely receive mail late, including ads for sales that arrive days after the events are over.

Lillian Miller said she sent a

\$59.38 check for a phone bill to Ameritech's Chicago office in November, and it arrived two months later in a veterinarian's mailbox in Australia.

This story includes reports from The New York Times.

No pay raise this year

SUPERVISORS

Continued from Page A1

about dealing with this issue than previous boards. The grand jury recommendation may be the cleanest way."

The board postponed further discussion to April 12, along with a formal vote on the repeal of the ordinance. Second District Supervisor Tom Rogers was absent Tuesday, and other supervisors said they wanted a full board to vote on the matter.

The supervisors earn about \$50,000 a year and have not received a pay increase since 1990. The grand jury found that board salaries in Santa Barbara County

many employees is 'No.' "

Third District Supervisor Willy Chamberlin asked Hamilton to add up employee raises for the past three years: They total 10.5 percent.

"Your suggesting that we stay flat?" Chamberlin asked. "I wonder where the fairness is."

Hamilton said that to be fair, the supervisors in the future should hold themselves to the same raises they grant to rank-and-file county employees. They should not take the same raises that county department heads receive — another proposal before the board — for "there will be horrible morale problems if that occurs," Hamilton said.

Schuler and Felt

OFM VANH 1
0583

Joe from Virginia

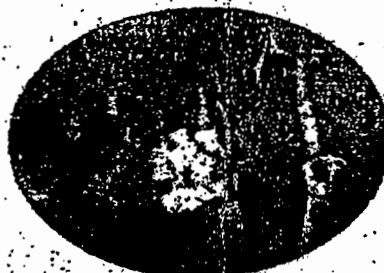
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Van Handel is the second priest to face

criminal charges in connection with the Santa Barbara seminary scandal, one of the worst in the history of the Catholic Church.

Santa Barbara police detectives arrested Van Handel at 3:45 p.m. at St. Francis Retreat Center, a Franciscan Order facility just north of Salinas.

Police expected to book him into the Santa Barbara County Jail by late Tues-

day. His bail was set at \$250,000. He is charged with lewd and lascivious acts with a child, based on accusations of a former seminary student, an unnamed Santa Barbara resident who is now 18.

Church-acknowledged molestations at the seminary spanned at least 23 years and involved at least 11 priests — a quarter of the now-defunct school staff — according to a church-funded investigative board's

report in November.

Parents of other victims and fellow victims rejoiced at Van Handel's arrest.

"Well, fantastic. This is great," said [redacted] father of [redacted] who has said Van Handel molested him in the 1980s.

SEE ARREST ON A5

75 killed as Ducian jet



Supervisors vote down

Former rector faces sexual charges

ARREST

Continued from Page A1

was unavailable for comment. Now 25, he is one of two men seeking monetary damages in civil lawsuits against the Franciscan Order that ran the seminary. Both men missed California's six-year legal deadline to file criminal charges.

Before Van Handel's arrest Tuesday, "It looked like all of these guys were going to get away with molestation," [redacted] said.

The latest accuser stepped forward March 2. He told police Van Handel had sexually abused him many times from March 1983 to September 1989. The man reported that the sexual molestations started when he was 8 years old and continued until he was 14, said Lt. John Thayer, a Police Department spokesman.

The former student told police he frequently spent the night on a couch in Van Handel's apartment

at the seminary at 2420 Garden St. During those visits, Van Handel would massage him and fondle his genitals, he reported. The visits continued once weekly from December 1987 to December 1989, after the victim left the seminary to attend Santa Barbara High School, Thayer said.

Neither Cardinal Roger Mahony of the Archdiocese of Los Angeles nor the [redacted], head of the Franciscan Order in the Western United States, was available for comment Tuesday.

Van Handel in 1992 admitted sexually abusing some seminary students, including [redacted] after the state's statute of limitations on the crime had lapsed.

In 1989, seminary priest and choir leader Philip Wolfe was convicted of child molestation and was sentenced to one year in jail. He was defrocked. He now reportedly resides at a religious center in New Mexico.

Van Handel's latest accuser kept

his secret until the special inquiry board started its probe last year to find and get counseling for victims at church expense.

[redacted] a board member and a victim's parent, said the confidential board referred Van Handel's accuser to a counselor, who evidently convinced him to go public.

"This all came from his therapist," [redacted] said.

Nine abusive priests who were documented by the board were sent to Catholic treatment centers for troubled clerics. The Franciscans did not reveal their names nor their exact whereabouts. One accused molester had died, and one reportedly had left the order and was untraceable, Franciscan officials said last year.

Van Handel was at St. Luke's treatment center in Suitland, Md., from May 1992 to June 1993. Thayer said police received information that he had returned to California recently.

Complaints rise over failed deliveries

MAIL

Continued from Page A1

plaints to Runyon.

"I wouldn't expect it to be delivered if I mailed it," she said.

"Maybe we should go back to the times of the Pony Express," said Irene Jackson. "Then maybe I'll get my mail."

About 40,000 pieces of undelivered mail, some more than 2 months old, were found in February in a letter carrier's truck parked outside the Lakeview station.

The station was among those cited in a Postal Service report earlier this month that said some Chicago postal employees use drugs and alcohol on the job and threaten and intimidate co-workers.

On Friday, police discovered more than 100 pounds of burning mail under a South Side viaduct. A mail carrier was charged Monday with dumping that mail. Sen. Paul Simon, D-Ill., who joined Sen. Carol Moseley-Braun, D-Ill., in pressuring Runyon to visit Chicago, said that mail may have been burned to cover up another delivery problem.

under investigation.

Alderman Eugene Schuler, whose ward includes the Lakeview station, said his constituents routinely receive mail late, including ads for sales that arrive days after the events are over.

Lillian Miller said she sent a

\$59.38 check for a phone bill to Ameritech's Chicago office in November, and it arrived two months later in a veterinarian's mailbox in Australia.

This story includes reports from The New York Times.

No pay raise this year

SUPERVISORS

Continued from Page A1

about dealing with this issue than previous boards. The grand jury recommendation may be the cleanest way."

The board postponed further discussion to April 12, along with a formal vote on the repeal of the ordinance. Second District Supervisor Tom Rogers was absent Tuesday, and other supervisors said they wanted a full board to vote on the matter.

The supervisors earn about \$50,000 a year and have not received a pay increase since 1990. The grand jury found that board salaries in Santa Barbara County

many employees is "No. 1."

Third District Supervisor Willy Chamberlin asked Hamilton to add up employee raises for the past three years. They total 10.5 percent.

"Your suggesting that we stay flat?" Chamberlin asked. "I wonder where the fairness is."

Hamilton said that to be fair, the supervisors in the future should hold themselves to the same raises they grant to rank-and-file county employees. They should not take the same raises that county department heads receive — another proposal before the board — for "there will be horrible morale problems if that occurs," Hamilton said.

Schuler and Miller said



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.

OFM VANH 1

0585

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

0586



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.

OFM VANH 1
0587

Psychotherapist/Patient Privilege

Psychotherapist/Patient Privilege

**OFM VANH 1
0588**

Psychotherapist/Patient Privilege



Saint Luke Institute

To: The Official Superior of Robert Vanhandle ^{HANDCL}

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

OFM VANH 1

0588



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

OFM VANH I
0589

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

OFM VANH 1
0590

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

OFM VANH 1
0591



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

OFM VANH 1

0595

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

OFM VANH 1
0596

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:

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 _____

OFM VANH 1
0597

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 Blum - surgery for St. Luke's Institute.

1st Luke's

Dr. Martin

next July. 3 days -

come home 22nd

Robert can call

Report & instructions on they will

make recommendations.

to James -

Psychotherapist/Patient Privilege

OFM VANH 1
0606

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

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.

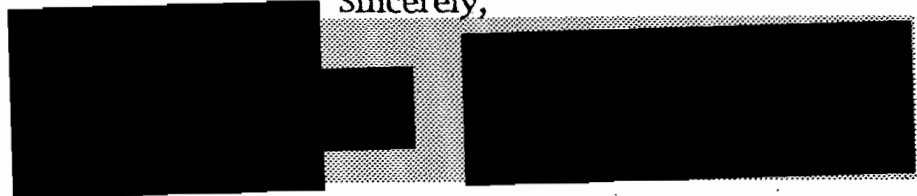
Before addressing the counseling matter we vividly recall our meeting with you and the Definitorium during the Philip Wolfe proceedings. During that meeting we presented the board with a series of attainable goals. We asked that you apprise us of the outcome of the board's deliberations regarding the 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, obscuring the signature and any text that might have been present below the closing.

Third Party Privacy Rights

- Robert Van Handel,
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

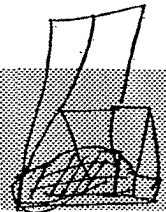
[REDACTED]

[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 22nd
for a letter. It should be sent, not
to everyone — send carefully.

[REDACTED]

return 21st

① People directly involved have
been contacted.

Should we involve everything.

Always a risk to contact -

Talk of people or 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 or
more domestic protection.

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

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.

R. Gandy. St. Louis, Sept. 7th, 10 Am

9 If really gentle, which may not appear
it is shown; what don't shall trouble -
to Robert this woman is important -
What is "Swinging" fine - of line from
perspective of Robert. Really a kind
Some of love is that of comradeship/
Marriage. Must be done one by one
- Responses can be very different.

How is it say we did something

✓ network should be made
to west people. (L)

Treatment: ① partial care / Jygh
pms;

(2) Robert's intended
restlessness - no coming home to
visit. Disturbed but not from
knowing. Could be intrusion for him
to who would be present basis.

Keep them out, the power.

* Proven Queen - Seminars -

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

* It's doing a good job - as often
to hear again, very, frustrated.

He needs someone who could - spending
jails.

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

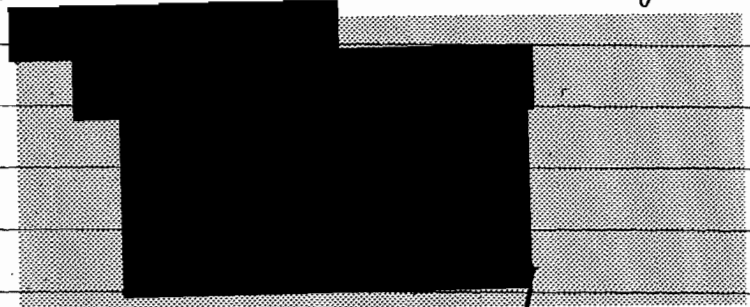
* Need to do more...

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 (hand);
↙



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 opportunities to come forward.

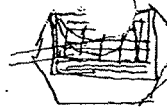
"or we could have more formal info - but he
could forget names."

- ③ say something to [redacted]

- ④ read letter to Beta Community

Send 2 letters 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 you in his party
the short and rapid broadcast

hand in the convention - bills now
we would like to know the present
position of the party.

③

Tim to work

drafting a good letter - received by me
covered - by what
- what
- from from of money
- plan to be written.

④

Prater University - and letter to them -

→ Be is gone with another

Bent 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 short letters to [redacted]
2 letters to [redacted]
Third Party Privacy
Rights

Third Party Privacy Rights

Oct 28th



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 -

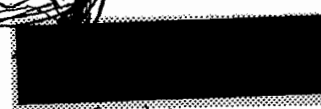
Phil Wolfe -



Mel



11:30 -

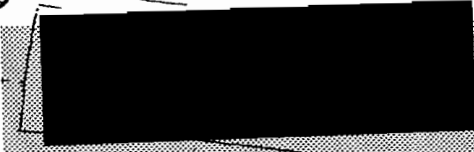


KEYT - TV.

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 -

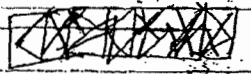
Spokane he had good mastery of English

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."

SCOTT E. GORSUCH, Ph.D.

CLINICAL PSYCHOLOGIST

1335 STATE STREET

SANTA BARBARA, CA 93101

(805) 587-3128

September 23, 1992

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

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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."

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

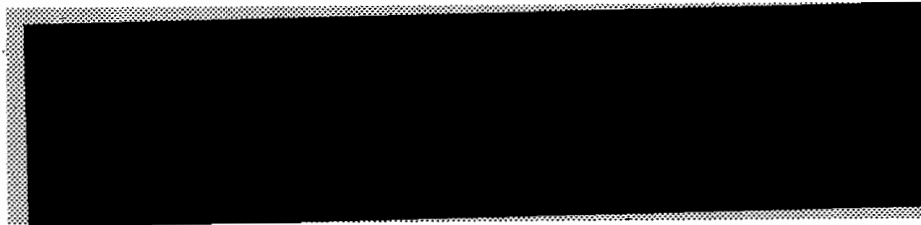
sensitively educated, the children are their own best first line of defense. There needs to be concurrent seminars for parents to educate them and foster knowledge so that the children may turn to their parents and to other adults in safety, knowing that they will be believed and threats cannot be made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

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 with flashlights.

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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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.

Assaults in Hot Tub

1976
RVH grabbed his genitals in hot tub

75-80
naked swimming with Choir Boy in pool behind mission

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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

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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

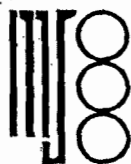
month after the victim reported Vanhandel's alleged activity.

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

Rueben Guitierrez
Santa Barbara County Probation
May 18, 1994
Page 2

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

Rueben Guitierrez
Santa Barbara County Probation
May 18, 1994
Page 3

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.

3rd PARTY PRIVACY

Rueben Guiterrez
Santa Barbara County Probation
May 18, 1994
Page 4

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

3rd PARTY PRIVACY

Rueben Guitierrez
Santa Barbara County Probation
May 18, 1994
Page 5

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

OFM VANH 1

0642

Third Party Privacy Rights

Rueben Guitierrez
Santa Barbara County Probation
May 18, 1994
Page 6

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]

OFM VANH 1
0643

Third Party Privacy Rights

Rueben Guterrez
Santa Barbara County Probation
May 18, 1994
Page 7

[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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0644

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.

Rueben Guiterrez
Santa Barbara County Probation
May 18, 1994
Page 11

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 ^{SUCH} 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.

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**OFM VANH 1
0657**

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

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OFM VANH 1

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

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OFM VANH 1
0659

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

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OFM VANH 1
0660

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

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OFGM VANH 1
0661

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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

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OFM VANH 1
0662

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

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OFM VANH 1
0663

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.

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OFM VANH 1
0664

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

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OFM VANH 1
0665

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.

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OFM VANH 1
0666

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.

"Thank you."

REDACTED

VICTIM INFORMATION:

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

OFM VANH 1

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OFM VANH 1
0667

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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

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OFM VANH 1
0668

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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

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OEM VANH 1

0669

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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

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OFM VANH 1
0670

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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.

OFM VANH 1

0670

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OEM VANH 1
0671

1 Psychological:

On May 18, 1994, Mr. Michael John Bremia, MSW, prepared an 11-page psychological report on the defendant. The Court is respectfully directed to said report, which is appended to 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
of two years. However, the defendant wished to
note that he feels he has never had a problem with
the substance.

11 Drug Use

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

15 Drugs of choice: Does not apply

16 Past Substance Abuse, Treatment: None

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
Catholic Church as a
Franciscan.

25 Assets:

Debts:

Income:

Monthly Expenses

26 -0-

-0-

\$75/mo.

-0-

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OFM VANH 1

0671

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OFM VANH 1
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Ability to Pay Fine, Restitution and Probation Fees:

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

Other Relevant Information:

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

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

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

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

OFM VANH 1

0672

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OFM VANH 1

0673

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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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OFM VANH 1

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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

OFM VANH 1

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OFM VANH 1
0675

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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. [REDACTED] 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 [REDACTED]. 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 [REDACTED] 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 [REDACTED] and
perhaps [REDACTED] brothers, and with [REDACTED] who
wrote the intervention letter. Once at night, I also
gave [REDACTED] 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

OEM VANH 1
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OEM VANH 1
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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

OFM VANH 1

0677

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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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OFM VANH 1
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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.

OFM VANH 1

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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 //

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OFM VANH 1
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OFM VANH 1
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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 1. The defendant has no prior record.

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

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

7 (Judicial Rule 408(a))

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

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OFM VANH 1

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OFM VANH 1
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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;

OFM VANH 1

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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.

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OFM VANH 1

0684

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.

OEM VANH I

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OFM VANH 1
0685

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.

OEM VANH 1
0685

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OFM VANH 1
0686

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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OFM VANH 1
0687

I was born in April of 1947 in Georgetown, British Guiana (now called Guyana), on the north east coast of South America. My father was an American of Dutch descent whose home was in Wisconsin. He was an officer in the army air corps, later the Air Force. He was the eldest of a large family, and had sad memories of his childhood in the depression. He could be charming and smooth, and I think may have been a bit of a womanizer.

My mother was born in British Guiana. Her family was colonial British. I think one of my great uncles had been governor of the colony. Her family was also large but she was not the eldest. She seems to have had a very happy childhood, as she often would entertain my two sisters and me with tales of long holidays in Tobago and Trinidad, as well as stories of formal parties at their home in Georgetown. She grew up near the sea in a nearly perfect climate. Servants did the cleaning and cooking, nurses took care of the children. My mother did not know her way around a kitchen until she was forced to produce meals after becoming married. My father used to say he taught mom to cook.

My parents met under bizarre conditions, my father having been pulled off a military transport bound for the war in North Africa. At a dance they met and my dad, splendid in military uniform, announced that first night that he would marry my mother. She found him to be a very forward American. In fact they were married in Wisconsin in 1943 and my mother became pregnant almost immediately. My sister Sandra was born in April 1944, and Christine a year and a day later. I have been told that my mother adapted very poorly to life in Wisconsin with its fierce winters. They did not have much money and my mother would have periods of depression. When she was pregnant with me her doctor told my dad, "If you want your wife to live long enough to raise the children, take her back to her home." So I was the third child born in April. I had a normal birth and was taken care of by the family nurse. Before I was two years old we moved back to Wisconsin.

My earliest memory, and I am not sure this ever really happened, is of a doctor and my father examining my penis to see if I should be circumcised, as this was not "automatic" in British hospitals. My sisters were near the door and later told me that people walking by could see me. Did this ever happen? I don't know. Anyway the decision was not to circumcise which made me feel and look different from American boys. As I grew up I would avoid situations where I would have to change in front of others. Early in life my genitals were a source of shame to me.

We lived in many different places when I was small, and consequently my closest friends were my sisters. Before I was seven we lived in British Guiana, Wisconsin, Buffalo New

OFM VANH 1

0687

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York, Atlanta Georgia, and Van Nuys, California. Part of this time my father was away in Germany, and I think, Japan. I have very few memories of these years. I don't know what effect my father's absence had on me, but I was much closer to my mother and sisters.

I have two important memories from when I was six or seven years old. One was quite traumatic. We were living in the San Fernando Valley, and my dad was working at Edward's Air Force Base in the desert. He would come home to the apartment on weekends. On one of these occasions my mother and he must have had a fight. Our family was one in which there was a minimum of demonstrable emotion. We did not hug, or say endearing things to each other. Never were voices raised. We children were expected to be well behaved and quiet. No one ever yelled. At times we were spanked, but there was never a big scene. I think my mother has always been rather passive toward my dad, and she was conscious in those early years of her complete dependence on him. At any rate, there must have been some scene, and my dad came to me and announced that he no longer loved my mother, and instead was going to live in Germany with a woman he loved there. (I think he had an affair while he was overseas.) I came completely unglued. I became frantic and begged him not to leave us. I think all my fears of abandonment focussed on this moment. Years later my mother said she never understood why he had said that to me, such a small boy. She knew I would never forget it. As it turned out my dad stayed, but I am sure in the back of my mind I always feared abandonment.

The other memories I have are childhood sexuality memories of playing doctor with a girl named Marsha, of teasing my sisters about their boyfriends, and such. I have a vivid memory of getting in trouble for pulling down the pants of a smaller boy who lived in our apartment complex. I was with two other boys when we did this, and it may have been my idea. We did get caught by the small boy's mother and I remember being terrified that I was going to be punished. As it turned out my mother just told me not to do it again.

After living two more places in the Los Angeles area, and going to two more schools, we moved to a nice house in Orange County near Knott's Berry Farm and Disneyland. There used to be oranges there in those days. I was ten years old. My brother Peter had been born the previous year, and another brother, David, was born when I was eleven. So we almost had two families: the one in which I grew up with my two sisters, and a decade later one with two small boys. We all went to Catholic schools...my father is a great believer in quality education and he felt the nuns were the best available. We were told that if we got in trouble at school we could expect double that when we got home. I had a few friends, and I became an altar boy. I remember one frantic night when I was in training and the priest in charge told me

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**OFM VANH 1
0689**

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that I could not be an altar boy because my Latin pronunciation was so bad. I went home sobbing and quite sure my father would be angry and disappointed. I have a memory of him sitting at my bedside and comforting me. He said he would get me a tutor. I remember being surprised that I was not in trouble, and I feel that my father empathized with his frightened son. I don't have many memories like that.

We were a proud Catholic family, and my father would put us on parade whenever possible. We would march down the front aisle on Sundays and sit conspicuously in a front pew. My dad became president of the Holy Name Society. We prayed the rosary as a family. We never watched television during the week, and on weekends we could only watch what my dad marked in the TV Guide. All homework had to be checked by him before being handed in to the nuns. During the summer we were required to bring home schoolbooks and dad would assign work daily. There was no doubt who ruled our lives. None of us could envision rebellion. My dad drank at the time, and eventually developed into an alcoholic, but I don't remember abuse of liquor. I do remember my dad's unpredictable and awful temper. Once my sister Christine went to a skating rink with a friend. Christine wore a skating skirt which my father had forbidden as being prurient. The other girl's parent was to have picked them up, but my father did instead. He said nothing to Christine on the way home, but once in the house he exploded as he had never before. He ripped the skirt from my sister and tore it to shreds. He was in a rage. My mother tried to stop him and then he turned on her. She locked herself in the bathroom but my dad kicked a hole in the door. All of us children were terrified and crying. It was one of the worst nights of my life. I don't remember how it ended, but the next day it was as if nothing had happened. A full-length mirror was bought and placed over the wrecked door. Everyone tip-toed around, but I don't think the incident was ever mentioned. We still lived in terror of another explosion. I described it as always having to walk on eggs so as not to upset my father. My mother claims it was like living next to a live volcano.

When I was thirteen I was emptying the garbage when I discovered a used Kotex. I hadn't a clue what it was so I carried it back into the house and showed it to one of my sisters. I said, "Look, some one's been bleeding!" My sister about died of embarrassment and I was rushed out of the room without explanation. What great secret had I uncovered? A few days later my father sat me down and together we began to read through a sex education book which had been recommended by the priests. They could not have chosen a worse source, because it was very anti-sex, and I believed every word. The pope would not have laid out a more conservative approach had he personally given the instruction. I remember verbatim one section when the book dealt with wet dreams. These were events that were

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OFM VANH 1
0690

unavoidable but nevertheless to be resisted. Consider the pleasure one might realize to be poison to the soul. Wet dreams were like poison candy, it tasted sweet, but would kill the immortal soul. Any slip in a stalwart resolve to fight against the pleasure should be confessed immediately. Masturbation was unspeakably evil. I swallowed the instruction hook, line, and sinker. I would resist sexual pleasure forever. Every night I prayed that I would be spared a wet dream for fear I would fail to resist. I wanted to remain pre-pubescent. I didn't want to grow up into the confusing world of adolescence. When I began to grow pubic hair I secretly used an electric shaver to remove it. I was terribly ashamed. I prayed that my penis would remain small like a boy's. I thought men's genitals were ugly. I did whatever I could to resist the inevitable arrival of puberty.

Fitting well into this fear of sex, women, men, and my father, was the idea of going off to the seminary to be a priest. I had started to think about this years before, and I don't remember if the idea was mine or my father's. He certainly encouraged it, and probably would not have accepted any other profession from me. I was glad to be going away from home, and some of my friends from eighth grade were going to St. Anthony's in Santa Barbara also. I remember being disappointed when my father would not let me go to my graduation dance with my school friends. He said he didn't think the fathers at the seminary would approve of dancing with girls and such. I never protested, but did as I was told. At the age of fourteen I was off to boarding school.



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OFM VANH 1
0691

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St. Anthony's was a small school of 230 students housed in large stone buildings behind Mission Santa Barbara. Most of the students were from middle class families and all arrived with hope of becoming priests and Franciscans. The dormitories were really barracks. There was very little privacy, which was difficult for me at first. This minor seminary functioned as both a pre-training program for priests and as a filter mechanism for straining out those who were not suitable. or at least that's how it worked on paper. As a result the senior class had about thirty members, while there were one hundred ninth graders.

I was not terribly homesick, and I adapted quickly to life at the seminary. The routine drove some out. I thrived. I loved the camaraderie, the instant allegiance to a group, the encouraged competition between classes. I was bullied by some of the older boys, but not to any serious degree. I was 5' 1" tall and weighed 102 pounds. I had never won a fight. The school prided itself on its monastic order and discipline. The chapel was beautiful with high vaulted ceiling, deeply shaded stained glass, and magnificent pipe organ. I came to love the services and mourned over the fact that I was not chosen for the choir. For three years I tried to join, and was only accepted as a senior. This experience affected the way I constructed choirs many years later. We played sports daily, and the school was divided into teams with varying divisions so that one was playing those of equal ability, or shall I say, inability. I learned to play football and baseball well, and I played handball at any available moment. Basketball was more difficult for me. St. Anthony's was very demanding academically. Languages were emphasized. Latin, Spanish, and Greek were required. Italian and German were electives, but one had to take an elective. Social studies, the arts, English, natural science, religion, were considered important. Mathematics were not well taught. Discipline was enforced through the ranks, and many older students abused their privilege, but basically the school ran smoothly. It was a microcosm, and the outside world had little to do with our lives. I thrived. *was never happier.*

Sex had very little to do with anything else in my life at that time. I knew of no liaisons among the students, or between the all male faculty and students. I never masturbated, and I often wondered what other boys confessed so often -- there was always a line at the confessional box before the 6:15 am Mass. I had reached puberty by the time I was a sophomore, and I suppose I had some wet dreams, but I was still afraid of any sexual thought or act. I remember lying in my bed and tickling myself -- not touching my genitals -- because the stimulation felt good. Actually I remember my first wet dream, during the summer after my freshman year. I recall fighting against any enjoyment and compulsively trying to utter some holy words so I would not do so. It was a real ordeal.

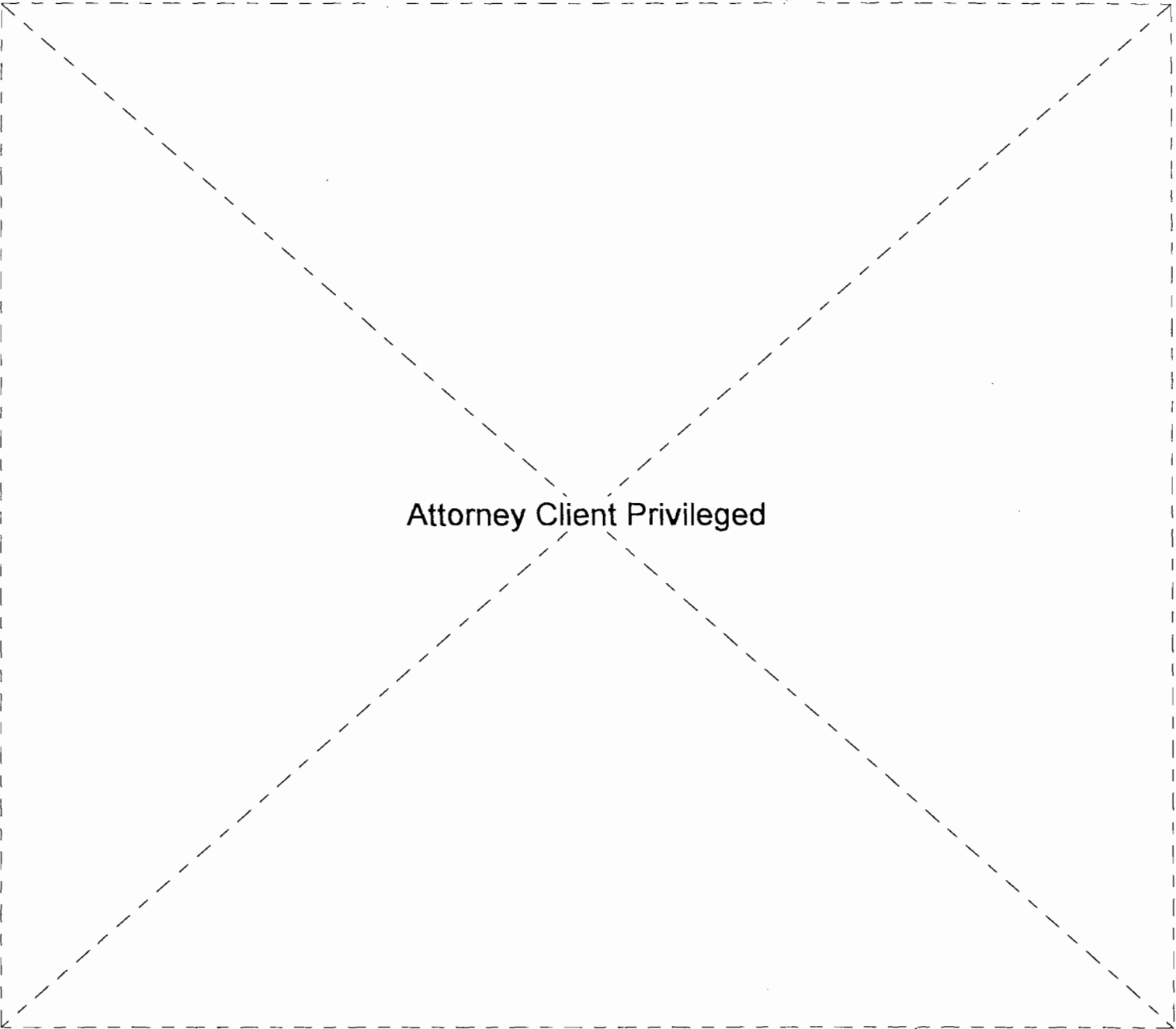
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I wished I could fantasize about girls but I was afraid to do so. I lived a very pure life. When I was a junior we had a sex education course, which included basic facts and much morality. I was afraid to ask questions and admired those who were courageous enough to raise their hands. Once someone asked what exactly did "fuck" mean? There was dead silence in the room. That word was never heard at the school. The priest explained that it was a crude way of denoting sexual intercourse. I was grateful for the knowledge, as I hadn't a clue what it meant.

Gradually many of my friends left the school. They either failed the academic course, did not seem to have the correct attitudes, were disobedient in various small ways, or were simply judged "not to have a vocation". Some left on their own. At Christmas of my sophomore year, five boys were summarily expelled after the school's annual Christmas concert. Their crime: talking with some girls after the concert. No contact with the opposite sex was allowed.

In 1965 I graduated from the high school and went directly into the major seminary college in San Luis Rey, forty miles above San Diego. Again the school was a closed system, capable of functioning quite independently of the rest of the world. Academics were stressed, sports were not as important as in high school. Some men joined our class who had not been with us at the minor seminary. These were considered "delayed vocations" and were somewhat suspect from the start. For those of us who had been together before these new students arrived with a refreshing attitude that things could be done differently. This was the day of Peter, Paul and Mary, The Mamas and the Papas, and Bob Dylan. We would sit out near the orchard after supper and sing protest songs. It was at one of these sessions that some guys started talking about masturbation. I don't remember why the topic arose or what was said. What I did realize was that none of my classmates considered it wrong, and that I was the only one in the group who did not do it. We had been educated in a fairly liberal spirit, and not only did my classmates reject the categorization of sin into venial and mortal, but many of them questioned the church's entire approach to sin, guilt, sexual ethics, and many other questions. Further, the faculty had recently been on "retreat" with Carl Rogers who had introduced them to a whole new way of relating. There were encounter groups started and talk of "getting out our feelings". Sometimes days of recollection would end with the groups holding hands and swaying to Indian chants by candle-light. I was frightened of much of this, and tried to avoid "touchy-feely" sessions. But the atmosphere was away from judgment and toward embracing, accepting, and sharing. I accepted most of the new theology in the church, and was considered a radical by my family, but I was never comfortable with some of the physical byproducts of this new renaissance.



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OFM VANH 1
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Autobiography: an insert

There is one event which I forgot to include from my high school years. I have never been able to assess its significance but I have downplayed its importance in my development. I don't remember thinking it too important at the time, and I am reluctant to give it too much power now. In fact, I don't feel particularly comfortable bringing it up at all.

One night when I was in boarding school I was sleeping alone in the school infirmary because I was running a fever. I must have been a sophomore or a junior. I woke up in the night to find a priest sitting on my bed and ready to take my temperature, which he did. Then he took off the covers, lifted my pajama tops and lowered the bottoms. I tried to stop this, but he gently moved my hand out of the way. Then he placed a folded towel on my chest and began to rub my stomach and chest. I became erect from the stimulation and his hand did rub against my penis several times. I remember feeling some distress at this because I did not know how much of this it might take to cause ejaculation. Before this did happen he stopped, covered me up, and left. The whole thing lasted, I suppose, about ten minutes. The next morning he asked me if I had been awake when he came in. When I said "yes" he said that he was trying to lower my temperature by making me perspire. I thought all this was a bit odd, but I never told anyone about it and pretty soon it faded from my memory. While I don't think it is of crucial importance in my life, it is curious that this is nearly the exact activity I would perform ten to fifteen years later.

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OFM VANH 1

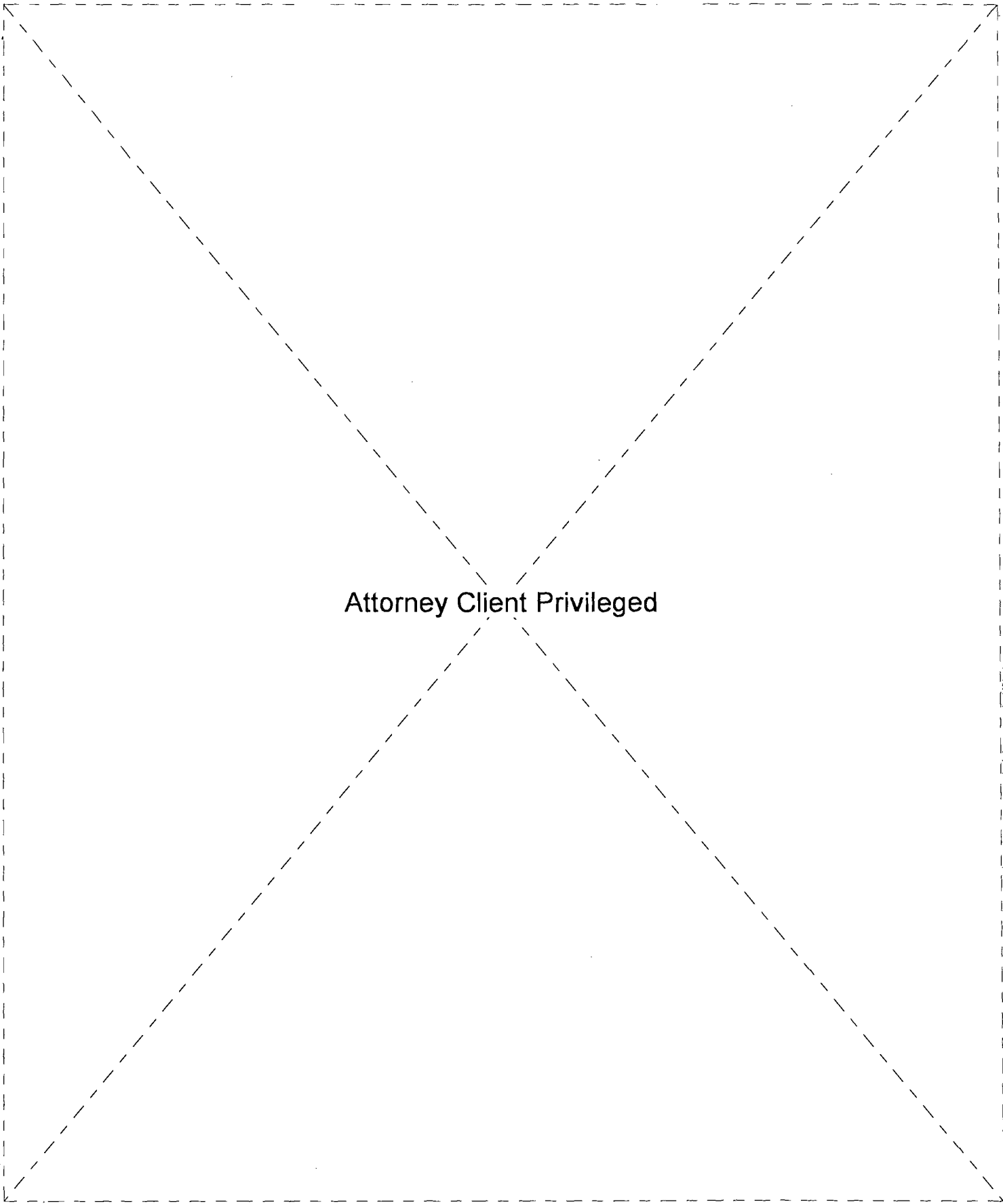
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I decided I would masturbate (I think we said "jack off"), but I wasn't sure what to do. I knew I was supposed to rub my penis, but how and for how long? I went to my room, locked the door, spread a towel on the bed, and lay on my stomach rocking back and forth. I suppose I fantasized about a naked woman, and after what I thought was a very long time, suddenly it worked! I was very impressed and decided I had a lot of time to make up. I did not feel guilty at all. I don't remember how often I masturbated after that, but probably several times a week. I don't think I ever confessed it as a sin, or ever told anyone about it. It was the beginning of a secret life.

San Luis Rey was adjacent to Camp Pendleton Marine Base, and the local town had a number of sex shops. I remember the first time I looked into the door of one, and saw row after row of magazines of naked women. I couldn't believe it. I walked out dazzled. Later I actually bought one and kept it between the mattresses in my room. That helped masturbation fantasies. I also read some "dirty novels". Probably it was here that I read my first story involving women and small boys. That image was very erotic for me, and eventually I read a lot of these books about women having sex with minors. I also bought some porno magazines of naked children. I asked my best friend once if he saw anything "special" in pictures of children. He said, "No, not at all." I began to realize that I was different. Sometimes I worried about this, but I thought that as long as it was just fantasy, there was no reason to panic. I knew that most people could dream about things they would never actually do.

A few times during the summers of my college years I associated with some young women who were family friends. Once I took a girl to dinner and a movie. We were definitely not lovers or anything like that, but had been friends for years. When I graduated from college and petitioned to continue in the Franciscan program, one of the examiners asked if I had ever dated. They didn't want me to go on if I had no experience of any alternatives. I told them I had dated a few times, and that I was fully aware of what I was doing. I was passed on to the next step.

That summer I worked at Children's Farm Home in Corvallis, Oregon. I had some experience teaching children religion in classes at Camp Pendleton, and I found I was very successful and happy doing this. In the back of my mind I wanted to be a child psychologist, or social worker, or teacher. In Oregon I was on a team taking care of older adolescents. This was difficult both because I didn't really like these boys, and because I was only a few years older than they. I petitioned to work with the 12 and 13 year olds, but it was denied. I did enjoy something of a friendship with a college girl/woman named Lora Saleen from Sweet Home, Oregon. We would go



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OFM VANH 1
0695

9.

for rides on my little Honda motorbike and have picnics. I really liked her and we got along well. She knew that I was in line to be a priest, and that probably stultified the relationship somewhat. On the other hand she felt safe. I distinctly remember one night when a number of us counselors were having a "get together" at the house where I lived. When the dancing started I panicked because I didn't know what to do. I didn't know how to dance. So, I excused myself, went into my room, locked the door and masturbated to visions of a naked Lora. I also remember being very angry that I was so inadequate. Later that summer the group showed me how to dance. I loved both slow, close dancing, and the faster, freer style. Once started, I didn't want to stop. At summer's end I returned south to California and entered the Franciscan novitiate in Sacramento. Lora and I wrote each other a few times, then the friendship faded. I had never even kissed her goodbye. A few months ago I threw out the old letters from her that I had saved all these years.

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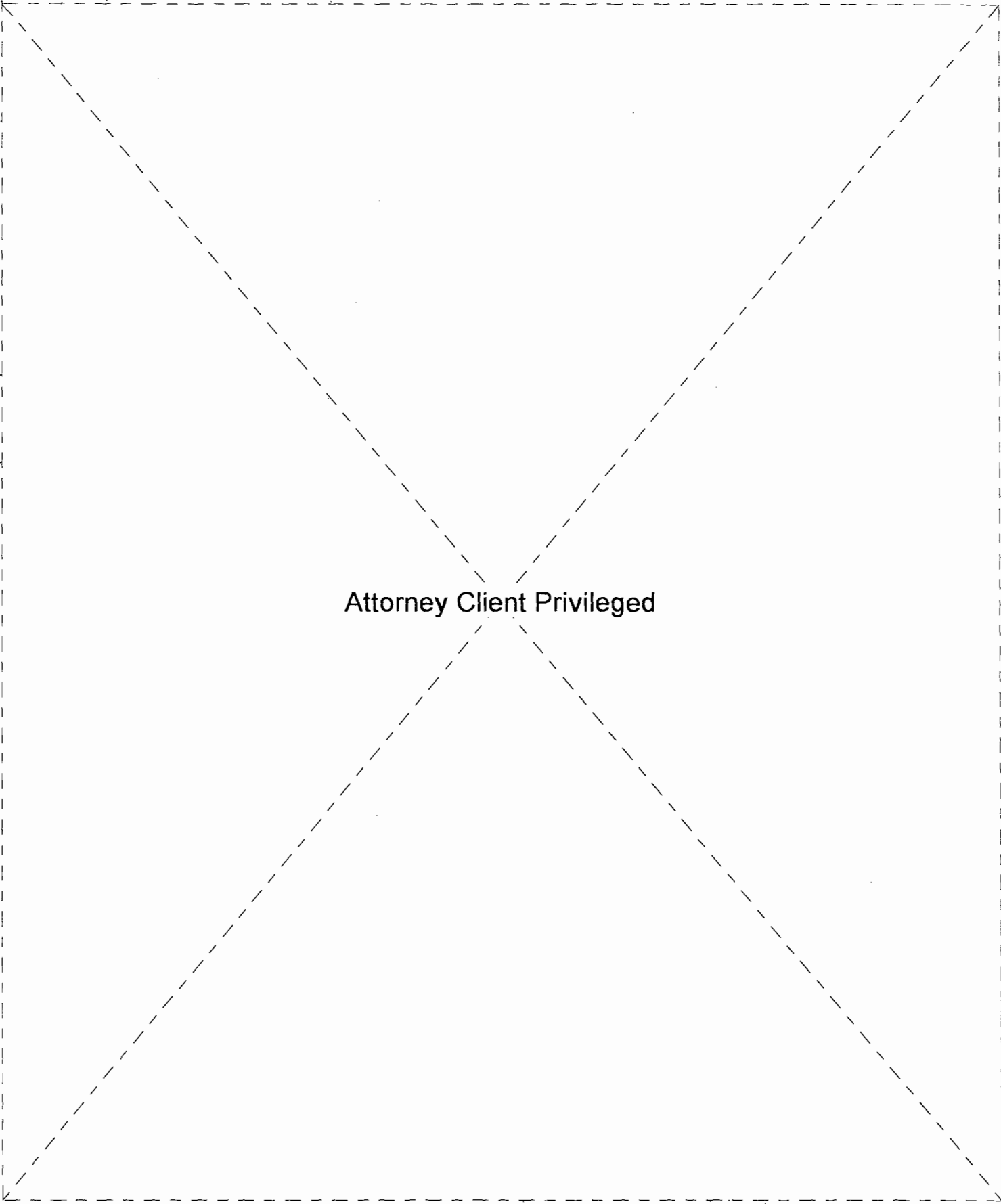
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OFM VANH 1
0696

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In novitiate I received the Franciscan robes and began a program which would run several years, and conclude in a "final" commitment to life as a Franciscan and then ordination. I never had a "vocation crisis" or a vision or a rebirth. I just followed the schedule, basically did as I was told, and kept my mouth shut. I had always been skilled at pleasing authority figures. Novitiate proved rather boring, so I looked for something else to do. My confreres took various jobs around the plant, such as cleaning the church, cooking for the group, or teaching religion at the adjacent school. I wanted something outside of the place so that I could be more independent. I applied for a job at a local Catholic children's home which had once been an orphanage and now was a boarding and day school for "dependent children", many of whom had been assigned there for various reasons by the courts. I started working a couple of hours a day supervising the play period of 10 to thirteen year old boys. Sometimes on Saturdays I worked all day, or now and then I would be called in on an emergency when someone got lost or ran away. I was good at my job, understood the children well, and was able to set my own schedule in novitiate. This was unheard of since novitiate was supposed to be a carefully regulated life. This was a pattern I later became known for: being able to set my own agenda on the edge of a group so that no one ever knew exactly what was going on with me.

There was one boy at St. Patrick's Children's Home in whom I took special interest. Perhaps he seemed more vulnerable than the rest. Maybe there was something about him that was physically attractive to me. I used to spend extra time talking with him and helping him with his homework. I never abused the boy or touched him inappropriately, but I clearly was attracted to him. The nun in charge always supervised the boys' showers and bed-times, in fact:



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OFM VANH 1
0697

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After one year of this I took leave of Sacramento and moved to Berkeley. There I was enrolled in the Franciscan School of Theology and became a member of the Graduate Theological Union. While the Union had existed for some years, it was only recently that Catholic students and faculty had begun to participate. This was truly an ecumenical educational experience. For the first time I really became interested in academics. I began working for an M.A. degree in English church history. There was a lot of freedom given us students and I thoroughly enjoyed designing my own program, both in studies and in life. For the first time I was not carefully monitored. I flourished. A colleague of mine, another Franciscan, was in charge of music at the Catholic college Newman Center. This also functioned as an area parish. Knowing that I was interested in boys choirs and music, he asked me to think about starting a boys

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**OFM VANH 1
0698**

choir at Newman. I did so, I recruited and trained the choir while making many friends with the boys' parents and siblings. I worked very hard and the choir met with a measure of success. I was quite happy. I was invited out often by people connected to the choir. As always, people seemed to trust me implicitly.

What was going on sexually at this time? I was still masturbating, and from time to time I would purchase some pornographic novel or magazine. This was a very free time in Berkeley -- the early 70's. It would not be uncommon to see children take off their clothes and paddle around one of the campus fountains. This was of great interest to me, and sometimes I would photograph them with my telephoto lens. I also found in one of the full service book stores on Telegraph, some photography essays which centered on boys. Some of these were very acceptable, some less so, but from these books that I purchased the idea grew of taking my own photos of boys. In fact I did so on two occasions. once with [redacted] and once with [redacted]. My relationship with [redacted] is the more significant of the two.

When [redacted] first joined boys choir he was young, seven or eight years old, and very vulnerable because his parents were going through a divorce. He had light brown or blonde hair and blue eyes. He also sang quite well. Before long he was singing solos and coming for extra practices. I knew his mother well, also his sisters and grandmother. The family was comfortable with me and with the care and interest I took in [redacted]. Once I was with [redacted] alone at a borrowed beach cabin. I had decided we were going to do a one day look at a boys life in pictures. I had a photo journal from which I got the idea. So we did a sequence from rising to going to bed complete with bath and a trip to the beach. I don't remember how [redacted] reacted to all of this, but he was cooperative. He trusted me. I'm sure for me the exercise was sexually stimulating. I eventually had the film developed in Germany and small prints made, which I would look at from time to time. Finally I destroyed negatives and prints. But there is more to the story of [redacted] and me. We used to wrestle, and I would tickle him, while paying special attention to touching his genitals. One summer he came and spent a month with me in Oregon, where the same type of activity was repeated many times. Always this was done under the cover of some "legitimate" touching. [redacted] never seemed to mind, and I wasn't about to stop on my own. He sang some solos at a Mass 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 [redacted] along with a recent address. Today [redacted] is in therapy trying to recover from my molesting him.

About this same time, or possibly before, I molested my little [redacted] in Oregon. I was staying at my [redacted]'s home, and while she

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was at work I would babysit [REDACTED] 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 [REDACTED] 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 [REDACTED] had gone to bed in her room which was at a distance from the children's rooms. At any rate, I told [REDACTED] to go to bed and I took [REDACTED] to his room, helped him with 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 [REDACTED] 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 [REDACTED] about that night. No one has ever spoken to me about it.

During these years, the early 70's, I made one attempt to deal with my disturbing thoughts and actions. I tried to tell a Franciscan counsellor about it on two occasions. I always used such a round-about presentation that at neither time did he discover what I was talking about. I would hint, he would stab, and we missed each other entirely. Once I said that I was worried about the attraction boys were to me. He said he knew what I meant, that he would like to spend more of his time visiting the elderly, but he still had to leave enough time for his academic work. How was my master's thesis coming, etc.?

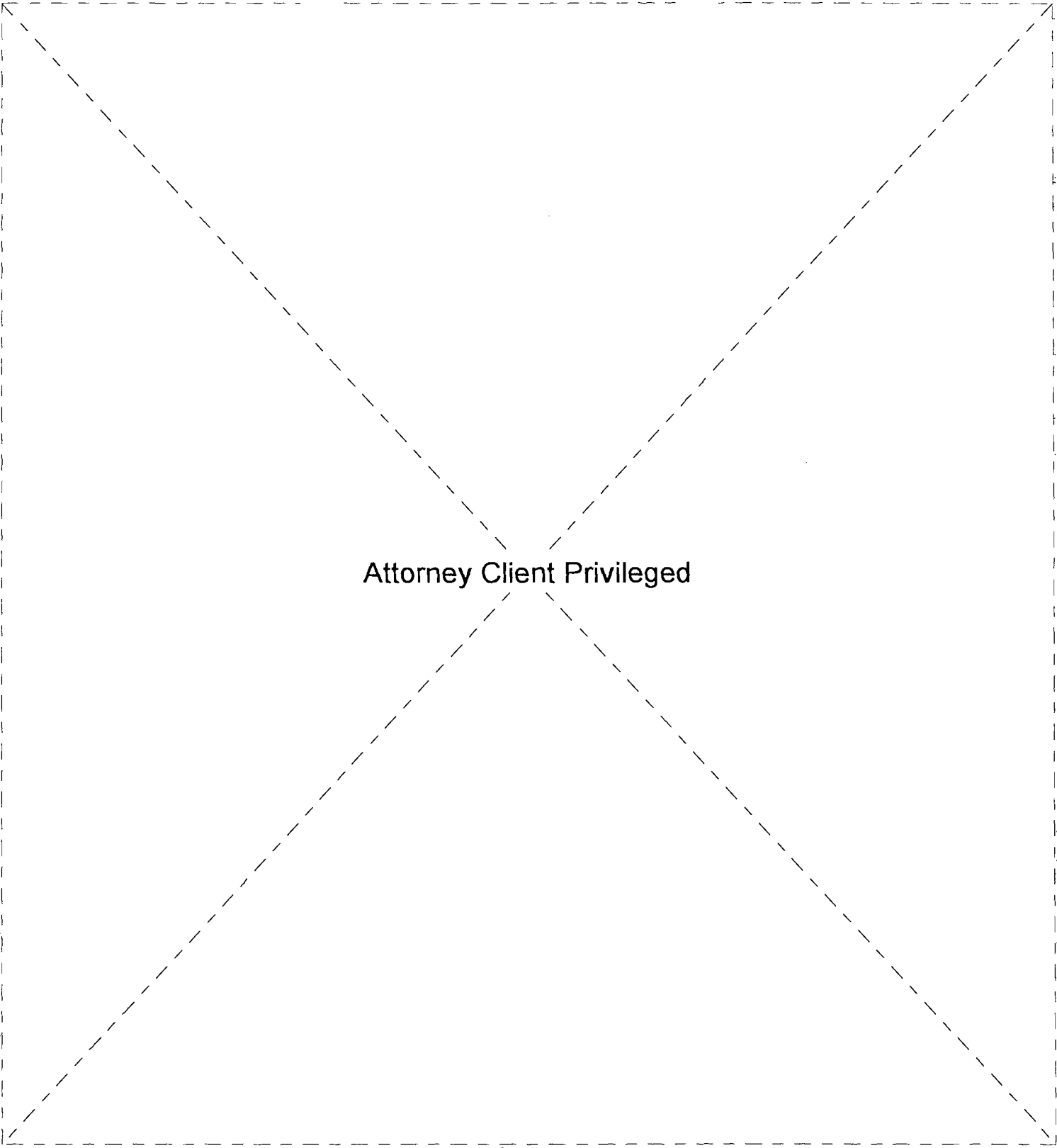
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OFM VANH 1
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In 1972 I completed a master's degree in theology, and the next year I was ordained a deacon. Soon after I received permission to spend a year in England and Germany working as a research assistant to a law professor from Cal Berkeley. I was very good friends with his family, and I would also help take care of the four boys and a girl so that the parents could escape on occasion and travel without the family. I never abused any of the children, and I don't remember being tempted to do so, although there would have been ample opportunity. I loved the time in Europe, and specialized in learning the intricacies of the English school system. For a time I lived in Oxford, and then in Cambridge where I soaked up the culture of the English cathedral and collegiate choir. I resolved to return whenever I got the chance. I do remember spending some time in a porno shop in Amsterdam, which had examples of every kind of sex you can imagine, but I bought nothing there. I did buy the German edition of a large sex education book which later appeared in this country under the name Show Me! It sold here in Dalton Book Stores and featured naked children. I also bought a French sex education book with several photos of a family au naturel. I kept these hidden from the family with which I was staying. I also investigated the possibility of studying English history at one of the universities, but that never worked out.

When I returned to California I served as a deacon in our church in Phoenix, and then in May of 1975 I was ordained a priest in the new St. Mary's Cathedral in San Francisco. Here was the focal point of fourteen years of study and training. My family proudly posed with me for photographs. My parents were beaming. My mother's parish priest use to say to her, "You are very blessed -- the mother of a priest." My sisters had always doubted that I was doing the right thing with my life, but on that day and the following when I said Mass for the first time at the parish church everyone joined in the celebration. As usual I was having trouble staying in the moment, as I was planning the next step. I had been accepted in the elementary teacher education program at Cal Berkeley, and I was hoping to teach children. The provincial met with me and I explained what my plans were. His were different. St. Anthony's Seminary in Santa Barbara was desperate for a teacher, and he wanted me to go there. The school had changed radically after I had graduated ten years before, and I did not like its new policies. I told the provincial I didn't want to go there, and after an exploratory visit, I was convinced that I was right. I argued with the provincial, who reminded me of my vow of obedience. A few weeks later, during the summer vacation, I moved down to Santa Barbara, angry, resentful and hurt.

I used to help out on Sundays by saying Mass at the Old Mission. The ushers and lectors referred to me as "the rookie". At times I was the only one resident at the school, a large four-story stone



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14

building connected with dormitories, classrooms, cavernous halls, and dark passages. The grounds cover sixteen acres. One night a crazy man climbed in my third-story bedroom window and said he was the son of god. I was lonely, confused, inexperienced, and angry

The real nightmare began when the faculty and students arrived in late August. Gone was the clean-cut, middle class student body of my schoolboy years. True to the Franciscan ideal, the school had begun to cater to the poor, the disadvantaged, those who badly needed a good education to survive. It was a noble cause, and among these students were some very fine young men, some of whom became Franciscans, but the experience was very different from the early sixties. Girlfriends were tolerated, and after some time were even encouraged. In many ways the curriculum was now up to date and more practical, but the classics had been dropped. Latin and Greek were no longer offered, and so on. I was supposed to replace two people who had left, and no experienced faculty member wanted to increase his teaching load, so as new man on the team I was given the courses that had been taught by two men. I had never been in a classroom before as a teacher, but I was given a heavy work load. That first year I taught Fresh social studies, Sophomore history (1 sem.), and religion, upper division art/music appreciation, and Senior psychology (1 sem.). Then the choir director quit just before the school's annual concert, so I took over that also. I was dean and chaplain for the sophomore class, and also took my turn at supervising students in the dining room, study hall, dormitory, and weekend free times. Soon I came to hate most teenagers. They were loud, ill-mannered, and always in trouble. In the first few months of fall I decided to do something I would enjoy and that I could control. I founded the Santa Barbara Boys Choir, and recruited boys from area churches and schools. More and more I spent my free time (such as it was) working on the choir and separating myself from my fellow Franciscans. The school administration was suspicious and jealous of the boys choir from the start. I became more secretive and isolated. I had lost my place at Cal, but I was teaching small boys anyway, and I had complete control of the organization. Early in the choir's history I began involving parents in planning, fund-raising, etc., but it was clearly my choir, and the fulfillment of one of my fondest dreams. Now I understand that it was also a constant supply of attractive little boys.

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OFM VANH 1

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15

I don't remember who was the first boy with whom I acted inappropriately in Santa Barbara, but I do remember several different boys all of whom I associated with in the first or second year. The choir only rehearsed once a week in those early days, so if a special song was to be worked on, it had to be outside of the normal practice time. As a result there were any number of times when I would have arranged to be alone with a boy. Often I would plan not only to rehearse music with a particular boy, but also would want to play certain games with him, which were sexually charged experiences for me. I was in my late twenties, and these boys were eight to eleven years old. Parents always seemed supportive and generally delivered their sons, and collected them several hours later. Almost always I would start with a music practice for perhaps an hour. Eventually we would end up playing darts in my office. If the boys lost the game, he would have to submit to being tickled for a certain length of time. Usually I would suggest or insist that he wear a pair of athletic shorts without underwear "so that I could tickle him better." Because these shorts had large leg openings, I could not only see the boy's genitals, but also rub against them while tickling him on the stomach or legs. I used this same pattern with several boys, and this is what my intervention letter described. I would find this kind of play very stimulating and would have an erection. I don't know if any of the boys ever noticed this, as I was always fully clothed, but I was conscious of it. After this game, which might last twenty minutes or an hour, I would tell the boy to change back into his clothes and we might do something else, like hike along the creek behind the seminary. Then he would be picked up or I would take him home. Later I would masturbate while imagining rubbing a boy's penis. All of these fantasies would involve a contextual story, that is, I would imagine arranging a meeting, what clothes the boy would be wearing, what dialogue would take place, etc. Even if I used an image of a boy I did not know in a fantasy, I would have to make up a story which would place the boy in some sort of relationship with me. I don't know why it was so important for me to do this, but a large part of the excitement would be imagining this "grooming" behavior. The same is true with my fantasies of women, that is, I would have to create some type of relationship on which to base the sexual encounter. Perhaps this is why prostitution or anonymous sex always seems so repulsive to me, or at least I have trouble imagining sex with someone I don't know. I have been speaking of a general pattern of behavior, now I suppose I should tell of some specific happenings

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,

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14

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

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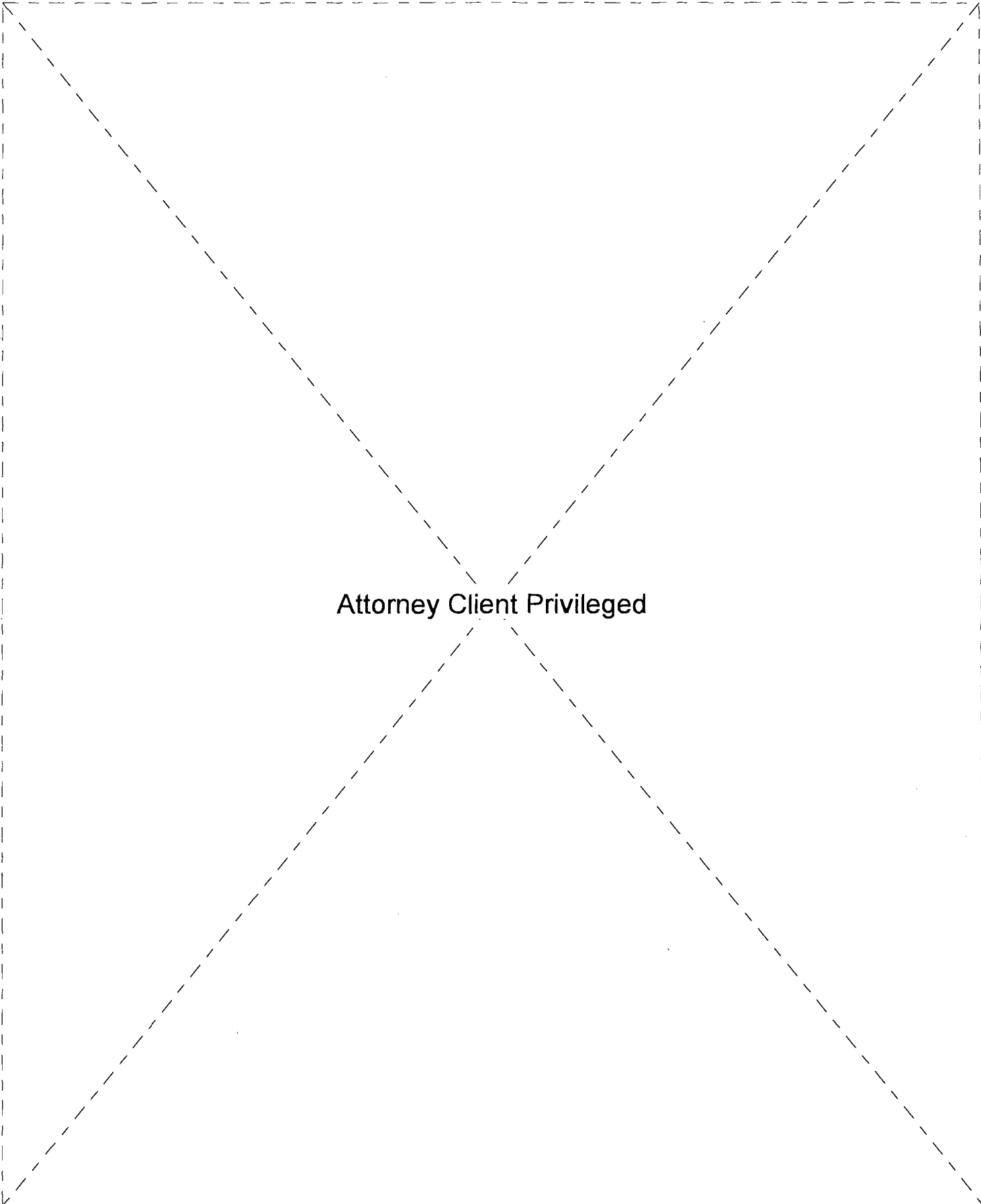
17

first came to choir when he was too young to join, but his two brothers were in choir, and his mother usually helped at practices with passing out music, or by bringing cookies. I abused both of his brothers with tickling games where I rubbed against their penises, and I did take a few nude pictures of but I was really out of control with I took nude photos of him when he was quite young, perhaps seven years old. Some of these I gave to his mother, as I thought they were quite artistic. Over perhaps a four year period I took dozens of photos of some nude, many clothed, but I never again gave nude pictures to his mother. was 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 sailing in S.B. harbor, or go for a hike, but my main interest was in seeing nude, or in tickling, touching, or rubbing him.

One "game" I would play with him, which allowed me to touch him at will, was to see how long he could lie quietly acting as though he were asleep. Sometimes he would do this with a "walkman" radio over his ears. I would already have made sure he was dressed in loose-fitting shorts with no underwear. With him lying across my lap on a couch I would pretend I was playing the piano on him, all up and down his body, or I would just lightly tickle him all over, including on his genitals. This game could go on for twenty minutes or longer. Once I rubbed his penis so intensely that he actually reached a form of orgasm, as his penis jerked by itself. This excited me a great deal, and I remember being very sexually excited by this. was still pretending to be asleep. I never again tried to do bring him to orgasm, but the memory gave me many re-run experiences while masturbating by myself.

I also did some "kinky" things to. Once I rubbed his whole body with oil so that the photo lights made him look shiny. This was also, of course, and excuse to rub his penis. I took some photos of him as though he were an impoverished Appalachian boy in the depression: he wore only a ragged t-shirt. Once, or perhaps more than that, I took him up into our tower which was stark concrete with steel barred windows, and he posed as a prisoner with few clothes on. I took some photos of him 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 window.

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OFM VANH 1
0705

18

When [redacted] was about eleven, one day I was playing the dart game with him. I told him he had to wear the 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 [redacted]. He remained in the choir, and afterwards followed his brothers to become a boarding student at St. Anthony's, but I did not approach him again.

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I think [redacted] is the boy whom I molested most seriously. I did so more often and to a greater intensity than with any other. When my Provincial asked me if there were anyone he should specifically contact regarding my behavior, I gave him [redacted] name. Later it came out that I had also been involved with his older brothers. The three boys (young men) have begun proceedings to sue the Franciscans.

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 [redacted] and perhaps [redacted] brothers, and with [redacted] who wrote the intervention letter. Once at night I also gave a "rub down" 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 with me. Usually I took four boys, but sometimes only two. These would include back rubs (read sexual touching) with some of the boys. I gave the same type of treatment, that is, "back rubs" which included some rubbing of the genitals to a few boys who were students at St. Anthony's. I clearly remember this with two boys, both of whom had been in the boys choir. At least one more young man has accused me of molesting him in this way, but I don't remember doing this, although I don't think he is lying, and clearly I am capable of doing it. I don't think I continued this activity in the dormitories for a very long time. The official report on this behavior calls it "assaults in the dormitory."

In 1963 we took the boys and men's choir to England for the second time. After the choir returned, another adult and I and two boys continued to tour. Each night I would give one or both of the boys a "back rub" which included touches in the area of their genitals.

Upon returning to California, I read in the L.A. Times that a boys choir director in southern Calif. was being charged with child

REDACTED

Attorney Client Privileged

OEM VANH 1
0706

molesting for touching some of the boys' genitals. I was terrified and shocked. For the first time it was before me that what I had been doing could be classified as criminal behavior. I became paranoid. I imagined that every boys' parents read that article and decided to carefully question their sons about me. This brought on a crisis. I was sure I would be found out. Of course I could tell no one. I tried to think clearly but couldn't. I barely slept at night. I avoided boys and their families. I told myself my life was over, I had no options, the damage had been done and could not be repealed. The only good thing I could do was to commit suicide before the truth came out. I was bothered by the fact that I did not seem to be able to plan clearly. I also wished I knew more of what moralists were saying about suicide. Actually I was frozen into doing nothing. Finally someone suggested I see the school psychologist. With really no hope I went to see him and eventually was able to tell him of my fantasies. I never gave him enough information to report me. Exactly what I said I don't remember, but the sessions helped me enough that I started to get better. By now school had started and with it the choir was back on its practice schedule. Everyone seemed to treat me just as always. I resolved never again to touch a boy in a way that could get me into trouble. I was still constantly around boys, still occasionally had one stay the night (sleeping in a separate room), still supervised showers, still took some on trips. But I avoided rubbing their genitals, and never again did I take a photo of a boy nude. Now, with the tacit approval of my psychologist, I started paying attention to adult women. Why I had never before been sexually involved with a woman is somewhat difficult to answer. From an early age I had been taught that women were a dangerous temptation for priests. I knew and enjoyed many women, most of whom were connected to the choir, but I never was conscious of any sexual energy between us. If there had ever been invitations in the past, I had totally missed them. I also never thought a woman would be interested in me in a physical way. I felt that I was unattractive to women, or certainly at least I was unavailable. At any rate, never before had it been an opportunity or issue. Once I decided to be more open to the possibility of sexual involvement, within a couple years I had relationships with three very different women, all of whom I enjoyed.

and I had been fairly good friends for several years. Her son had been in choir since he was eight, and she and her husband had been helpful with projects a number of times. Their marriage broke up, but occasionally I would still visit for a glass of wine or for dinner. We began to take evening walks together once or twice a week. She was artistic and witty and she seemed to enjoy our walk as much as I did. Afterwards we would stop at her home and talk over a glass of wine. Once on a rather chilly evening we were taking a walk. I had my hands in my overcoat pockets. All at once

FEMALE
#1

Attorney Client Privileged

OEM VANH 1
0707

she put a hand in my pocket as well and so we continued holding hands. This was a new sensation for me that I liked. I felt warm and flushed and happy. When we returned to her house she asked if she could give me a good-night kiss. I said "sure" but I didn't know what to do. I did catch on fast and kissing became part of our "goodbye" ritual, which gradually became more intense. On one occasion she took my hand and placed it on her breast, giving me permission to explore. Before long I was feeling her breasts under her blouse and having battles with those damn bra clasps. All this was a bit dangerous because she did have three children in the house. But I found it wonderfully exciting and sexually stimulating. I did go through some periods when I worried about where all this was going, and sometimes I would avoid her street for fear of running into her, but gradually I overcame these doubts. I felt a whole new world was opening up for me, and for the most part I felt really good about the experience. I felt that I was normal, and reacting in a perfectly normal sexual way. Once or twice I tried to touch her below the waist, but she stopped me and said she did not want to be touched there. Never were we naked together, nor did we have intercourse or oral sex. Throughout the autumn, winter and spring we saw each other regularly. This was the same time I was trying to overcome my depression. During the summer of '83 I lived in Berkeley and went to school at USF. [redacted] came to San Francisco and we spent several days together touring around, holding hands, and kissing. I was my usual paranoid self and was frightened that we would be seen by someone I knew. This next part of the story is very embarrassing for me to tell. One evening she took me to her hotel room and asked me if she could give me a special gift. After I laid back on the bed she undid my belt and levered my pants and underwear. She took a hold of my penis and was going to do "I don't know what," when all of a sudden I began to ejaculate. I was horribly embarrassed and dressed as quickly as possible and left. I don't think I saw her again for six months because I went on sabbatical in England. When I returned she told me that she had met someone and they were to be married. I was terribly disappointed, but of course I was not going to marry her. I just liked our games and sexual play. My first serious romance was over.

In the fall of 1984 I went to England on sabbatical to work as a chaplain at an all-girls school. (A mixed lower school was attached.) I was still trying to deal with depression, and some time away seemed like a good idea. I acted as chaplain and also taught an introduction to psychology course to the 5th and 6th form girls. The Sisters were more than kind to me, and I made life-long friends with the Headmistress, Sr. Monica. Significantly, I arranged for one of the choirboys from Santa Barbara to spend the month of December with me while attending school in England. No one ever said that they thought this an odd thing to do, but in hindsight Sr. Monica said she was surprised by my request. I knew

Attorney Client Privileged

OFM VANH 1
0708

REDACTED

21

REDACTED

would enjoy my stay much more if I had one of the boys to share the experience with. came over and we did have a great time. I liked to have a child to take care of, and got along well with the English boys and with the Convent Sisters. He became the darling of the older girls who often invited him to their common room for hot cocoa in the evening. I did not molest that is, I never touched his genitals, but I did give him "back rubs" (body rubs) and prepare his bath, etc. There is something about me that is happier when accompanied by a small boy I think it is probably a combination of sexual feelings, emotional attachment, and permission to play on a child's level. Perhaps besides the sexual element, the child in me wants a playmate.

Also during these years I practically raised a boy named He was without a father, and his mother worked two jobs. He was a bright boy with a sweet singing voice who needed help. I put together a fund to pay for a better school for him, and often helped him with his homework, took him to his therapist, etc. He had his own room in my apartment and often stayed the night. Many times I gave him back rubs and body rubs but I avoided his genital area. I was determined not to molest him. Now I realize that I put myself in some very dangerous circumstances but I never touched his genitals. After I went on sabbatical he spent less time with me, but we remained friends (almost a father-son relationship actually) until he grew out of choir.

About this same time, the mid-1980's, I had a short affair with a single woman who was on our faculty. It started one evening when she told me she was afraid she was falling in love with me. I was astounded because, although I found her attractive and considered her a friend, I had no idea how one just "fell in love". She was leaving the school at the end of term, so we both knew this would not be a long-term relationship. We did kiss, and touch each other intimately, and have oral sex, but never intercourse. At the end of the year she moved away, but we did see each other on occasion and for a while we were sexual at these times. Eventually we saw each other very little, she found other friends and later married.

WOMAN #2
(ON
FACULTY)

I became Rector of St. Anthony's in the fall of 1984, and struggled to keep the school open, but the decision was made to close it in the spring of 1987. This was a very difficult time of transition, and I worked ~~very~~ hard to keep student body and faculty in reasonably good spirits until graduation. Then I industriously set out to lease the buildings, put the library in storage, etc. I was highly praised by our Board of Directors for the work I did at this difficult time. The next year I started work on a history MA at UMass. Then my next crisis hit.

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REDACTED

22

A Franciscan priest and former faculty member was accused of molesting two young boys while they were students at St. Anthony's. Not only was I the best of friends with this family, but unknown to them at the time, I had molested the same two boys when they were in choir, by tickling them and touching their genitals. I was expected to console the family, deal with the anger of the parents, handle community relations because the offender had been on the faculty, and deal with my own feelings of horror at what I had done myself. I came close to an emotional breakdown. Again I felt that I could not go on living, I could not tell anyone why, and soon I would be found out anyway. I canceled some of my classes at the university, locked myself in the office, and once again felt like committing suicide. As a last resort I made another appointment with my therapist and explained in general terms the state of my life. He once again helped me to pull out of my depression, but I don't think I ever really completely recovered.

Around this same time I began to be sexual with a woman, slightly older than myself, whom I had known as a friend for years. She had been involved in cheer before, and three of her boys had earlier been in it. She was separated from her husband and working toward a divorce. We began by jogging together, then went on some picnics. I don't remember how the relationship turned sexual, but it did. I was feeling very alone, she was starved for affection, and the opportunity to be together was there. For a number of years we carried on this "affair." I loved the mutual touching, the kissing less, and I never was comfortable performing oral sex on her. But we did masturbate each other, and in this way I believe she reached orgasm. Sometimes I would not ejaculate the entire time although I would have a strong erection. Perhaps I could not relax enough, or I was afraid to be out of control, or I was just unable to reach sexual release. Twice I think we had intercourse. After each time I was a nervous wreck, because even though one of the times I was wearing a condom, I was still afraid she might become pregnant. She used to ask me if I loved her, and although I could express care and close friendship, I was afraid to say I was in love. Not only do I not know exactly what that means, but I was afraid of the commitment which saying it might involve. Even when I moved to Berkeley in 1991, she used to come to the Monterey Bay area and we would secretly meet to spend time together and to be sexual. I never did spend an entire night with her.

WOMAN #3

Backing up a bit, in June of 1991 I finished my degree at the university, and I was asked to move to Berkeley to work in the Provincial office. I had been listless and unhappy, could not describe any job that would interest me, and was generally depressed. The boys choir hired a new director, I was replaced by another administrator in Santa Barbara, and with somewhat heavy heart moved to Berkeley.



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OFM VANH 1
0710

23

While living in Berkeley I worked in Oakland at our provincial office, mainly doing secretarial work. As I had nothing else I wanted to do I was not dissatisfied, but clearly this would be a transition job. I got along well with the office staff and I was reasonably happy, but had no ambition. Sexually I was continuing to masturbate to images both of women and boys, and as I said before, occasionally I would see [REDACTED] in secret of course.

The year sort of bumped along taking me with it. In December I visited the choir in Santa Barbara, but already there were boys in it whom I had never met. I felt welcomed but estranged. There was a dispute going on about the new director, and I was drawn into the controversy. That was not pleasant. In April I joined some of my family for a 10K race in the Redwoods. Then in May the letter of intervention arrived. This was addressed to me with copies sent to several church officials, including my Provincial, confronting me with a molestation of perhaps ten years earlier. The people who had sent it had been my best friends. The tone of the letter was stern, but the writers tried to point out that by forcing me to get help they were not only protecting other boys, but helping me as well. (Since this time they have become very hostile.) I sat down with my provincial and a couple of good friends that same night and told them the accusations were true, and that there were many other instances of similar behavior. I was somewhat in shock, but I was not overly surprised that the secret was finally out. My confreres promised support and action, and a few days later I left for St. Luke's Institute in Suitland, Maryland, near Washington DC, for a week of evaluation. There I was interviewed and tested in every way possible, including medical examinations and a brain scan. It was a fairly disturbing procedure, but the 32 clergy patients at the hospital (St. Luke's is a psychiatric hospital) kept assuring me that I would make it. At the end of the week my provincial flew out and together we listened to the psychological and medical evaluation. At this point I felt devastated. The psychiatrist emphasized the seriousness of the problem, which he diagnosed as pedophilia, same sex, non-exclusive, and recommended that I begin treatment as soon as possible. I remember one of the interviewing therapists reading a summary of my life history. I was asked if I wanted to say anything. In an emotional outburst I said, "I don't know how you can say those things about my father, he's a very good man!" Trying to calm me, she stated that she was only repeating information that I had given her. It was decided that in ten days I would return as a patient. I felt convicted and sentenced. My depression became more acute. I just wanted to die. On the six day flight back to San Francisco I stared out the window and was silent.

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OFM VANH 1

0711

24

I visited my parents in Portland, Oregon, and told them I was being sent away to treat depression. It was some months later I told them about the sex addiction by telephone. More on that later.

St. Luke Institute was originally founded by a priest-psychiatrist to treat alcoholic clergy. When it became clear that there was a need for treating sex addiction, the SLI adapted its program. It uses the medical model combined with Twelve-step therapy. It is well staffed and expensive. Normally the program lasts seven months, but I was there for thirteen months. I had individual therapy twice a week, small group therapy (3 men and 2 therapists) three times a week, large groups twice a week, and then psychodrama, and other things thrown in at various times. There were also educational lectures and workshops on eating disorders, rational thinking, family dynamics, etc. Every night we went to a 12-step meeting. On weekends one could get permission to go into Washington for the day. I became an expert tourguide of the Smithsonian museums.

I started the program feeling very miserable and quite sure that if anyone should find out what I had done I would be ostracized. So I tried to say as little as possible. I spent a lot of time reading novels. My sister Christine was a great support and phoned every night. She also visited several times. I wrote a sexual history and gave it to my therapist to read. I minimized everything. I often thought how much better it would be for everyone if I were dead. I couldn't watch the news or read the Washington Post for fear my story would be there. The fact that nearly every other person at the Institute had similar problems did not seem to matter to me. Every night I had to write one page for my therapist about what was significant that day. Thus he kept a watch on my moods and on how I was understanding myself. I sat in the back of the chapel during Mass and at prayers, half hidden behind a pillar. After seven weeks I had to present an hour-long "behavior Log" to a group of patients, basically describing why I was at St. Luke's. I did this with great trepidation and, to my surprise, many tears. I felt desperate. Afterwards the other patients greeted me with hugs and assurances that I wasn't the most horrible person they had ever met. Two days later they read their written comments to me -- in what areas they saw denial, things they felt I minimized or left out, etc. It was a good lesson in tough love. Then my therapist had each person there (16 in all) say how they would feel if I committed suicide. That caught me completely by surprise. It was one of the most difficult sessions I have ever endured. It brought all of the shit into the open and exposed it to daylight. I just sobbed. I was upset and angry at my therapist for doing this. But in many ways the technique worked, and much less often did I slip into this extreme self-pity.

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After these experiences I started to improve and became more active in the program. I started enjoying myself more. I felt a little bit safe because of the support of the others in the Institute. I became very attached to my therapist who seemed so often to know how to help me. I started taking depo-provera injections, and after a short time on Prozac (which seemed to make me worse). I switched to the anti-depressant I take now. I had many crises as my conduct in Santa Barbara became more public, but from each I recovered. The major crisis was when I was told that I had been in the front page of the Santa Barbara paper, and that one of my victims had been on television saying what I had done to him. I fell apart. Actually I went into a kind of trance. I just stared at a blank wall and didn't hear anything in the room. My friend became alarmed and called the duty nurse. She phoned my therapist who called me, but I couldn't tell him what had happened, so he called the psychiatrist who told the nurse to give me something. I suppose it was like a Chinese fire drill. Later my therapist asked me to please try not to have a crisis at 10:30pm on a Saturday night. Connected with my public notoriety was what the church calls "public scandal". As a result my Provincial told me that I could not again function as a Catholic priest nor hold any position of authority in the church. Although I knew this was coming, I was, and still am, devastated. He said I need to look at the "vocation issue," but so far I have not been able to do so.

When I realized that my case was becoming public, I decided that I needed to tell my parents about my sexual acting out, about the molestations and also about the women. My sister Christine flew to Portland to be with them when I phoned. I had each parent get on an extension line and a clearly as I could I told them what had been going on in my life. My Dad responded immediately that he was sure God would take care of everything and I was not to worry -- they would keep me in their prayers. My mother was in stunned silence. What happened next says a lot about my family. Christine sat with my mother who kept muttering that she couldn't understand how I could do such things. Weren't priests given special graces so that they had no sexual feelings? What had gone wrong? My dad marched into the room and said, "I'm going to the store. Does anyone need anything from Safeway?" My sister asked if he had understood what I had said on the phone. Dad said, "Can't do anything about that, it's all in God's hands." Out to Safeway he went. Telling my therapist this story, I said that I had no idea what my Dad's feelings were. "No," my therapist said, "And the apples don't fall far from the tree."

After seven months I graduated from the main program, but all concerned agreed that in many ways I had only just scratched the surface of my search for self-understanding. Things in Sta Barbara were still hot, and I was in no rush to jump into the caldron.

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I have already spoken about my friend [redacted]'s visit to St. Luke's so that we might come to some resolution of the relationship. This was done with the help of my therapist. She agreed that she would not wait for me any longer because I was not available. We also agreed to a writing schedule, but that has since fallen apart. Once she told my therapist that she sometimes saw me as almost one of her children, perhaps a seven year old. I was very surprised at this, but also curious and hurt. It has given me something to ruminate over.

In early January I graduated from the in-patient program and moved into a "three-quarter way house." This involved far less supervision on the part of the institute, more freedom for me, a change in therapists, and generally gave me much more time for myself. I had therapy twice a week, and small group twice. I tried to find a job, and when I couldn't, I volunteered to help at a soup kitchen and also at two convalescent homes. I still went to 12-step meetings every night. So my days were filled.

My therapist's speciality was expressive art therapy, so I began to draw a picture with crayons at every session. While my drawing skill remained that of a child, my ability to communicate with the picture grew. I delved into some family issues which I had avoided previously. I made pictures of monsters who threatened me and we spoke about what these ghosts meant and why they were fearful. At times I even drew bright sunny scenes which reflected a less depressive state. Overall I was relatively happy. Yet on the horizon was the release of a report out of Santa Barbara on the sexual molestations which had occurred at St. Anthony's Seminary over a thirty year period. Letters were sent to every child I ever had in boys' choir, to every high school student I had taught, as well as to men who had seen my classmates in high school. Clearly the net was set to catch others besides myself, but virtually everyone I had known in the time period received a letter which included my name as an already known entity, and asked for any additional information. The investigation dragged on much longer than had been planned at first. This loomed as a dark cloud as we entered spring and summer of 1993. I was slated to return to California in July.

Before leaving St. Luke's I updated my aftercare contract and arranged to meet with a therapist in San Jose. I left St. Luke's frightened of what lay before me but pleased with the work I had done there.

Upon arriving at my old room in Berkeley, I was told that I should move with all haste to my new assignment at San Juan Bautista. Further, Tom West, a franciscan psychologist who would be on my support team told me that the Provincial had cancelled my appointment with the therapist and I was to begin a group therapy

Attorney Client Privileged

27

program for child molesters instead. I stared in disbelief. Then I flipped out. I told Tom that without a therapist I would self destruct. I wouldn't make it. In my distress I felt I was being set up to fail -- a feeling that has arisen in various situations since. As I found out more about PTA, I developed reasons why I should not be involved. A compromise was made that I could have an individual therapist as long as she was also in my small group. I agreed to try PTA for three months after which we would re-evaluate the experience. Six months have gone by and at this point I would be shocked and angry if I were not allowed to continue.

3RD PART . PRIVACY

A Pastoral Response to Allegations and Instances of Sexual Abuse of Minors at St. Anthony's Seminary

I. Sexual abuse of minors involves an egregious violation of personal integrity and the breaking of one of society's most basic bonds of human loyalty and trust. It is an invasion of both the personal and familial life of the victim. When this abuse is perpetrated by a priest or religious the offensiveness is compounded by the high regard, faith, and power which is given to those in positions of pastoral example and leadership in the Catholic Christian community. Knowledge of the action provokes confusion about faith, anger at the personal violation, and sows distrust in all directions, creating in many respects a "solidarity in victimhood" between the minor, his family, and the community to which they belong. Unfortunately, as we have seen in many instances, the violation is so basic that it is met with denial and total incomprehension; it is often very difficult to break the barriers of defensiveness; those once victimized can become twice victimized, and the cycle of violence increases in all directions.

As friars minor with the profession of witnessing to the Gospel, we believe that this abuse in no way can be tolerated, countenanced, or accepted; because sexual abuse of a minor is such a unique example of offense against those essentially "powerless" and "voiceless," the religious fraternity must take decisive steps to speak for those who have no voice, heal the wounds of the body Christ which has been socially violated, and restore the basic elements of trust and fidelity which have marked the close relationships between the friars and the community of which they are a part. As painful as it is, we are committed to facing the truth about ourselves and our individual brothers; we want to take personal and systemic steps to remedy the situation. Within our Gospel way of life, knowledge that this has occurred in one of our own institutions and beyond it can only be seen as an opportunity, with the help of all, to "turn our face like flint" and proceed both as "penitents from Assisi" and peacemakers within the Church and society.

We believe that our pastoral response should be dictated by this Gospel covenant with the people of God and the religious integrity of the Gospel. We want "truth with a pastoral face." We recognize very well that we need help and sometimes a shove in doing this.

II. Most of you are familiar with the basic facts which occasioned the meetings taking place the last five weeks. In March 1989, charges of sexual abuse of minors were filed by [REDACTED] against Philip Mark Wolfe, who was a Franciscan friar and teacher at St. Anthony's Seminary from September 1981 to June 1984. The molestation occurred between 1983 and 1987, but because of the statute of limitations only the charges of [REDACTED] could be treated with criminal seriousness. In September 1989, Philip Wolfe pleaded "no contest" to one count of oral copulation with a person under eighteen and was sentenced to a term in county jail followed by six months in a treatment

Third Party Privacy Rights

center. In May 1992, the [REDACTED] family again approached the provincial minister of the Franciscans to inform him that [REDACTED] while a member of the Santa Barbara Boys Choir, also had been inappropriately sexually touched by Father Robert Van Handel. Robert was founder of the choir and teacher at St. Anthony's Seminary from May 1975 to its closure in June 1987. While the activity with the Boys Choir was pursued through the means of a public letter to its members and family in October 1992, information emerged at a meeting at St. Anthony's on October 28 that Van Handel's sexual abuse of minors extended well into the seminary itself. Since that time, several other victims, some both members of the Boys Choir and seminarians, have come forward; rumors and indirect allegations have also been made. In addition, past cases, dating back many years, have surfaced.

III. The Province policies involving friar misconduct and the sexual abuse of minors have evolved gradually from their first formulation in April 1988. I think we are much indebted to the persistence and honest challenging by the [REDACTED] for our own growth in this area. After meeting with them in January 1990, in the dreadful wake of the first victimization, the defnitorium worked on the achievable goals presented to us by the family; they overlapped with our own desires to address any situation like this actively and with the strongest pastoral responsibility. The whole fraternity grew tremendously through this experience: admissions procedures were reevaluated; continuing education programs by people trained in psycho-sexual development and sexual deviancy were conducted for the benefit of those in formation and those in the fraternity at large; after an interim policy, a clear and precise statement on sexual misconduct was adopted by the province in January 1992. The programs and policy were seen as developmental; we believe these most recent experiences open up a new chapter in our own growth, especially since our own policy now in place was not designed to deal with historic cases but with current issues. We have committed ourselves to dealing with this in a comprehensive way. Let me make some comments first about our general approach and then about the pastoral application to St. Anthony's.

A. 1. At the present time aspirants to our way of life undergo a lengthy process of discernment which involves a behavioral assessment interview covering family history, academic and work experience, spiritual journey, socialization and psycho-sexual development; the discernment process includes a psychological evaluation by a professional using the instruments of a personal interview, Object Relations Test, Rorcharch Test, and numerous questionnaires covering socialization patterns, hostility quotients, and word association testing. The admissions procedures themselves are formally conducted by friars independent of the vocations office through a review of the candidates entire file and personal interview. This entire review process involves three distinctive and independent stages; it is considered to be state of the art. However, in the light of these recent experiences, the entire procedures will be reevaluated, assessed, and, if necessary, augmented through recommendations

received from an independent review board which will be established.

2. Currently in place in the formation program, lasting from six to nine years, are extensive programs of continuing education in the areas of sexual maturation, pastoral responsibility, and sexual deviancy. After solemn profession and admission to pastoral responsibilities as a priest or laic friar, the programs of education continue, sometimes through the diocese and more often through the province itself. All of these programs conducted by the province will be reviewed by an independent board and strengthened.

3. The province does not operate any educational establishments involving minors; parish programs fall under diocesan policies. It is incumbent upon us, however, to see that an independent review is made of all those involved in ministry to minors in CCD programs and other such activities. In addition, we will be making a review of past personnel decisions made in this area and ask for recommendations from an independent board, so that current policies, where inadequate, may be corrected. We will insist on cooperation with diocesan programs and requirements in this area.

4. The current policies governing the sexual abuse of minors will be upheld with all rigor, especially those governing the placement and ministry of offenders. One of the tasks of the review board will be the evaluation of these current policies as to their effectiveness and application; if necessary, recommendations for changes should be made to the provincial definitorium. The policies adopted will be public documents.

5. In the course of the next six months the province will establish an independent review board designed to address the above areas of concern (items 1-3) and to make further recommendations to the provincial administration to insure the integrity of the friars life and ministry as it relates to minors. The board will also deal in an continuing fashion with cases of misconduct which arise. Directly under the provincial minister, the review board will be composed of five members, two of whom will be friars and three who will be lay specialists. Articles of procedure will be drawn up based on the best current models available, reviewed by the board itself, and finally approved by the provincial definitorium. The definitorium commits itself to the establishment of this board as an on-going project.

B.1. With respect to the allegations which have arisen involving the conduct of friars at St. Anthony's Seminary, the following steps will be taken:

2. The friars will continue to be proactive in responding to known victims and their families through the offering of counselling, the identification of contacts in the local community, personal visits, and remuneration for therapy.

3. It is clearly necessary that more information be gathered so that possible victims can be identified and helped in an appropriately confidential and sensitive way; so that offenders can be identified and appropriately dealt with in accordance with the established procedures; so that the truth of all allegations can be established. To accomplish these goals and to investigate the instances and allegations of the sexual misconduct of minors at St. Anthony's Seminary, the province will send a letter in December 1992 to past pupils of St. Anthony's Seminary from 1965-66 to its closure in 1986-87.

3.2 A Board of Inquiry will be established in January 1993 to process the results of the past pupil contacts and to investigate the allegations of sexual misconduct of minors at the seminary. The Board of Inquiry will be directly responsible to the provincial minister; it will be composed of five members, one to be a friar from outside the province skilled in counselling and informed on issues of sexual abuse; one a professional layman with expertise in the area of sexual abuse; and three other members, one of whom will be a victim and/or parent of a victim. The information generated by this process will be maintained in a confidential manner under the authority of the provincial minister following the guidelines outlined in the "Chicago Policy Regarding Clerical Sexual Misconduct with Minors" (4.6) A draft set of procedures will be drawn up as soon as possible, submitted to the board for review and further amendment, and finally approved by the provincial definitorium. Final recommendations of the board, respecting confidentiality, will be made public. After sufficient review, no friar who has been established to be an offender against minors will return to active public ministry without thorough and enforceable guidelines as those are recommended by the board.

4. In the course of the next five months, the friars will sponsor a series of fora which will have as their purpose the education of the Franciscans and local faith community on issues of child abuse and its implications, the spiritual dimensions of the situation and its meaning for the church, and the identification of local resources in the area. These goals may be accomplished by a day of recollection or weekend retreat, workshops, study groups, and the dissemination of information.

5. The province will work with the diocese in sponsoring a workshop for the broader Catholic community in Santa Barbara for the purposes of education and community information.

Dear [REDACTED]

11/22

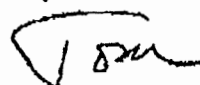
I spoke with Eugene Merlin. He looks forward to being on the board. However he asks that if there are any meeting times that are proposed that he be informed well in advance to clear his calendar. He also did not want to be included in the letter. He wants to begin fresh so to speak.

I am still reluctant to be on it myself. I do see this letter as part of the investigation and thus as part of the board's mandate. [REDACTED] doesn't feel much happier about being on it than I do. However there we are. I added the option to write to the board directly. I think this is an important option. There well may be someone who doesn't wish to contact a friar about these matters. I can't see how the time is going to be very significant. They will be receiving the letter just before Christmas. I can't imagine many will want to respond until after the holidays. That will be about the time the board begins.

Because this is a letter from you, I left the draft very unpolished. I know you'd want to rewrite it. I believe its got the major points we want to cover.

Good luck on the fourth!

Peace,



But the new one

Review Board

Personal Response

1)

2)

→ Attorneys -
→ De. time
→ Policy

Working process with groups

Particular Application

Legal Board - 5 members -

1. person who has work + Person have knowledge

Ad 4 - Review Process

7. What we have been for Attorneys being back to group
in future, Review Board for future

how to deal with attorneys planned

How to deal with attorneys

Attorneys

but just taking a leaving, we will look to what

Independent Personal Policy

x Letter - send out as early as possible,

he will present the letter -

x Commence ~~and~~ January -

here is a schedule of January

being held 20 years -> reasonable amount of time

from the possible evidence of decisions, it seems reasonable to

go for 25 years for today. It seems reasonable to others

for not 20 years.

1/1 ³⁸

3RD PARTY PRIVACY

S.A.S Greater Community
Planning Meeting
November 18, 1992
Agenda

1. Introduction

Purpose of this Meeting
Ground Rules
Secretary

2. Background

[REDACTED] (May he rest in peace), *former Seminary at St Anthony's*
Wesley, Montreal. Not in diocese yet

3. The Royal Commission of Inquiry into the Response of the
Newfoundland Criminal Justice System to Complaints (Hughes
Commission)

Mount Cashel Orphanage
Physical and sex abuse dating back to 1970
Five priests convicted

4. Newfoundland Archdiocesan Commission of Enquiry
(Winter Commission)

Pattern of coverup
Fifty five recommendations
Archbishop Resigns

5. Requirements of proposed independent Commission
(Discussion)

Purpose
Goals
Members
Expertise needed
Limitations
Headquartered
Other

6. Consensus

7. Resolutions

8. Publicity

OFM VANH 1
0724

about 20 people present

Third Party Privacy Rights

P02

[REDACTED] critical of Joe's way of handling the case
against Philip Hoofe.
Also slow in reacting to [REDACTED] re Robert
Joe had to be pressed into being pro-active. At first
he was re-active.
Mother present said her son was molested by a priest at
Our Lady of Sorrows
Threaten major inquiry
we must limit publicity

Response to Dec 8, 1989, Laid Down & B. R. L. L. L. L.

Presenting History:

- Phil Wolfe Mar 1989
- BUIH June 1992

Oct 28 - meeting: Phil Wolfe, BUIH, possibly, others,

no person selected at that time for a period

later for the 1992 meeting to review period

- persons of others

St. Louis

- one way for a period, but with effectively

no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

the 1992 meeting, no person selected at that time for a period

Presenting History:

It is clear, however, that the whole situation looks further

response.

(1) response to victims - family -

(2) information - community; further

(3) community action -

(4) response to family;

Advantages of the process:

✓ Privacy

✓ finalizes it faster, much good come particularly after

X After entry: (1) review public review

(2) review, selection

(3) review of decisions procedures, duty, fight

X plan solutions: remain the

X low budgeted review board =

the responsibility for Phil Woffen - legal decision; we believe it would be
unlawful - in 1990?

✓ What we have learned - { legal process
rights of counsel, etc
victims & family: - not to determent

X Phil Woffen history of no response -

History of Parenting Issues:

X Phil Woffen -

June 1992

history of the same victims

Sept 28 entry - (1)

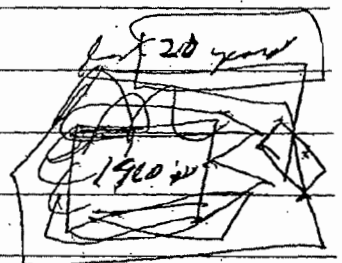
(2) medical review -

1990

1967

1967

25 years



may have been standing in primary -

1979
Circumstances: Phil Luff, R.V.H., (June 1992)

- then hospital nursing - 10-15 yrs old -

Keep away from victim's mind; primary, period

Why 1972? - 1972/69? -

comes at primary responsibility of Church

wright into structures which support primary service -

Leaves in Church contribute this.

Structure 'victimhood' of children - written out -
from Bury. book -

rejection of personal integrity -

was a opportunity of growth, restoration

① meeting prior to - beginning -

a) personal meeting (based up of heart)

b) invited to submit brief, final statement -

c) written meeting

show of power, betrayal of trust, unable to give informed consent

depression: 18 yrs old

"primary relationship: found in authority, loyalty, obedience, trust" (13)
spiritual bonding

How did we protect ourselves?

can be prevented belief that victim is responsible for abuse

gets: suppression of faith community

1) network

2) isolation program

3) avoid information exchange

4) abuse investigation

OFM VANH 1

0728

Why do it: - some people don't want to
- justice to victims

Address the institution: Jan 1987
School you: ABS-66 - 92

victim driver
abuse: justice to force
victim to learn for
all -
justice: who will be

1965-87

Letting reasonable attorney

What about future
minor

When shall the covering have closed?

Shame that this has occurred
in rape, rape, betrayal

Address -

What the hell was going on in the family?

Affirm the good -

A real death: make peace, Beyond, How shall I greet this -
in silence & tears.

Victim can be interviewed;

Ullrich & Stanton; deadline period of 20 years

Our institutions to the board: recent very exposed for good writing -

A board must be strong when has to go

What is change of Board: how you know - who does it look like?

✓ Working must be fair-minded?

✓ Board interview for the of victim "u"

✗ Those former evidence - proceed on presenting evidence -

Search for the of victims, retention photo



Janet Hurley M.A.
marriage & family therapist
box 947 / Carmel Valley, CA 93924
408-659-3392

← A Friend of the Friars
does retreats with me
Is a child Advocate
does international workshops
on abuse

Wendy Sinclair-Brown, L.M.F.C.C., Ph.D.

PSYCHOTHERAPY
GROUP, INDIVIDUAL, COUPLES, FAMILY
License No. MCD16632

St. Francis Retreat Center
(408) 637-8818

P.O. Box 643
San Juan Bautista, CA 95045

← I don't know her well
but thought you might

THOMAS J. CALDAROLA, M.F.C.C.

PSYCHOTHERAPY (415) 923-9102

419 Presidio Avenue
San Francisco 94115
License #MR022792

← Ex Jesuit - a good
Therapist

Home:

510-253-9383

ADULT, ADOLESCENT
COUPLE, FAMILY

← you've met him

THOMAS J. TOBIN, Ph.D.
LICENSED CLINICAL PSYCHOLOGIST

5674 STONERIDGE DRIVE, SUITE 217
PLEASANTON, CA 94588

510
(415) 847-0145



JOHN F. KENNEDY UNIVERSITY

656-5093

Vernice Solimar, Ph.D.
Program Director
Interdisciplinary Consciousness Studies

12 Altaminda Road • Orinda • CA 94563 • 415/254-0105

← Ex-nun also a
good Therapist

OFM VANH 1
0730

Radhule B. Weininger, Ph.D., M.D.
PSYCHOTHERAPY

802 CARMEL
ALBANY, CA 94706

3477 SACRAMENTO ST.
SAN FRANCISCO, CA 94118
PSYCH. ASST. #PSB-18028

← a mother, did her PhD
dissertation on incest.



Fr. Alex Lewis O.F.M. Conv.

Our Lady of Guadalupe Church
1225 Fifth Street
Hermosa Beach, CA 90254
(213) 372-7077

← Alex is a MFCC Intern
Now.

Alexander J. Shaia, Ph.D.
MFCC Lic.# 29273

Walnut Creek, CA
510•906•8852

Sonoma, CA
707-765-5099

Visdom & Compassion through Psychotherapy

← Does Diocesan workshops
on the RCIA
Did his PhD dissertation
on male incest/molest
victims



Bonita Ann Palmer, M.D.
General Practice, Women's Health
Health Promotion & Counseling
Min An Health Center

1144A Pacific Avenue
San Francisco, CA 94133

T+P

By Appointment:
(415) 771-4040

← Third Order Episcopal
Franciscan. Specializes
in women's Health
and is a PhD candidate
in psychotherapy.

Doug McKinney, M.Div., M.A.
MFCC Intern
(415) 752-1702

California Counseling Institute

4614 California Street
San Francisco, CA 94118
Registered MFCC Intern #IMF 16176

← Episcopal Priest/therapist

JAMES S. TUCKER, Ph.D.

CLINICAL PSYCHOLOGIST
841 LENZEN AVE.
SAN JOSE, CA 95126-2700
(408) 925-0225
LICENSES: PD-8613, M-14999

NAME: Rev. James S. Tucker, S.S., Ph.D.

ADDRESS: Pastoral Services Center
841 Lenzen Ave.
San Jose, Ca 95126-2700

PHONE: (408) 925-0225 (415) 826-2925

DEFINING STATEMENT:

Jim Tucker is director of a consortium of Catholic licensed clinical psychologists and psychiatrists who serve the local Churches by a ministry to ministers (clerical, religious and lay). Jim is licensed as a clinical and forensic psychologist and as a marriage, family counselor. Jim provides clinical evaluation of seminarians and religious candidates for 22 dioceses and religious orders. In addition to individual psychotherapy, he provides psychological evaluation and expert testimony in litigation involving religious especially in sexual offenses. Jim provides consultation to the bishops and provincials of region XI.

DAYS/HOURS: Monday- Saturday 9:00 a.m.- 9:00 p.m.

CLIENTELE: Clergy, religious, and lay people on referral

FEES: Individual psychotherapy (45 min) \$ 95.00
Forensic services \$ 175.00 per hr.

SPONSORSHIP: Society of St. Sulpice and Diocese of San Jose

STAFF: Jim is an individual member of ICCRC

OTHER LOCATIONS: San Francisco, Vatican II Institute, Seton Medical Center

CALIFORNIA
The Torrano Center

NAME: The Torrano Center
Psychological and Spiritual Services
ADDRESS: 490 Second Street, Suite 204
San Francisco, CA 94107
PHONE: (415) 777-1998

DEFINING STATEMENT: Formerly Consultation to Religious Personnel, The Torrano Center is a private, nonprofit, ecumenical corporation founded in 1979 on the desire to serve spiritually-oriented individuals and groups in the achievement of psychological and spiritual health and growth. Offices have been established in Oakland, San Jose, and Los Gatos as adjuncts to the main office in San Francisco. Requests for workshops have come from other states as well as local groups.

DAYS/HOURS: Administrative Office: Monday-Friday, 9:00 a.m. - 5:00 p.m.
Therapy: By individual arrangement. 24-hour answering service.

SERVICES: Counseling, individual/group psychotherapy, consultation, psychological testing, spiritual direction, educational workshops for persons in religious life and ministry, on-site work with religious living groups, parish staff and other ministerial groups.

LightStream is a program of inpatient psychiatric care for religious professionals. Comprehensive medical/psychiatric/psychological/spiritual evaluation and treatment are available for those individuals who have either not benefitted from outpatient evaluation or who need the inpatient milieu to assist in diagnosis and formulation of a treatment plan. Length of stay may average 7-10 days for a full evaluation to 2-6 weeks for evaluation, treatment and development of a continuing care program.

CLIENTELE: Primarily religious personnel and clergy, but lay clients are included.

FEES: \$90.00 per hour/\$35.00 group therapy; \$40.00 for Spiritual Direction. Sliding scale based on ability to pay. Most religious are covered by insurance. *LightStream* fees at current hospital rate.

SPONSORSHIP: Nonprofit corporation; supported chiefly by fees, but also by some donations and donated services.

DIRECTOR/CONTACT PERSON: Donald D. St. Louis, MA, DMin, Executive Director

STAFF: Jean Bitter, PhD, Clinical Psychologist; Pamela Bjorkland, PhD, Clinical Psychologist; Carmelita Centanni, msc, PhD, Psychological Asst.; Joseph Cronin, Jr., JD, PhD, Clinical Psychologist; Jane Fardon, OP, MA, DMin, Spiritual Director; Barbara Littlejohn, Office Manager; Douglas J. Mihok, Bookkeeper; Henry A. Ormond, OCarm, PhD, MFCC; Philip Roskam, PhD, Clinical Director; Donald D. St. Louis, MA, Dmin; Maureen Sinnott, est, MA, Psychological Asst.

OTHER LOCATIONS: Oakland, San Jose, Los Gatos.

**CALIFORNIA
Serra Associates**

NAME: Serra Associates
ADDRESS: 520 South Sepulveda Blvd., Suite 205
West Los Angeles, CA 90049
PHONE: (213) 476-6291

DEFINING STATEMENT: Serra Associates is a counseling center staffed by trained religious and lay professionals who are spiritually sensitive to the needs of adults, adolescents, religious and clergy. While specializing in problems centered around chemical dependency, alcoholism, co-dependency, and adult children of alcoholics, we possess expertise in a wide range of other areas including issues of separation and divorce, depression, sexuality, abuse and intimacy. In order to provide greater excellence and insight in our service, we commit time to our own personal growth, weekly consultations, and participation in 12-step recovery programs. We offer a loving and hospitable environment where people of all faiths, creeds, and lifestyles may feel affirmed and welcomed.

DAYS/HOURS: Monday-Friday, 8:00 a.m. - 9:00 p.m.

CLIENTELE: Lay, religious and clergy. Individuals, couples, adolescents, families, community.

FEES: Please inquire for details.

SPONSORSHIP: A consortium of lay and religious counselors and psychotherapists.

DIRECTOR/CONTACT PERSON: Frank R. Cicchitto, OFM, MSW, PhD

STAFF: Rev. Ron Erlandson, MTh, MS
Joanne Morey, MSW
Leslie Quinn, MA
Steve Wickson, MTS
Thomas Geary, PhD
Frank Clayman-Cook, PhD
Alan Berkowitz, PhD
Jefferson Davis, MD

OTHER LOCATIONS: Long Beach, Tustin (Orange County)

CALIFORNIA
Claire Mahaney, RSCJ

NAME: Claire Mahaney, RSCJ
ADDRESS: 140 Valparaiso Avenue, Suite 5
Atherton, CA 94027
PHONE: (415) 325-8845

DEFINING STATEMENT: Part-time marriage and family therapist. Jungian orientation.



**CALIFORNIA
St. John's Hospital
and Health Center**

Saint John's Hospital and Health Center
Behavioral Health Services

NAME: Saint John's Hospital and Health Center
ADDRESS: 1328 - 22nd Street
Santa Monica, CA 90404
PHONE: (213) 829-8513

DEFINING STATEMENT: Saint John's Hospital and Health Center is a full-service general hospital and health center providing the entire spectrum of health care services. Within the Behavioral Health Services division, we provide adult inpatient, day hospital and outpatient services as well as adolescent inpatient, day hospital and outpatient services. In addition, the Saint John's Child Study Center provides a variety of services to emotionally handicapped and developmentally disabled children and their families. Chemically dependent individuals are treated at the Saint John's Chemical Dependency Center for detoxification, inpatient rehabilitation, outpatient and family services.

DAYS/HOURS: 24 hours a day, 7 days a week.

SPONSORSHIP: The hospital is owned and operated by the Sisters of Charity of Leavenworth, Kansas.

DIRECTOR/CONTACT PERSON: Thomas K. Ciesla, MD,
Medical Director, Behavioral Health Services

OFM VANH 1
0736

Rev 09/91 - 039

CALIFORNIA
Philip Keddy, PhD

NAME: Philip Keddy, PhD
ADDRESS: 5625 College Ave., Suite 216
Oakland, CA 94618
PHONE: (510) 655-8824

DEFINING STATEMENT: Before entering private practice in 1987, I was a staff psychologist and Director of the Assessment Program at the House of Affirmation in Montara, CA. I have continued to enjoy working with religious professionals, helping with the integration of the emotional and spiritual. I also specialize in the treatment of addictions.

DAYS/HOURS: By appointment.

SERVICES: Consultation, individual and group psychotherapy, candidate assessment (with Rev. Coyne), and assessment for problem focusing and psychotherapy planning.

CLIENTELE: Clergy, religious, laity.

FEES: For Dr. Keddy: \$85.00 for individual psychotherapy; some sliding scale.
For Rev. Coyne: \$60.00; sliding scale.

Assessment fees vary depending on nature of question and extent of testing agreed upon. (Tests available: MMPI-2, Rorschach Inkblot Test, Myers-Briggs Type Indicator, Strong-Campbell Interest Inventory, neuropsych screening and others.)

STAFF: Joseph W. Coyne, SSCC, MA (theology), MA (psychology), registered psychological assistant. Rev. Coyne was Director of the Aftercare Program at the House of Affirmation, Montara, before that center closed. He has extensive experience in crisis intervention as a hospital chaplain, and is currently Director of the Sacred Heart Seminary in Berkeley. He is currently a PhD candidate in psychology. He brings a special interest in spiritual development to the candidate assessment services available.

CALIFORNIA
The House of Hope

NAME: The House of Hope
ADDRESS: 4264 Howe Street
Oakland, CA 94611
PHONE: (415) 654-8334

DEFINING STATEMENT: The House of Hope is an inter-community transition house for religious women who are in early recovery from alcoholism or chemical dependency, and who need time and support in which to heal. It is located in a safe urban neighborhood in Oakland.

DAYS/HOURS: Open 24 hours.

SERVICES: Group therapy, individual counseling, community living, prayer, and companionship. A sister may remain in this supportive environment for 6 months to a year.

CLIENTELE: Women religious.

FEES: \$650 per month. This includes room and board, as well as counseling services.

SPONSORSHIP: A non-profit, tax-exempt group of religious sisters.

DIRECTOR/CONTACT PERSON: Sr. Janet M. Rolando, BVM

STAFF: Sr. Janet Rolando, BVM
Sr. Lorraine Savage, OSF
Sr. Kathryn Steger, OP

OTHER LOCATIONS: None.

CALIFORNIA
Marie R. Hofer, PhD

NAME: Marie R. Hofer, PhD
ADDRESS: 3323 Sacramento Street
San Francisco, CA 94118
PHONE: (415) 359-5034 or message at (415) 931-7564

DEFINING STATEMENT: My clinical experience has been with clergy, religious and lay people. For 8 years I worked at the House of Affirmation, Inc., Montara, CA, with clergy and religious in a variety of modalities. In addition, I have been in private practice for the past 10 years.

DAYS/HOURS: Monday-Friday, by appointment.

SERVICES: Psychotherapy, group therapy, community consultation.

CLIENTELE: Adults only: clergy, religious, laity, couples, families.

FEES: \$85.00 per individual session; \$35.00 per group session.

SPONSORSHIP: Full-time private practice since July, 1987.

DIRECTOR/CONTACT PERSON: Marie R. Hofer, PhD, Clinical Psychologist

OTHER LOCATIONS: 1207 Terra Nova Blvd.
Pacifica, CA 94044

CALIFORNIA
Anne Field, SSS, PhD

NAME: Anne Field, SSS, PhD, LCSW
ADDRESS: P. O. Box 19330-A
Los Angeles, CA 90019
PHONE: (213) 732-4006

DEFINING STATEMENT: A private counseling practice with a focus of empowering women of all ages to engage in psychological and spiritual integration.

DAYS/HOURS: By appointment.

SERVICES: Psychotherapy, group work, consultation, spiritual direction, and occasional retreats and workshops.

CLIENTELE: Women religious, clergy, laity.

FEES: According to the service offered, and adjusted on a sliding scale according to ability to pay. Individual psychotherapy, \$90.00 per session and usually insurance reimbursable.

CONTACT PERSON: Anne Field, SSS, PhD

CALIFORNIA
Thomas K. Ciesla, MD

NAME: Thomas K. Ciesla, MD
ADDRESS: 1301 - 20th Street
Santa Monica, CA 90404
PHONE: (213) 315-0300

DEFINING STATEMENT: Medical Director, Behavioral Health Services, St. John Hospital and Health Center.

CALIFORNIA
Donald J. Bramble, OP, MSW

NAME: Donald J. Bramble, OP, MA, MDiv, MSW
ADDRESS: 1313 A Street
Antioch, CA 94509
PHONE: (415) 757-4020

DEFINING STATEMENT: Court-ordered counseling for clients who are convicted of spouse abuse and/or being chemically dependent with related arrests. I am also experienced in working with dissociative disorders, AMAC's and AIDS patients.

DAYS/HOURS: By appointment.

CLIENTELE: Clergy, religious and laity.

DIRECTOR/CONTACT PERSON: Donald J. Bramble.

OTHER LOCATIONS: None.

3rd PARTY PRIVACY

Nov 2nd

Tom West:

Remembrance, K&T, - [REDACTED]

- ① Graham: T. contacted Bishop (organization for his own treatment program). Bishop can be seen right away - Steve will refer to Bishop -

- need for more information

- send letters to people we print info letter -

- beg suggested involvement on people. Bishop

could be done as for Bogo show - need to prepare letter.

Don agreed to beg about letter & arrangement

- ① - I'll get information from Brandon

- ② - prepare letter

- ③ - contact bishop, Skidmore - (Tom)

- ② - Let's Bishop

- ① get address [REDACTED]

Tom will X detailed - Who can do this? I will do this. Bishop - send letter first - probably who will contact him - Bishop / Tom / Tom - Tom will contact Bishop -

- ② [REDACTED] require following? Tom will organize book -

Will have check request from & give them how many, he will request books payment for funds - I will refer to Brian Brundage.

- ③ Learn following - she will get back to us - and he will answer us. Bishop follow him as of personal interest.

3RD PARTY PRIVACY

[REDACTED]

intent & follow-up

✓ From press is made if you to go to [REDACTED] Mel
& Mike should get it

✓ part of power is strategy

Letter, concern that future investigation is [REDACTED]
[REDACTED] → we need to say something

Let there be no other person in [REDACTED] need to rest
not as much as possible in [REDACTED] window of opportunity

Letter could give further [REDACTED] [REDACTED] his [REDACTED]
as [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

- 1) [REDACTED] review
- 2) letter, [REDACTED] [REDACTED] [REDACTED]

✓ We are collecting [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Threatening letter [REDACTED]

[REDACTED]

Independent [REDACTED]

Long [REDACTED] [REDACTED]

✓ [REDACTED] (Qualities to [REDACTED])

→ [REDACTED]

3RD PARTY PRIVACY

- ① person w/ 4 BC. - Person will report if done
✓ ② I must tell to him re: D.P.
J.L.

⑦ Gary Pastore 17130 San Mateo Apt B22
Porter Valley, CA 92718
714-962-6792

Met with cell woman, 24 yr old.
Luisella - 19 yr old - he will report it.

⑧ Person stated:

① Kevin Bond

② Two stage: found crying - lady, husband etc.

Bey, Jorga, David, Bond, RVH,

I.R. informant - Thompson -

✓ family wants similar letter as before sent out -
Long interest

Brian Brumbaugh 415-772-6268

Bates Numbers 746-751 were removed by the Plaintiffs at the request of the Franciscans.

THE PROBLEM:

Because of some specific problems of pedophilia in the past connected with St. Anthony's Seminary, some of the parents concerned think that the provincial minister should write a letter to all former students of the seminary, asking if they know of any cases in which a student was molested by a friar teacher. Some, apparently, think that all teachers of the seminary in the past twenty-five years (?) should be investigated, or should be questioned about their past.

(Part of this reaction comes, naturally, from a desire to remedy, if possible, the harm that has been done and prevent it from happening to others; part, perhaps, from a desire to help the offenders; part, too, seems to come from a certain panic and from not knowing how to handle the fact of molestation emotionally or spiritually.)

One obvious difficulty with this proposal is that there is no way to control the spread and interpretation of such a letter. It would almost certainly be quoted in a paper like the NCR. The good name and work of many friars could be called into question by the actions of a presumably very small number. Such a letter would create a climate in which a person's good name could be ruined simply by suspicion or association, even if this were later proved groundless.

POSSIBLE WAYS OF PROCEEDING:

1. A BOARD OF INQUIRY, composed of some friars and some lay people, chosen for professional qualifications, for their concern for victims and victimizers, and for their concern for the good name of the church and the friars.

This board would be at the service of the provincial minister OR the general visitor. They would suggest ways of investigating alleged misconduct of former seminary professors.

2. a SPECIAL VISITOR GENERAL who comes in the name of the Minister General: his duties and rights would be specified by the Minister General, but we could and should ask for what we want: such a description might include:

- he is to assist the provincial minister with his definitorium;
- he is to refer all his findings to the general minister OR
- he is to have full authority to make all necessary decisions, except those which the general minister wishes to reserve to himself;
- he is to have a qualified secretary, chosen or at least approved by himself;

On Nov. 4 Peter Williams called me from Rome to tell me that he had consulted with Joan Folguera (general postulator) who is a canonist. Folguera says that it is possible to appoint a special general visitor for a specific or determined case. Naturally he advises great care under the present circumstances. Peter will look up the statutes for general visitor; if there is anything pertinent, he will send me a copy.

3. a combination of 1 and 2: the visitor would be helped by the board, but since he is a representative of the general minister, he remains apart from the board, but with the authority to preside at their sessions OR take part, audit their sessions and confer with them individually or in a group.

Office of the Prior
SAINT JOHN'S ABBEY
COLLEGEVILLE, MINNESOTA 56321 U.S.A.

A statement of Saint John's Abbey concerning sexual abuse and exploitation

Saint John's Abbey is saddened that some members of this monastic community have been cited in allegations of sexual abuse and sexual exploitation which are currently being processed by legal and church officials. Our primary concern must be for the victim's safety and well-being.

Several years ago when similar allegations were made against the clergy elsewhere, we began a process to deal responsibly with incidents or patterns of sexual impropriety within this monastic community if and when they are brought to our attention. The monastic community feels a deep revulsion for breaches of trust and responsibility, and we are committed to the following course of action:

- to respond immediately as a monastic community to achieve the spiritual and psychological healing of any person who may have been a victim of sexual abuse or exploitation inflicted by a member of our community;
- to deal quickly, firmly and appropriately with abusers;
- to strengthen the ongoing dialogue within this community on issues of human sexuality, basic spirituality and responsibility;
- to continue our rigorous scrutiny of all who seek membership in our community;
- to reaffirm and continue to implement procedures for dealing with cases of sexual abuse and exploitation which were adopted by Saint John's Abbey on February 7, 1989.

We have discussed these charges seriously as a community. We view sexual abuse and exploitation as unquestionably deplorable. Mindful of our generations of faithful service to the local and universal church and the academic community, we are determined that this community will not tolerate sexual abuse or sexual exploitation by any of its members.

Father Jonathan Licari, O.S.B., Prior-Administrator
Saint John's Abbey
October 22, 1992



THE CHANCERY

DIOCESE OF SPOKANE
POST OFFICE BOX 1453
SPOKANE, WASHINGTON 99210
WEST 1023 RIVERSIDE AVENUE

ADMINISTRATIVE POLICY FOR ALLEGED CASES
OF SEXUAL ABUSE AND CHILD ABUSE

The policy of the Diocese of Spokane in alleged cases of Sexual Abuse or Child Abuse by church employees, including priests and deacons, encompasses the overriding concern of the pastoral care of the victim and his/her family, as well as the immediate evaluation and just treatment for the alleged offender, and reconciliation of all involved as part of the ministry of the Church.

When an allegation is brought to the attention of the Diocese, without an assumption of guilt, we will take the following steps.

1. Allegations of Sexual Abuse or Child abuse must be reported to the Office of the Bishop by those who know or have reasonable cause to believe that abuse has taken place. The Diocese will respond promptly to the pastoral needs of the victim, the family, and the accused. The Moderator of the Curia will be the lead agent in this response.
2. The Diocese will verify notification of the appropriate governmental agency. The legally mandated "reporting channel" for abuse of children is the Child Protective Services of the Department of Social and Health Services. The Diocese will further direct all church employees, lay and clergy, to cooperate in the investigation. If the accused is an employee of the Diocese and he/she fails to cooperate, he/she will be suspended from duties without pay. A priest or deacon is liable to the canonical penalty of suspension for failure to cooperate with the investigation.
3. The Diocese will inform the accused individual that an allegation has been made, that an investigation and evaluation by proper authorities will begin immediately, and that in cases of alleged sexual abuse, without assumption of guilt the accused individual will be relieved of his/her duties with pay during the investigation. A priest or deacon will be removed from sacred ministry during the course of the investigation in accord with c. 1722.

REGARDING CASES OF SEXUAL ABUSE

4. In all cases of confirmed sexual abuse, the Diocese will terminate the employment of the individual. A priest or deacon will be subject to canonical penalties or other prohibition to ministry.
5. Every effort will be made to see that the individual receives treatment for the disorder.

DRAFT LETTER

Dear Alumni,

I am writing this letter to you on behalf of the friars of the St. Barbara Province to inform you about two instances of sexual misconduct with students by former faculty members of the seminary. I also want you to know how the friars are responding to this most difficult situation. With this letter we also want to reach out to any who may be in need of help.

The Province has a sexual abuse policy. We have always followed it and responded to any report of inappropriate sexual behavior. After Fr. Philip Wolfe, who had been at the seminary from 19-- to 1984, admitted to having engaged in sexual behavior with two seminarians, he was convicted of sexual child molestation in 1987. We had no reason to believe that Fr. Wolfe had been sexually involved with any other seminarians.

This past spring a former seminarian and Santa Barbara Boys' Choir member, informed the Choir and the friars that he had been touched in sexually inappropriate ways by Fr. Robert Van Handel. Fr. Robert was a faculty member at the seminary from 19-- to 19--.

In an effort to discover if there were other boys who might have felt harmed by similar behavior, the friars together with the Choir, sent a letter describing Fr. Robert's actions, to all those who were members of the choir during Fr. Robert's tenure. In conjunction with this an announcement was made to the Greater Community at the 9:30 Sunday Mass. In a subsequent open meeting, called to discuss these matters, further allegations of sexual misconduct by Fr. Robert were made by two former seminarians.


As Friars Minor and religious men in the Catholic Church, we deplore all forms of sexual exploitation and abuse. And we feel deep concern for anyone who has been harmed in this manner. As friars we have a particular concern for all the alumni of St. Anthony's Seminary. We want to be able to offer spiritual and psychological assistance to those who may be in need of it because a faculty member acted in a sexually inappropriate way. We realize such individuals may need encouragement to seek help.

The Province, in cooperation with the Greater Community, is establishing a board of professional and concerned lay people, to investigate allegations of sexual abuse, and to offer assistance to those who have been harmed in these ways. This board will begin its work in January, 1993. If you

wish to speak to the board or to be contacted by them after that date you may write to the following address:

St. Anthony Seminary Board of Inquiry
2300 Garden St.
Santa Barbara, Ca. 93105

If you want to talk to one of the friars before then you may write or call either of these friars:


2300 Garden St.
Santa Barbara, Ca. 93105
(805) 682-4720

Fr. Tom West OFM
133 Golden Gate Ave.
San Francisco, Ca. 94102
(415) 863 - 0111

People these days move frequently. Our alumni lists are not complete. If you know of former alumni you think may not receive a copy of this letter please feel free to pass it on to them.

In its long history St. Anthony's Seminary has educated, nurtured and been home to many generations of fine men. As an institution, St. Anthony's has done much good for so many individuals as well as for our church and our society. It is my hope that we will not lose sight of this, as we try together to deal honestly and compassionately with these painful and difficult matters.

**CONFIDENTIAL****Province of St. Barbara****FRANCISCAN FRIARS**

1500 34th Avenue Oakland California 94601 (415)536-3722 Fax (415)536-3970

FACSIMILE TRANSMISSION
FAX: (510) 536-3970

To: _____
Number: _____
From: Mel Jurisich, OFM
Date: November 24, 1992
Total No. of Pages: _____
(Including this page)

Dear _____

Raymond and I have reviewed Tom's draft letter. We both feel that it lacks warmth and is too objective. Not very pastoral and there is no flow. Either the Boys Choir letter or even Albie's letter is much better than this. Perhaps those two letters should be used as models and some elements of Tom's be added. Tom's first paragraph jumps right into it and it is too cold, too objective.

OFM VANH 1
0757

Memo

to [REDACTED]

November 2, 1992

Tom West called with the following information:

Fr. Sylvester McDermot will be happy to come and talk to you and the definitorium at any time. He's a member of the Sensitive Issues Committee for the Diocese of Sacramento. He says they don't put anything in writing.
Phone number (916) 441-4500

The Director of the Forraro Center is Dr. Donald St. Louis
Phone number (415) 777-1998

OFM VANH 1
0758



FRANCISCAN FRIARS

133 Golden Gate Avenue

San Francisco, CA 94102

Tel.: (415) 863-0111

11/11

Dear [REDACTED]

Here is the Sexual Abuse policy from Spokane. Also a letter from St. John's. Obviously others are dealing with this in similar ways. See you next week.

Peace, Tom

OFM VANH 1

0759

3rd PARTY PRIVACY

A Pastoral Response to Allegations and Instances of Sexual Abuse of Minors at St. Anthony's Seminary

I. Sexual abuse of minors involves an egregious violation of personal integrity and the breaking of one of society's most basic bonds of human loyalty and trust. It is an invasion of both the personal and familial life of the victim. When this abuse is perpetrated by a priest or religious the offensiveness is compounded by the high regard, faith, and power which is given to those in positions of pastoral example and leadership in the Catholic Christian community. Knowledge of the action provokes confusion about faith, anger at the personal violation, and sows distrust in all directions, creating in many respects a "solidarity in victimhood" between the minor, his family, and the community to which they belong. This abuse can in no way be tolerated, countenanced, or accepted by the religious fraternity in which the accused friar has made profession.

Because sexual abuse of a minor is such a unique example of offense against those essentially "voiceless" and "powerless," the religious fraternity, itself a victim, must take decisive steps to speak for those who have no voice, heal the wounds of the body of Christ which has been socially violated, and restore the basic elements of trust and fidelity which have marked the close relationships between the friars and the community of which they are a part. The experience of the depth of the wound on all sides necessitates a stronger witness to the Gospel; the event itself, within the context of our way of life, is an opportunity to follow Christ both as "peacemakers" and "penitents from Assisi."

This pastoral response is dictated by our covenant with the people of God and the religious integrity of the Gospel. Our concern must be truth with a pastoral face.

II. Presenting History

In March 1989, charges of sexual abuse of minors were filed by [REDACTED] against Philip Mark Wolfe, who was a Franciscan friar and teacher at St. Anthony's seminary from September 1981 to June 1984. The molestation occurred between 1983 and 1987, but because of the statute of limitations only the charges of [REDACTED] could be treated with criminal seriousness. In September 1989, Philip Wolfe pleaded "no contest" to one count of oral copulation with a person under eighteen. In May 1992, the [REDACTED] approached the provincial minister to inform him that [REDACTED] while a member of the Santa Barbara Boys Choir, also had been inappropriately sexually touched by Father Robert VanHandel, O.F.M. Robert VanHandel was founder of the choir and teacher at St. Anthony's Seminary from May 1975 to its closure in June 1986. Robert has admitted to the activity with members of the Boys Choir but has given no indication that this activity extended to seminarians at St. Anthony's. While the activity with the Boys Choir was pursued through the means of a public letter to members and family, at a meeting at St. Anthony's on October 28, 1992,

other allegations were made against Robert Van Handel, one involving a member of the Boys Choir to which Robert had previously admitted, and another involving a seminarian at St. Anthony's Seminary. Since that time, another boy who was both a member of the Boys Choir and a student at St. Anthony's has come forward. Other instances involving Robert continue to surface indirectly, at this time the victims choosing to remain anonymous; it is certainly expected that further revelations will occur, the extent of the abuse being unknown. The Franciscans are trying to pursue all available leads.

Recently, we also have known of three cases pursued from an earlier period which are being dealt with privately. The friars involved were at St. Anthony's in the late 1960's, 1971-1973, and 1977-1980, 1982-1983. Currently, we have indications that one of these cases may have been multiple; we have no indications about the others. Lastly, although we have no evidence of wrongdoing at St. Anthony's, we do have evidence that a sixth friar who had some problems elsewhere, resided at St. Anthony's from October 1980 to 1986.

Given this presenting history and the current deep concern in the local community, some further action is both important and appropriate; we must act with all integrity to deal with this situation.

III. Evolution of a Pastoral Response

In April 1988 the Province first formalized its pastoral response for dealing with accusations of misconduct against friars. This policy was in effect when the case of Father Philip Wolfe first surfaced; the policy in effect did not specifically address accusations and instances of child abuse. Since that time we have made great strides in understanding the depth of the issue involved, the victimization of the families, and the necessity of a more sensitive and appropriate response to instances of child abuse. After an intermediate policy statement was formulated for this offense, a more comprehensive policy was adopted by the provincial definitorium in January 1992. A copy of that policy, the current one, is attached.

In terms of our response to the first accusations against Philip Wolfe, I must honestly say in retrospect that my own approach was overly legalistic and I am genuinely sorry for my failure to deal adequately with the family, either myself or through a designated intermediary. As a result, the isolation of the family increased and the response of the Church was hopelessly inadequate. This continues to be a source of hurt to the family, and I have nothing to offer except apologies and a firm purpose of amendment. This isolation continued from March to August of 1989, when I met with the [REDACTED] to see if there was anything that could be done to help. After September 20, when Philip Wolfe was sentenced, the family was more clearly able to articulate its goals, and these were written to me in November 1989 with great truthfulness and charity. A meeting was set up between the family and the definitorium in January 1990, and although very painful for all parties involved, I am grateful that the truthfulness of the family moved us to more adequately

Third Party Privacy Rig

understand the terrible havoc wrought by child abuse. Four achievable goals were presented to the friars by the family and they overlapped with our own desires to address any situation like this actively and with the strongest pastoral responsibility. I mention this brief history both to thank the [REDACTED] for helping us at that time, to take responsibility and apologize myself for my own failures to address the initial abuse, and to indicate that the friars themselves are continuing to learn. The whole fraternity grew tremendously through this experience, from a reevaluation of its admissions procedures, through workshops by professionals to province members, to the formulation of a clear and precise policy, to my own speaking to other religious and church groups on the importance of dealing directly with this problem in our society and Church.

Given this background, I think we are in a much better position both to understand the extreme hurt of the present situation and how it might be approached in a "victim-centered" way. We are trying our best.

IV. Specific Steps

I would like to suggest the following steps, victim and family centered, to approach the current situation:

1. The friars will continue to be proactive in responding to known victims and their families through the offering of counselling, the identification of contacts in the local community, personal visits, and remuneration of therapy.

2. It is clearly necessary that more information be gathered so that possible victims can be identified and helped in an appropriately confidential and sensitive way. In addition, the friars must be and appear to be witnessing to their own religious integrity; this involves self-monitoring and pastoral responsiveness to the needs of the community. To meet these goals, I suggest a two-stage approach:

A. In early January 1993, a letter will be sent to past pupils of St. Athony's Seminary from 1966 to 1986. A sample of a possible letter, written by Alberic Smith, is attached. Any victim who wishes to come forward will be promised confidentiality and asked to contact a named psychologist or a member of the board of inquiry, Dr. Eugene Merlin. Information will then be processed in accordance with the province policy.

B. Also in January 1993, a special board of inquiry will be established directly accountable to the provincial minister. This board of inquiry will be chaired by Fr. Dismas Bonner, O.F.M. and be composed of Dr. Eugene Merlin, a local family counsellor, and a member of the local community. The Board will be asked to ~~seek out information involving instances of the abuse of minors at St. Anthony's Seminary from 1966 to 1986, by~~ interviewing friar faculty staff, receiving responses from the letter previously sent out, and making themselves available to any other members of the SAS staff or community for a personal interview, should these people so desire. While

respecting absolutely the confidentiality and privacy of anyone who comes forward and the accused, the Board will be asked to make a specific recommendations for further action to the provincial minister and the definitorium. These recommendations, within the bounds of confidentiality, will be made public. The Board will set its own norms of conduct beyond these guidelines.

3. In the course of the next four months (December through March 1993) and longer, if necessary, the friars will sponsor a series of fora which will have as their purpose the education of the franciscans and local faith community on issues of child abuse and its implications, the spiritual dimensions of the situation and its meaning for the church, and the naming of local resources in the area. These goals may be accomplished by a day of recollection or weekend retreat, workshops, study groups, and the dissemination of information at the Sunday gatherings.

4. The province will work with the diocese in sponsoring a workshop for the broader Catholic community in Santa Barbara for the purposes of education and community information.

5. The province will make available to the local Santa Barbara community rooms for holding support groups for victims and their families.

6. With respect to any friars accused of sexual abuse, the province will hold with all rigor to its previously established policies (especially number 9).

Dear [REDACTED]

Nov. 2, 1992

This is a suggested letter to the alumni of St. Anthony's about sexual abuse. It would be sent to those who were here from the 70's to the time the school closed. I put the letter in the first person because one approach to such a letter is that it comes from me, the Alumni Association director. All of these are just ideas, and I realize you may have quite a different approach, and that is fine.

Dear.....

I am writing you this letter with a heavy heart. You and I know how much good has come to so many young men who spent time here at St. Anthony's Seminary. Every year so many come back or write to tell me how much this place means to them because of the good things they experienced here. On rare occasions, however, we have come to find out that a few students received evil when they were here. This evil came in the form of sexual abuse by a very few faculty members.

I am speaking in particular of Fr. Phil Wolf who sexually abused two seminarians in the time before he left here in 1984. Fr. Robert Van Handel was sexually inappropriate with several members of the Santa Barbara Boys' Choir about twelve years ago. I mention this because he was also a faculty member at the Seminary. We have sent letters to all the Boys' Choir members and have read a letter to the Greater Community here at the Sunday Mass at 9:30. The purpose of these letters was to bring the facts of sexual abuse to the attention of all who might have been potential victims. It seems that the victims are few. But it is important that anyone who was hurt receive encouragement to seek help and know that the Franciscans deeply deplore the abuse and want to help any victims with psychological and spiritual assistance.

Since you were a student here at St. Anthony's I send you this letter. If you were hurt by any faculty member through inappropriate sexual conduct, please let Fr. Tom West, O.F.M. know. His number is 415-863-0111. He is a clinical psychologist and is in charge of arranging help for any persons who have been hurt. While the number of those hurt that we know of is very small, this letter helps assure that there are no others who are carrying this type of pain and do not know where they can go for help and healing. Please feel free to pass this information to other classmates who for whatever reason did not receive this letter. Our alumni list is limited, and if someone moves without letting us know, we have to remove them from the list.

This is, indeed, a most difficult topic to pursue. Let us keep those who have been hurt and their families in our prayers. If there is anything I can do personally to help you in your understanding of this difficult area, please let me know. It is my deep and earnest prayer that in the case of all of you who read this letter, that it was not needed—that that you were never hurt in this way at St. Anthony's.

With prayers and best wishes,

Note, [REDACTED] the familiar tone I take. That is because I know virtually all these former students and had them in class somewhere along the line.

With prayers & best wishes,

Offm

OFM VANH 1

0764

PROVINCE OF ST. BARBARA

ACCUSATIONS OF SEXUAL ABUSE OF CHILDREN: POLICIES AND PROCEDURES

Policies

Our society has grown acutely aware of the tragedy of child sexual abuse. The pain and confusion which such abuse causes child victims, their families, and the community are compounded when the abuser is a religious or other trusted member of society. While the number of priests and religious involved in such incidents is quite small, the St. Barbara Province is deeply concerned to prevent any such abuse by its friar members. Should such a tragedy occur despite our best efforts at prevention, the Province is committed to take steps to mitigate the destructive impact of the abuse on the victim, the victim's family, and the Church community. In such cases, the Province seeks to move quickly and with compassion to attend to the temporal and spiritual needs of victims and their families.

The Province is likewise committed to treating justly any religious who is accused of such misconduct. A team appointed by the Province investigates each such accusation thoroughly to determine whether there is reliable evidence to support it. Where there is credible evidence to support the accusations, the Province will take whatever steps are required to eliminate any risk to the public of further incidents. Because seeking sexual gratification from children is frequently the manifestation of a complex psychiatric disorder, the Province also seeks to treat any priest or religious against whom such an accusation is substantiated with compassion and Christian concern.

The procedures which the St. Barbara Province has developed for dealing with accusations of sexual abuse by its religious members are set forth below. These procedures are intended as a guide to assist the Provincial leadership in addressing such accusations. All of the procedures may not apply to a given situation; likewise, they may require modification or supplementation to meet the needs of a particular case. The Province regularly reviews these policies and procedures with a view towards improving them. It reserves the right to modify or replace them at its discretion.

Procedures

All accusations of child sexual abuse against members of the Province should be referred immediately to the Provincial Minister or, in his absence, to the Vicar Provincial. When such an accusation has been made, the following procedures will be implemented:

1. If any friar reasonably suspects a case of child abuse, he should report the incident to the Child Protective Services or other appropriate civil authority (please confer with the policy on reporting child abuse, 1 F in the Friary Administrative Handbook). All friars should familiarize themselves with the laws of the particular state in which they live. The friar should also report suspicion of child abuse to the Provincial Minister if the case involves another friar. Please note that any civil responsibility for reporting child abuse belongs to the friar on the local level and not to the Provincial Minister. The Province will cooperate fully with all public, official investigating agencies.
2. The Provincial or the Vicar Provincial will contact the child's family both to obtain additional information concerning the basis for the accusation and to provide pastoral support and whatever other assistance may be appropriate under the circumstances. In instances where the victim is no longer a minor, the Provincial may contact the victim directly.
3. The Provincial or the Vicar Provincial will contact and question the accused religious concerning the accusations.
4. If, after consultation with the alleged victim's family and the accused friar, the Provincial determines that there is some substance to the accusation, he will appoint a team to attend to the pastoral needs of the alleged victim's family as well as the accused friar. The team could include the Provincial or his delegate, a friar of the Province, and a lay person knowledgeable of the issues involved. The team is encouraged to consult with professionals (counselors and attorneys) with expertise in the area of child abuse.
5. The Provincial, in consultation with the Provincial Team, will determine whether the accused