

Psychotherapist/Patient Privilege

First Amendment

First Amendment

Most Holy Father,

My name is Robert Van Handel. I made solemn profession in the Order of Friars Minor, and in May of 1975 I was ordained a priest.

For many years I was active in priestly ministry, but in recent years my life has abruptly changed. As I review my history I now realize that although I acted in good faith at the time, I did not have a vocation to the priesthood and religious life. It is for this reason that I am now seeking a dispensation.

Even before I was ordained, I began to suffer from a serious psycho-sexual disease. Because of this mental illness I victimized some children and their families over a long period. This developed into a major public scandal and my eventual imprisonment. It is from a prison cell that I am writing you.

I am now confidently asking to be dispensed from religious vows and released from the obligations arising from priestly ordination. Clearly I can no longer function as a friar or a priest. I would like to live out my life as a good Catholic, give good example to my family and friends, and in this way contribute to the Church.

City of Vacaville in California
17 November 1996

Respectfully yours,
Robert Van Handel



COP

Province of St. Barbara

FRANCISCAN FRIARS

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

October 23, 1996

Robert Van Handel - J30982
California Men's Facility - 1215u
P.O. Box 2000
Vacaville, CA 95696-2000

Dear Robert,

Peace and all good.

Thanks so much for your letter which I just received this past week. I very much appreciate your prompt and very thoughtful and considerate reply. I know that it was not an easy letter to write, but I want you to know that you have my continued love and friendship and those of so many friars. I believe that, in moving in this direction, we truly will enable our own love to grow on this earth and, surely, God will bless us in abundance.

I have spoken with [REDACTED]. I am at the regional now and he is also here with the novices. He will be writing to you and probably sending you a list of questions which you might be able to respond to in written form. He's trying to figure out the best way to have this done. I've told him I thought you would be able to answer many of the questions and simply send the responses back. I hope that I was correct. At any rate, if that procedure isn't acceptable, then perhaps you could suggest something to him.

I will write to Archives Library and ask them to forward the two volumes by Francis Guest to you. In fact, I'll be down there tomorrow, so I'll talk to them then.

The turnout at the regional is pretty good and I think things are moving along well for the Chapter. Obviously, it's a time of real transition with a great deal of ambiguity on the part of everyone, not the least to say, myself.

Although I'm tired, very tired, I have enjoyed the work and really believe that it's been a great blessing for my life. Although it is time to move on, it also difficult sometimes to let go.

Let us continue to try to support each other in the best way possible. You have my assurance, as always, of my trust and support and love.

[REDACTED]

P.S. I note in the Notice of Visitor Approval that they spell my name [REDACTED] Robert, am I going to have trouble with this? I'm sure that when I spell it with a [REDACTED] they're going to tell me I'm not the same person whose on this form. Perhaps you can see if that can't be corrected too. Thanks

[REDACTED]

NOTICE OF VISITOR
APPROVAL/DENIAL/TERMINATION/SUSPENSION



INMATE'S NAME
TO: VAN HANDEL, ROBERT M
RE: 

CDC NUMBER INSTITUTION
J30982 CMF

THE PERSON IDENTIFIED ABOVE HAS REQUESTED APPROVAL TO VISIT WITH YOU.

HIS/HER REQUEST HAS BEEN APPROVED.

IT IS YOUR RESPONSIBILITY TO INFORM YOUR VISITOR.

VISITORS MAY APPEAL ANY ACTION TAKEN ABOVE BY WRITING A LETTER TO THE WARDEN
OF THIS INSTITUTION.

Dear [REDACTED]

Dec 12, 1996

Thank you very much for your letter of Nov. 27.

I hope you had a happy Thanksgiving, although I am sure that was difficult. I'm sorry to hear about your mother's stroke and physical problems. That is really sad, especially for someone who is so sharp and dignified. I certainly will keep her in my prayers.

Thank you for your offer to write a formal letter stating how the relationship between the province and me will be envisaged. That would be perfect. I will be forever grateful to you and the province for your great generosity and patience.

Today I read your interview in "Friars News." I was stunned by your reflections. I would never have realized that you too experience such fear. That makes me more appreciative of the work you have done over nearly a decade. Amazing.

Enclosed is verification that your name has been corrected in the official record. I look forward to your visit with Monica at the end of February.

Happy Advent.

Love,
Robert



CCDV

Province of St. Barbara

FRANCISCAN FRIARS

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

November 27, 1996

Robert Van Handle - J30982
California Men's Facility - 1215u
P.O. Box 2000
Vacaville, CA 95696-2000

Dear Robert,

Peace and all good.

Happy Thanksgiving. I just wanted to write you a short note following upon our Definitorium meeting to say that we all wish you a very happy feast and want to thank you for your prayers and continued support and obvious dedication to what you believe is right. I will remember you especially at the Eucharist on Thursday.

I'll be in Santa Barbara. My mother had a stroke about two weeks ago. Her mind is very good, but it left her unable to support herself on the right side and so she has to learn to use a walker. It's all very painful to watch and I would appreciate it if you could remember her in prayer.

Robert, just to let you know that I discussed your situation with the Provincial Definitorium at the last council meeting. I see no difficulty in what you asked about in your last letter. In fact, of course, I am more than supportive of the direction you indicate. The Provincial Minister and the Definitorium are obligated, constitutionally, to provide for those friars who leave the order. I can write you a formal letter based on my knowledge of the situation and the Constitutions and indicate, basically, what needs to be done in such a transition situation such as yours. I know that there won't be any difficulty. I can leave this formal letter both with the Treasurer's Office and with the next Provincial Minister. The future Definitorium would have no choice but to institute what we have determined upon. At any rate, there's some good news for you and I want to alleviate any fears you might have. Certainly you know that, in addition to this, I will do all that I can to see that everything is smooth.

God bless you, Robert. I just returned from a weekend in Denver for a much needed rest and had a good time.

Love,





COPY

Province of St. Barbara

FRANCISCAN FRIARS

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

December 19, 1996

Robert Van Handel, OFM
California Men's Facility - 1215u
P.O. Box 2000
Vacaville, CA 95696-2000

Dear Robert,

Peace and all good.

Thanks so much for your letter to me of December 12th, and of course, this one I write within the octave of Christmas and I want to wish you a very joyous and blessed Christmas. You mean a great deal to me, Robert, and I'm so pleased that we have been able to maintain a very good friendship amidst its trying difficulties. This I attribute to your own patience and generosity to me and our own perseverance together. May God bless you for this and for so much more.

I went down to see my Mother last weekend. She seems to be adjusting fairly well. She has to use a walker on long walks, that is more than 10 yards. Her mind is sound and she's able to engage very much in conversation. The stroke did destroy part of her memory and has taken away a good deal of her judgment. So, she has more energy than her poor body can accommodate. She's able to take care of herself to some extent and the staff at Villa Santa Barbara is needed only to watch her to make sure she doesn't fall over when she takes a bath. Needless to say, it's all been very difficult for myself, brothers and sister, but we're trying to set up a schedule so that one of us can visit her at least once a week.

I'll write the letter which you referred to in your letter to me sometime in early January before I get out of office. I've already talked with the Definitorium about it and know what needs to be said. It will certainly accomplish what you wanted and probably more so. Thank you so much for moving this process along in a timely fashion.

COPY

Yes, you reacted in a similar way to many others who read my reflections in Friars News. Probably, people are wondering what's in the rest of my diary. Well, that will remain hidden for quite some time, if not for eternity. Probably better off for eternity. There are other famous diaries out there which we both know about and I'm not all that certain that mine wouldn't be competitive. At least it would serve some interest for those who see only the role which I have to assume many times.

I find a lot of fear in the Province as provincial ministry is changing and an entire administration is passing out of existence. That's normal, but that's the fear I pick up in so many people is one of the reasons I thought I'd share with the friars some of my own fears. I hope that it has done some good. I hope that you found it encouraging also for yourself. So, your own courage in the midst of your fears has always been an encouragement to me. You see, it works both ways.

Monica's back in England now. I do look forward to seeing her and bringing her up to see you. We'll have a good time.

Lots to do, Robert. Christmas cards, letters, gifts, etc. Things are going well. I had a nice party for the staff yesterday. At least they seemed to appreciate it. I gave them all little gifts which were symbolic of what they mean to me. Of course, it's hard to express all they mean to me, that is [redacted] Mike D., Lupe, Rose, Gerry, my personal secretary Mary, Anne Symens-Bucher, and John Hardin. Incidentally, I gave Mike Doherty a plaque, made out of Irish turf, of David playing the harp for a disconsolate soul. I thought it was a good thing for Mike to have, as he does mean so much to my soul.

God bless you, Robert. I'll be thinking of you at this time. My prayers and love.

[redacted]



MISSION SAN MIGUEL — FOUNDED 1797

Franciscan Friars

Old Mission

P.O. Box 69

San Miguel, CA. 93451-0069

(805) 467-3256 • Fax (805) 467-2448

DOCUMENTS PERTINENT TO A REQUEST FOR DISPENSATION FROM THE OBLIGATIONS OF RELIGIOUS VOWS AND PRIESTLY ORDINATION ON THE PART OF ROBERT M.VAN HANDEL, PROFESSED PRIEST OF THE ORDER OF FRIARS MINOR.

Letter of the petitioner to the Holy Father.....	1
<u>Curriculum Vitae</u> of the petitioner.....	2
Pastoral attempts to dissuade the petitioner.....	3
Decision of the petitioner to leave the ministry.....	4
Decree naming the Instructor and Notary in the case...	5
Interrogation of the petitioner.....	6
Depositions of witnesses.....	7
Psychological reports.....	8
Documentation from the time of formation.....	9
The instructor's summary of the case.....	10
<u>Votum</u> of the Major Superior.....	11



MISSION SAN MIGUEL — FOUNDED 1797

Franciscan Friars

Old Mission

P.O. Box 69

San Miguel, CA. 93451-0065

(805) 467-3256 • Fax (805) 467-2444

1. Attestation by the Notary:

1/1

I, Fr. Thomas Messner, O.F.M., testify that I am certain as to the faithful transcription and correctness of the copies of these documents in the case of Robert M. Van Handel, O.F.M., which will be sent to the Congregation for Divine Worship and Discipline of the Sacraments.

San Miguel, California

10 January 1997

12 February 1997

Fr. Thomas Messner, O.F.M.

Fr. Thomas Messner, O.F.M.
Notary/Actuary



N.B. The first of these documents follows; it is the petition of the interested party to the Holy Father.

1/2



Most Holy Father,

My name is Robert Van Handel. I made solemn profession in the Order of Friars Minor, and in May of 1975 I was ordained a priest.

For many years I was active in priestly ministry, but in recent years my life has abruptly changed. As I review my history I now realize that although I acted in good faith at the time, I did not have a vocation to the priesthood and religious life. It is for this reason that I am now seeking a dispensation.

Even before I was ordained, I began to suffer from a serious psycho-sexual disease. Because of this mental illness I victimized some children and their families over a long period. This developed into a major public scandal and my eventual imprisonment. It is from a prison cell that I am writing you.

I am now confidently asking to be dispensed from religious vows and released from the obligations arising from priestly ordination. Clearly I can no longer function as a friar or a priest. I would like to live out my life as a good Catholic, give good example to my family and friends, and in this way contribute to the Church.

City of Vacaville in California
17 November 1996

Respectfully yours,
Robert Van Handel



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Old Mission

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San Miguel, CA. 93451-0069

(805) 467-3256 • Fax (805) 467-2448

2. CURRICULUM VITAE OF ROBERT VAN HANDEL

2.

- 1947 2 April, born in Georgetown, British Guiana
- 1956-1961 attended St. Pius V Elementary School, Buena Park CA
- 1961-1965 attended St. Anthony's Seminary, Santa Barbara CA
- 1965-1969 attended San Luis Rey College Seminary, CA
- 1969 June, graduated from College with BA in Philosophy
- 1969 14 September, entered OFM novitiate, Sacramento CA;
apostolic work at St. Patrick's Children's Home
- 1970 17 September, first profession in Order of Friars Minor
- 1970-1973 studied at Franciscan School of Theology, Berkeley CA
- 1972 awarded MA in English Church History
- 1973 1 October, solemn profession in Order of Friars Minor
- 1973-1974 studies and travel in Europe
- 1974-1975 deacon internship at St. Mary's Parish, Phoenix, Arizona
- 1975 completed theological studies at Franciscan School of
Theology and Graduate Theological Union, Berkeley CA
- 1975 17 May, ordained priest, San Francisco CA
- 1975-1985 instructor, St. Anthony's Seminary, Santa Barbara CA
- 1985-1987 Rector, St. Anthony's Seminary, Santa Barbara CA
- 1987-1991 local superior, St. Anthony's Seminary
- 1991 MA in Latin American History, UC, Santa Barbara
- 1991-1992 Franciscan School of Theology, Berkeley CA
director of post-novitiate formation
secretary to Provincial Minister
- 1992-1993 patient, St. Luke's Institute, Suitland, Maryland
- 1993-1994 assistant administrator, St. Francis Retreat, San Juan
Bautista CA
- 1994 March, arrested and found guilty of felony
- 1994 August, inmate in California State prisons
- 1996 September, decided to leave religious life and priestly
ministry





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3.

3. Summary of the pastoral attempts to dissuade Robert Van Handel from setting in motion his request for a dispensation:

The petitioner has been convicted of a felony and is currently an inmate in the prison system of the State of California. Because of this, and especially because of the nature of the crime, there is no possibility that he would be able to function publicly as a priest in the future.

Likewise, if he were to remain in the religious life he would be a great liability to the Order, and would himself be under such constant supervision that the brotherhood envisioned by our form of life would be practically impossible.

Consequently no efforts have been made to dissuade him from asking for a dispensation from the obligations of the priestly state or from his religious vows.



fr. Thomas Messner, ofm

fr. Thomas Messner, ofm
Notary

San Miguel CA
30 December 1996

REDACTED



MISSION SAN MIGUEL — FOUNDED 1797

Franciscan Friars.

Old Mission

P.O. Box 69

San Miguel, CA. 93451-0069

(805) 467-3256 • Fax (805) 467-2448

4. Statement of intent to leave the ministry.

4.

This is to certify that Robert Van Handel has finalized his decision to leave the priestly ministry. Upon receiving the petition to leave, his provincial superior suspended him from the exercise of sacred orders.



fr. Thomas Messner, ofm

fr. Thomas Messner, ofm
Notary

San Miguel, California
30 December 1996

REDACTED



Province of St. Barbara

FRANCISCAN FRIARS

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

5.

DECREE

Robert Van Handel, a solemnly professed priest member of our province, has requested to be dispensed from solemn vows and the obligations arising from ordination to the holy priesthood.

Therefore, I hereby nominate _____ : Judge Instructor,
and Thomas Messner, ofm, as recording secretary, of this case, charging them with the obligations of following the "Procedural Norms" issued by the Congregation for the Doctrine of the Faith.

Oakland, California
5 November 1966



Melvin A. Jurisch
Melvin A. Jurisch, OFM
Secretary of the Province

REDACTED

REDACTED

My name is Robert Van Handel. I was born on April 2, 1947, in Georgetown, British Guiana (Guyana). My parents are both Catholic, were married in the Church, and are still living.

I made first profession in the Order of Friars Minor on September 17, 1970, and solemn profession on October 1, 1973.

Before being ordained deacon I made, in sincere fashion, a declaration that I was freely and of my own accord receiving sacred Orders and devoting myself perpetually to the ecclesiastical ministry. I was ordained to the priesthood at St. Mary's Cathedral, San Francisco, on May 17, 1975 by Archbishop McHugh.

As a child I was devout and I served Mass regularly from the age of ten. At my father's suggestion, I began to think about becoming a priest, and in August, 1961, I entered St. Anthony's Seminary. I graduated without distinction in 1965, and was accepted into the major seminary, San Luis Rey College.

San Luis Rey College was in the midst of substantial changes in its formation program. My class was

The first to study for four consecutive years without an interspersed year of novitiate. I studied philosophy, history, literature, and science. Almost always I was obedient and respectful toward authority, although I was not always perfectly honest. The friar-faculty was itself unsettled, and as it turned out, a few were questioning their own vocations. In June of 1969 I graduated with a Bachelor of Arts degree. The college closed its doors for the final time that same year.

In September, 1969, I entered novitiate in Sacramento. Besides studying Franciscan sources and Scripture, I worked part-time at St. Patrick's Children's Home. I was also involved in the parish music program. After several months in the novitiate, we novices were sent out to various other friaries. Pat Shove and I went to Ascension Parish, Portland, where I became involved in a summer youth camp program. After returning to Sacramento, I made first profession in the Order, and then enrolled in the Theologate for studies toward the priesthood.

In 1970, I was admitted into the Franciscan School of Theology in Berkeley, California, a member

of the Graduate Theological Union. Concurrent with courses aimed toward ordination, I studied English Church History for which I was awarded a Master of Arts degree in 1972. As part of my pastoral experience, I founded and directed a boys' choir at the Newman Center in Berkeley. I became friends with many families in the area, and between my studies and the choir, I was busy all the time.

On October 1, 1973, I made solemn profession in the Order at St. Anthony's Church in San Francisco, and was subsequently ordained deacon. A short time later I traveled to Europe for a year as research assistant to a law professor. Upon returning, I served as a deacon in St. Mary's Church, Phoenix. Howard Hall, OFM, was the pastor. After about six months, I returned to Berkeley to prepare for ordination to the priesthood. I was awarded a Master of Divinity degree in 1975. On May 17, 1975, I was ordained a priest. Immediately I was assigned to teach at St. Anthony's Seminary in Santa Barbara.

I was a professor at St. Anthony's Seminary for the next twelve years, the last two of which I

served as Rector. Also at various times I served the friar community as vicar and superior. During these years I was the founder-director of the Santa Barbara Boys Choir. In 1987, under the direction of the Provincial, we closed the seminary, but I remained there as administrator. At this time I entered the University of California at Santa Barbara as a graduate student in colonial Latin American history, and in 1991 I earned a Master of Arts degree. During these later years I served as spiritual assistant to a fraternity of Secular Franciscans.

In 1991 I was transferred to Berkeley, where I was an assistant post-novitiate formation director to some of the students. My chief assignment was as personal secretary to the Provincial.

From June, 1992, until July, 1993, I was a patient at St. Luke's Institute in Maryland for treatment of a psycho-sexual illness. Upon returning to California, I was assigned to St. Francis Retreat in San Juan Bautista as an assistant administrator with no ministerial duties.

In March, 1994, I was arrested and found guilty of a felony. From August, 1994, through the present day I have been an inmate in California state prison.

Although I did have a supervised ministerial course as a Theology student, for the most part my involvement in Newman Center, Berkeley, was seen as a substitute. As a deacon I was closely supervised by the parish staff at St. Mary's Church, Phoenix. I gave instructions in preparation for baptism, confirmation, communion, and marriage. I assisted at funerals, weddings, and burial services.

Since ordination I have primarily ministered as a teacher and administrator. I have had very little pastoral experience. While at St. Anthony's Seminary, I did minister to the outside worshipping community which came to Sunday Mass. For a year or two I was spiritual assistant to a fraternity of Secular Franciscans. Later, while working at the provincial office, I periodically assisted at a local parish.

I have never had any serious physical health problems. While at St. Luke's Institute in 1992, I was diagnosed as suffering from chronic depression and a psycho-sexual problem. While I was aware of some possible sexual irregularities prior to novitiate, and I made some attempt to address these prior to ordination, it was not until years later

6a/6

6

That these problems and the depressive symptoms became clearer to me, I only understood the extent of my problems when I was a patient at St. Luke's Institute. No formation personnel knew of these problems.

My desire to be a priest began in my boyhood years. When I began to attend St. Anthony's Seminary as a high school student, I began to learn about being a friar as a separate calling. Throughout my training, I tried to understand the dual vocations of priest and friar. As my knowledge of this life grew, so did my desire to reach these goals.

Re: The Will of ...

seriously considered a different way of life.

All of those who supervised my formation were good men and fine friars. But it is true that several of those who guided me during my college years did themselves leave the Order and priesthood. These are among the most exemplary friars in the province. I can find no fault with what was passed on to me. I had a wonderful novitiate team — all were and are excellent friars. The difficulties in my novitiate year, the inconsistency and lack of focus, were the result of changing times, new programs, and somewhat rebellious novices. The Novice-Master was overworked, and both assistants were involved in academic degree programs. Much of the time my mind was occupied with work outside the novitiate regimen. There were times of unsettling change which affected us all. I was prepared as well as I could be for first profession, but there were areas in my life which remained unexamined.

My superiors during my post-novitiate years were also wonderful friars, particularly Kieran Osborne and Pierre Etcheberry. I learned much from their example and commitment to the Franciscan life and to theological studies. I did well in my courses

and was involved in the community life. My superiors guided me well and encouraged me to develop my interests in music and history. They felt I was making good progress as a young priest and candidate for Holy Orders. In formal and casual conferences I was complimented. Now I realize that I too easily adopted a semi-independent lifestyle. My work with the choir at Newman Center commanded much of my concentration and time. An area which became increasingly problematic remained unexplored: my emotional and psycho-sexual life.

As early as my college years, in the late 1960's, I began to experience uneasiness in certain sexual areas, although it was not until years later that I offended, and even longer before I was able to identify these problems. They continued to simmer in my unconscious during novitiate, but actually did not surface until later. Because of my secrecy, combined with a lack of awareness of sexual problems, my misbehavior, which became more serious after ordination, was never discovered. Along with an outgoing and successful active life in Kachib, I had serious but undiscovered emotional and psychological problems which continued to get worse. In 1984 my depression became acute, and I began to see a

licensed psychologist. This helped to reduce the symptoms, but I was not tested in any systematic or clinical way, nor did I receive any medication. I also never reached the source of the illness. For several years I continued to get professional counseling, but my religious superiors did not know of the problem, and I never dealt with the core illness. In 1992 I became a psychiatric patient at the St. Luke Institute in Maryland, a private mental hospital specializing in treating religious men and women with addictive problems. There I was given a thorough battery of physical and psychological tests. The admitting diagnosis was for a specific psycho-sexual illness with accompanying depression. This diagnosis was confirmed, I believe, by a court-appointed psychiatrist in 1994. For thirteen months I underwent medical and twelve-step therapy at St. Luke's, then upon returning to California, I entered a relapse-prevention program designed to treat this problem. I have continued to take anti-depressant drug therapy from 1992 through the present day. Even now in prison I am active in two therapy programs specifically focused on my psycho-sexual problem.

In September of 1996, after months of thought

6a / 10

10

and a discussion with my Provincial, I decided to leave both religious life and priestly ministry. My problems have been so serious and pervasive, and the accompanying scandal so virulent, that it is impossible for me to give good example as a religious or to function as a priest. Without doubt I would completely disrupt the community life in any friary to which I were assigned. The common life is no longer viable for me as a Franciscan priest. My continued participation in religious life will cause further disgrace and scandal for the Church.

At the present time I am an inmate in a California state prison. My address is:

California Medical Facility

Cell I 215 U

P.O. Box 2000

Vacaville, CA 95696

I have never attempted marriage, and I have never fathered any children.

At this time I am asking for a dispensation from my religious vows, and also for laicization from the priesthood. Not only am I unable to live the fraternal life as a Franciscan, but

6a/11

11

It would be a scandal for the Church and a burden to my brothers. It would be impossible for me to minister as a priest.

I realize that this decision to seek a dispensation from my religious vows and laicization from priestly ministry is definitive and irrevocable. Further I understand that concomitant with a release from clerical celibacy is the complete loss of priestly ministry. I will no longer be able to serve in any priestly role.

Having read the foregoing, I have nothing to add.

In conclusion, I, Robert Van Handel, swear that I have spoken the truth and only the truth in my deposition as given above, as I perceive that truth before God and my conscience, and that I have explained that truth faithfully. So help me God and these Holy Gospels upon which I place my hand.

Varadero, California

December 5, 1996

Robert Van Handel

6a/12

In witness to Robert Van Handel
swearing upon the Holy Gospels to the truthfulness
of this deposition, on December 5, 1996, I am

Rev Innocent A. Emechete

12/5/96.



California Medical Facility

P.O. Box 2000,

Vacaville, Ca. 95696.

6. Interrogation of the Petitioner.

The following is the typed transcript of the deposition which the petitioner made in his own hand in response to questions which were sent to him by the Instructor of the Case. His original deposition, handwritten and properly witnessed, is included with this text.

DEPOSITION OF THE PETITIONER:

My name is Robert Van Handel. I was born on April 2, 1947, in Georgetown, British Guiana (Guyana). My parents are both Catholic, were married in the Church, and are still living.

I made first profession in the Order of Friars Minor on September 17, 1970, and solemn profession on October 1, 1973.

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I was a professor at St. Anthony's Seminary for the next twelve years, the last two of which I served as Rector. Also at various times I served the friar community as vicar and superior. During these years I was the founder-director of the Santa Barbara Boys' Choir. In 1987, under the direction of the Provincial, we closed the seminary, but I remained there as administrator. At this time I entered the University of California at Santa Barbara as a graduate student in colonial Latin American history, and in 1991 I earned a Master of Arts degree. During these later years I served as spiritual assistant to a fraternity of Secular Franciscans.

In 1991 I was transferred to Berkeley, where I was an assistant post-novitiate formation director to some of the students. My chief assignment was as personal secretary to the Provincial.

From June 1992, until July 1993, I was a patient at St. Luke's Institute in Maryland for treatment of a psycho-sexual illness. Upon returning to California, I was assigned to St. Francis Retreat in San Juan Bautista as an assistant administrator with no ministerial duties.

In March, 1994, I was arrested and found guilty of a felony. From August, 1994, through the present day I have been an inmate in California State prisons.

Although I did have a supervised ministerial course as a theology student, for the most part my involvement in Newman Center, Berkeley, was seen as a substitute. As a deacon I was closely supervised by the parish staff at St. Mary's Church, Phoenix. I gave instructions in preparation for baptism, confirmation, communion, and marriage. I assisted at funerals, weddings, and burial services.

Since ordination I have primarily ministered as a teacher and administrator. I have had very little pastoral experience. While at St. Anthony's Seminary, I did minister to the outside worshipping community which came to Sunday Mass. For a year or two I was

spiritual assistant to a fraternity of Secular Franciscans. Later, while working at the provincial office, I periodically assisted at a local parish.

I have never had any serious physical health problems. While at St. Luke's Institute in 1992, I was diagnosed as suffering from chronic depression and a psycho-sexual problem. While I was aware of some possible sexual irregularities prior to novitiate, and I made some attempt to address these prior to ordination, it was not until years later that these problems and the depressive symptoms became clearer to me. I only understood the extent of my problems when I was a patient at St. Luke's Institute. No formation personnel knew of these problems.

My desire to be a priest began in my boyhood years. When I began to attend St. Anthony's Seminary as a high school student, I began to learn about being a friar as a separate calling. Throughout my training, I tried to understand the dual vocations of priest and friar. As my knowledge of this life grew, so did my desire to reach these goals.

Beginning with my childhood years, and certainly in my application to St. Anthony's Seminary, I was strongly encouraged by my father. He believed that each of us children should explore a calling to religious life. My eldest sister was accepted into a convent, but at the last minute refused to go. One of my younger brothers attended the seminary for three years. It is difficult for me to estimate how much I was influenced by my father, but I did want to be successful in his eyes, and he certainly wanted me to be a priest. I never seriously considered a different way of life.

All of those who supervised my formation were good men and fine friars. But it is true that several of those who guided me during my college years did themselves leave the Order and priesthood. Others are among the most exemplary friars in the province. I can find no fault with what was passed on to me. I had a wonderful novitiate team -- all were and are excellent friars. The difficulties in my novitiate year, the inconsistency and lack of focus, were the result of changing times, new programs, and somewhat rebellious novices. The Novice-Master was overworked, and both assistants were involved in academic degree programs. Much of the time my mind was occupied with work outside the novitiate regimen. These were times of unsettling change which affected us all. I was prepared as well as I could be for first profession, but there were areas in my life which remained unexamined.

My superiors during my post-novitiate years were also wonderful friars, particularly Kenan Osborne and Pierre Etchelecu. I learned much from their example and commitment to the Franciscan life and to theological studies. I did well in my courses and was involved in the community life. My superiors guided me well and encouraged me to develop my interests in music and history. They felt I was

making good progress as a young friar and candidate for Holy Orders. In formal and casual conferences I was complimented. Now I realize that I too easily adopted a semi-independent lifestyle. My work with the choir at Newman Center commanded much of my concentration and time. An area which became increasingly problematic remained unexplored: my emotional and psycho-sexual life.

As early as my college years, in the late 1960's, I began to experience uneasiness in certain sexual areas, although it was not until years later that I offended, and even longer before I was able to identify these problems. They continued to simmer in my unconscious during novitiate, but actually did not surface until later. Because of my secrecy, combined with a lack of awareness of sexual problems, my misbehavior, which became more serious after ordination, was never discovered. Along with an outgoing and successful active life in teaching, I had serious but undiscovered emotional and psychological problems which continued to get worse. In 1984 my depression became acute, and I began to see a licensed psychologist. This helped to reduce the symptoms, but I was not tested in any systematic or clinical way, nor did I receive any medication. I also never reached the source of the illness. For several years I continued to get professional counseling, but my religious superiors did not know of the problem, and I never dealt with the core illness. In 1992 I became a psychiatric patient at the St. Luke Institute in Maryland, a private mental hospital specializing in treating Religious men and women with addictive problems. There I was given a thorough battery of physical and psychological tests. The admitting diagnosis was for a specific psycho-sexual illness with accompanying depression. This diagnosis was confirmed, I believe, by a court-appointed psychiatrist in 1994. For thirteen months I underwent medical and twelve-step therapy at St. Luke's, then upon returning to California, I entered a relapse-prevention program designed to treat this problem. I have continued to take anti-depressant drug therapy from 1992 through the present day. Even now in prison I am active in two therapy programs specifically focused on my psycho-sexual problem.

In September of 1996, after months of thought and a discussion with my Provincial, I decided to leave both religious life and priestly ministry. My problems have been so serious and pervasive, and the accompanying scandal so virulent, that it is impossible for me to give good example as a religious or to function as a priest. Without doubt I would completely disrupt the community life in any friary to which I were assigned. The common life is no longer viable for me as a Franciscan priest. My continued participation in religious life will cause further disgrace and scandal for the Church.

6/5

At the present time I am an inmate in a California State prison. My address is:

California Medical Facility
Cell I 215 U
P.O. Box 2000
Vacaville, CA 95696

I have never attempted marriage, and I have never fathered any children.

At this time I am asking for a dispensation from my religious vows, and also for laicization from the priesthood. Not only am I unable to live the fraternal life as a Franciscan, but I would be a scandal for the Church and a burden to my brothers. It would be impossible for me to minister as a priest.

I realize that this decision to seek a dispensation from my religious vows and laicization from priestly ministry is definitive and irrevocable. Further I understand that concomitant with a release from clerical celibacy is the complete loss of priestly ministry. I will no longer be able to serve in any priestly role.

Having read the foregoing, I have nothing to add.

In conclusion, I, Robert Van Handel, swear that I have spoken the truth and only the truth in my deposition as given above, as I perceive that truth before God and my conscience, and that I have explained that truth faithfully. So help me God and these Holy Gospels upon which I place my hand.

Vacaville, California.

December 5, 1996

/s/ Robert Van Handel

In witness to Robert Van Handel swearing upon the Holy Gospels to the truthfulness of this deposition, on December 5, 1996, I am



/s/ Rev. Innocent A. Emechate

12/5/96

California Medical Facility
P.O. Box 2000
Vacaville, CA. 95696

The foregoing is an accurate transcription of Robert Van Handel's handwritten deposition.


for Thomas Messner, ofm
Thomas Messner ofm, Notary

San Miguel, California
14 December 1996

OFM VANH 1 0836

DEPOSITION OF FR.MICHAEL GUINAN OFM

7/1

This is a deposition in favor of Robert Van Handel's petition to be dispensed from solemn vows and the obligations arising from sacred orders:

My name is Father Michael D.Guinan, O.F.M. I am 57 years old, a priest member of the Franciscan Province of St.Barbara. I live at the faculty residence of the Franciscan School of Theology where I have taught for the last twenty-five years: 1712 Euclid Ave., Berkeley CA 94709, U.S.A.

I came to know Robert Van Handel when I arrived at the Franciscan School as a new professor in December of 1971. He was in temporary profession at the time, but I did not have much contact with him. In retrospect I remember him as seeming always relaxed and easy-going. There were no indications or clues of the misconduct which surfaced later.

In the following year, 1972, while on a trip, I had occasion to stay overnight at his family home; I met his parents and his brother. I remember that they were very nice but rather rigid and conservative.

I really do not remember much about his general conduct before his solemn profession and ordination. I recall that he was very involved with a Boys' Chorus; he seemed to have quite a bit of interest and knowledge about the subject, even though he did not have much talent for it. To the best of his ability I think that Robert offered indications of an authentic vocation and of suitability for living the priestly and religious life. I was new on the faculty at the time and deferred to the judgement of others on the formation team who had more experience.

My name is Father Richard Juzix, O.F.M. I am 49 years old and a priest member of the Franciscan Province of St. Barbara. At present I am pastor of St. Francis Parish, 1112-26th St., Sacramento, California 95816.

I first met Robert Van Handel around August-September of 1961 when we both entered St. Anthony's Seminary, Santa Barbara, California. We were in the same class, and were in studies together for 12 years. I have come to know him very well. My mother and I once stayed at his family home in Buena Park, CA.

Robert has two older sisters and two younger brothers. All the siblings are very close to each other. His father has had problems of alcoholism; he is removed from his feelings; he was not affectionate or expressive of his feelings. I suspect that he was at least verbally abusive - perhaps physically so - to the members of his family. - Robert's mother behaved like an abused wife: she was nervous around her husband and smoothed things over, making excuses for him.

This is what I remember about Robert's temperament and general conduct:

- a) before novitiate: he was introverted, lacked self-confidence; he was perhaps a bit immature for his age, although his conduct was not out of order.
- b) before solemn profession: he was still introverted but did grow in self-confidence (e.g., in his music); he seemed comfortable with himself as a person and as a friar. He achieved personal and accademic goals (he did very well in school).

Michael Doherty (another classmate), Robert and I made our retreat before solemn profession together. My memory is that it was a very good experience. All three of us shared a lot and strengthened our personal life as classmates.

- c) before priestly ordination: Robert was ordained deacon and then went to Europe as an assistant to Dr. Coons, a professor at the Law School of the University of California (he took care of the professor's children). Afterwards he returned to do his deacon internship and our paths did not cross again before our priestly ordination.

I believe that prior to ordination Robert offered indications of an authentic vocation and that he had the proper intention and suitability for living the religious and priestly life.

His conduct after ordination, as far as I knew, was good. He fulfilled his obligations very well, and I knew of nothing that would have made me conclude that he was unfit for the priesthood and the religious life.

When the accusations of sexual misconduct were made publicly against him I had strong feelings of anger against him for betrayal of trust. But at no time did this lessen my feelings and my love for him. As a result of this strong conflict of feelings I experienced so many problems that I had to seek the help of a counsellor.

I think that Robert is making a mistake in asking for a dispensation. In the (prison) hospital he is sedated and under medication, and this does not seem the best time to petition for laicization. I think that perhaps he is doing this more for us (the Province) than for himself.

I understand that he has a severe case of disassociation: he honestly does not know or remember his negative actions until he is confronted with them. Are there more cases of which he could be accused in the future?

However, if Robert really wants this dispensation, I would support him in his petition.

Michael Doherty, Robert Van Handel and I promised each other that if one of us needed the others, we would be there. I am at a loss as to how to help him, especially in light of the new law in California which allows the State to keep a person incarcerated if he is judged to be a danger for society. - I know that if Robert is released, he will be there for me if I need him.

I have nothing further to add.

Sacramento, California
20 December 1996



The witness: Fr. Richard Juzix OFM

The notary: Fr. Thomas Messner OFM

REDACTED

DEPOSITION OF FR. KENAN B. OSBORNE, O.F.M.

7/4

My name is Father Kenan Osborne, age 66. I am priest member of the Franciscan Province of St. Barbara. My address is Franciscan School of Theology, 1712 Euclid Ave., Berkeley, California 94709, U.S.A., I am a professor at the school.

I was vocation director for our Franciscan Province from 1958 to 1964, and it was in this capacity that I first came to know Robert Van Handel, in 1960 when he was 13 years old. I met him and his family, his teachers and his pastor. Having investigated his background in this way I recommended him for admission to our minor seminary in Santa Barbara. Later I taught him theology for four years at the Franciscan School of Theology. Over the years I have stayed in touch with him and his family.

His family background was strongly Catholic - somewhat rigidly so, especially his father who was more more religious than the mother. His father was fairly demanding of his children and did urge and push Robert toward the seminary. The parents considered it a great blessing that their son should go to the seminary. They were a little eccentric, but good people. I think that the father had a drinking problem.

For four years I taught Robert theology and lived in the same house with him, and I can say that his conduct before solemn profession and ordination was normal and exemplary. There was nothing which indicated to me that he was an unfit candidate for the religious life or the priestly ministry.

After ordination, when he was at St. Anthony's Seminary, he showed good leadership and teaching abilities and got along well with all. I know a number of his friends and they had nothing but the highest respect for him; I always got good reports about him from them.

Evidently at some point Robert began to live two lives: in his public life he was not "phoney", but still he did have another life. Its discovery came as a major surprise to me. I believe that it would be better for him and also for people in the Church if he were to find a different way of living rather than that of a priest and religious.

Thus in conscience I support his petition to be dispensed from his religious vows and the obligations arising from priestly ordination.

Berkeley, California
23 December 1996



The deponent: Fr. Kenan B. Osborne, O.F.M. *Fr. Kenan B. Osborne*

The notary: Fr. Thomas Messner, O.F.M. *Fr. Thomas Messner, O.F.M.*

REDACTED

OFM VANH 1 0840

8. PSYCHOLOGICAL REPORTS

8/1

The pages which follow are excerpts from some of the psychological records of Robert Van Handel.



8/2



Saint Luke Institute

CONFIDENTIAL

May 26, 1992

REDACTED

REDACTED

RE: Reverend Robert Van Handel, OFM
SLI No.: 12569

Dear

Thank you very much for the referral of Father Robert Van Handel, a 45 year old Franciscan friar from your community. Thank you also for making the effort to come to the Saint Luke Institute for the summary feedback on Friday, May 22nd. As you are well aware, these situations feature a great deal of complexity and it was very helpful to have you physically present to make sure that you fully understood our findings and recommendations. I regret not having the expertise to answer all of your questions, but I hope you found the issues from the clinical perspective sufficiently clear.

You are well aware of the circumstances leading up to this request for evaluation. To put this report in context, it will be sufficient to say that a letter from somebody who knew Father Van Handel raised legitimate concerns about his behavior. These concerns were sufficiently serious to warrant a comprehensive psychological and physical assessment.

We see human behavior as deriving from a wide array of motivations, experience and even physical factors. In evaluating behavior that may be problematic, we take a very broad approach. Our assessment protocol has evolved over time and, in its current form, has proved quite reliable and valid. It consists of the following elements.

1. Structured interview by three members of the professional staff including a psychiatrist.
2. Physical and neurological examination.
3. Electrocardiogram (EKG).
4. Chest x-ray.

8/3

May 26, 1992

RE: Reverend Robert Van Handel, OFM

SLJ No.: 12569

6

test of complex psychomotor learning ability was also done very efficiently, but again, slightly poorer than expected performance was noted in the left hand. Some of the details of neuropsychological performance cited above, as well as the 25 point discrepancy between verbal IQ and performance IQ point to a slight under-development of right hemisphere-dependent skills. Given his superior overall intelligence, Father Robert has compensated well for these deficits as well the mild memory problems noted above.

The formal personality test measures yielded a variety of useful information. The MMPI-II Profile was valid. Father Van Handel's pattern of scores suggested a shy and socially avoidant individual with some subjective sense of depression which may be felt as a sense of slowing down. He is inclined toward self-doubt and worry. He has a tendency to be pessimistic and at times may over-react to minor problems. His profile suggests that he is likely to be somewhat passive and dependent in relationships.

The Millon, another personality inventory, was also valid. A subclinical elevation was noted on the schizoid scale. Lesser elevations were noted on the self-defeating, avoidant and dependent scales. There was evidence of some degree of chronic mild to moderate depression. This tendency is often referred to as dysthymia. The profile suggested an individual who was somewhat introverted and likely to be compliant and placating in relationships. He is inclined to depend on others and seek this connection despite significant shyness. He is likely to be rather quick to blame and belittle himself, and this tendency contributes to a frustrated longing for a fuller self-acceptance.

The projective portion of the personality testing indicated a cognitive style that likes to avoid complexity and simplify situations. He is a mild under-incorporator, that is an individual who, in a given stimulus field, tends to pick up less than the average amount of available information. This tendency to oversimplify can lead to some perceptual distortion when confronting situations that are quite complex. In terms of problem-solving style he is what is known as an ambiver, that is one who vacillates between an impulsive trial and error method of problem-solving and a more reflective mode. Father Van Handel was assessed as having an average degree of stress tolerance. On the affective side he is rather uncomfortable with feelings and at times may have rather poor emotional control. He is likely to react rather intensely when emotions are aroused, sometimes conveying to others a sense of being a bit histrionic. He has average needs for closeness and connection with others but his ways of relating to others are somewhat under-developed leading to frequent frustration of these needs. Other projective measures repeated these themes of under-development of relational skills and a tendency towards low self-esteem. Our interpreting psychologist thought it important that Father Van Handel try to cultivate more curiosity about his own anger. Some of his developmental experience as well as more contemporary frustrations

8/4

REDACTED

May 26, 1992

RE: Reverend Robert Van Handel, OFM

SLI No.: 12569

7

would naturally be expected to evoke a degree of anger but he seems rather uncomfortable in both recognizing and processing this particular emotion.

DIAGNOSIS - Axis I: Pedophilia same sex, non-exclusive type.
Dysthymic Disorder.
Axis II: No personality disorder diagnosis is made.
Axis III: Hypertension without end-organ problems.
Mild neuropsychological deficits, most notable in verbal memory and in under-development of right hemisphere dependent skills.

RECOMMENDATION: As stated at the time of feedback, our recommendation for Father Van Handel is for comprehensive inpatient treatment here at the Saint Luke Institute. His awareness of his problem and the distress he feels in the face of it, as well as his seeking of outpatient therapy in the past, all point to a favorable prognosis. The major task of treatment would be in coming to a fuller grasp of his sexuality and the establishment of more reliable management strategies. In no way did he choose his sexual proclivities, yet he is very self-condemning for having them. We have had considerable experience working with priests who have these difficulties and believe we could be helpful to Father Robert.

In closing, I would like to thank you again for your working with us. If there is anything in this report that needs further clarification, I would make every effort to respond promptly. Asking for your prayers in support of our work and those we serve, I am,

Respectfully,

REDACTED

Frank Valcour

Frank Valcour, MD
Medical Director and
Vice President for Medical Affairs

cc: Reverend Robert Van Handel, OFM
FV/MZ



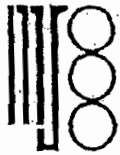
OFM VANH 1 0844

LICENSED MARRIAGE,
FAMILY AND CHILD
COUNSELOR #5777

LICENSED CLINICAL
SOCIAL WORKER
#3591

SUITE E
GOLETA PROFESSIONAL BLDG.
GOLETA, CALIFORNIA 93117
TEL. (805) 967-8513

6228 CATHEDRAL OAKS RD.
GOLETA, CALIFORNIA 93117
TEL. (805) 967-8513



michael john eremia, m.s.w.

CONFIDENTIAL

May 18, 1994

COPY

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

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

memberships:

AMERICAN ASSOCIATION
OF MARRIAGE AND
FAMILY THERAPISTS

AMERICAN ORTHOPSYCHIATRIC
ASSOCIATION, INCORPORATED

AMERICAN ASSOCIATION OF
SEX EDUCATORS, COUNSELORS
AND THERAPISTS

OFM VANH 1 0845

8/6

Rueben Guterrez
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.

8/7

Rueben Guterrez
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



9. Documentation from Robert Van Handel's time of formation

9/1

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.

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.



9/2

1970-1971 Semi-Annual Report # 1

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. 14, 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.



10. The Judge Instructor's summary of the case and personal votum:

Robert Michael Van Handel, age 49, a professed priest member of the Franciscan Province of St. Barbara, Order of Friars Minor, is petitioning the Holy Father to be dispensed from his religious vows and from the obligations arising from the reception of sacred orders.

Because he has been convicted as a felon and professionally judged to be suffering from pedophilia, there is no possibility that he will be allowed to minister publicly as a priest in the future; likewise, he will always be liable to future accusations and would therefore be a great moral and financial liability for the Franciscan Province of St. Barbara - which would also be obliged to supervise him in a way that would prevent his development as a religious. These are some of the principal reasons why he is asking for a dispensation.

His own testimony, as well as that of witnesses, indicates that although it was of his own free will that he went to the Seminary, made profession and was ordained to the priesthood, he was still very influenced by his Father who had an alcoholic problem and exhibited a somewhat rigid spirituality and non demonstrative attitude toward his children.

The testimony provided in this case shows that Robert was a docile and cooperative student and religious, that he had no great external problems during his period of formation, that he was well liked and accepted both by fellow-students and lay friends and associates. As a friar priest he was popular with confreres, was a successful teacher and administrator, and a loyal and efficient member of the Province.

There was no indication in his period of formation of the sexual deviancy which later became evident. He himself declares that he never revealed it to his superiors or formators. He began to live two lives until a realization that he might be prosecuted caused him to seek professional help.

Although he was receiving this help he was eventually accused of sexual misconduct and his provincial superior immediately suspended him from the ministry. He then received intense professional help for a year and was subsequently assigned non-ministerial work under close supervision. Nevertheless he was finally incarcerated, brought to trial and convicted. He is presently serving the third year of a seven year sentence in the State prison.

The witnesses for this case are, in conscience, of the opinion that it will be better for Robert, for the Order and for the Church, if he is granted the dispensation he requests.

10/2

The Local Ordinary does not foresee any scandal from the granting of the dispensation.

His Proper Ordinary, the Provincial Minister, is also of the opinion that for the good of the Church, the Province and for Robert's own good, he should be dispensed from his vows and from the obligations of the clerical state.

I, also, concur in this opinion for the reasons given above.

San Miguel, California
10 January 1997



*Topawa, Arizona
12 February 1997
J.V.*

REDACTED



REDACTED

17/7

Province of St. Barbara

FRANCISCAN FRIARS

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

- II. Votum of the Provincial Minister, O.F.M. with respect to the petition of Father Robert Van Handel, O.F.M., for a dispensation from the obligations of religious vows and priestly ordination.

I, Provincial Minister of the Province of Saint Barbara, Order of Friars Minor, have known Robert Van Handel, the petitioner, since 1961. He was two years behind me in the minor seminary and we have remained friends from that time to the present. In 1991 and 1992 he served as my personal secretary in the provincial office. I have been extensively involved in handling the personal, legal, and public issues involved in his eventual conviction by a civil court of child molestation.

Since Robert Van Handel's conviction as a child molester in 1994, I have discussed his situation with the provincial council on numerous occasions. In September 1994 we discussed thoroughly all of the options available to us and to him. At that time we decided not to act on Canon 1395.2 for prudential reasons and in the pastoral hopes of working with the petitioner so that he might better understand his situation. As the psychological reports confirm, he is unsuited for the priesthood and suffers from a severe personality disorder. We returned to a discussion of his situation again in 1995 and 1996. I, myself, have been working with Robert both personally and through the agency of his friends in the Order, another religious, and his sister. He has come in the past three years to face his own situation clearly, and I know from our conversations that it is with peace of mind and freedom that he applies for this dispensation.

In fact, it has come to the attention of myself and others, that Robert Van Handel's molestation of children dates back to his young adulthood and preceded his ordination to the priesthood. All of his pathology, given the severe split which had afflicted him, was unknown to his formators and religious superiors. In retrospect, Robert's condition has been long standing in duration.

I fully concur with those who recommend the granting of this petition. Robert will never again be able to function as a priest because of the public and notorious scandal of his actions; it would be impossible for him to live our Franciscan life in a fraternal way, and continuance in the Order would be detrimental to his relationships with the friars. It could possibly cause scandal were he to remain in the Order.

77/2

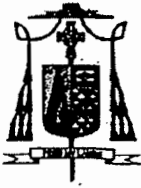
It is my full conviction that the Order and his friar friends will be more capable of supporting him, both spiritually and materially, if his petition to be dispensed is granted. Certainly, given his personal situation and his possible release from prison in 1998, we will need to relate to him in a positive way that allows us to support him, but relieves us of juridical responsibilities. This would be the most compassionate, pastoral, and just position that can be taken.

It is a great tragedy that this has occurred, and I have personally struggled with the votum for quite some time. But I am convinced in conscience that, for the good of the Church, the Order, the people of God, and Robert Van Handel himself, the petitioner's request should be granted.

Provincial Minister
January 8, 1997



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OFFICE OF THE BISHOP

DIOCESE OF SACRAMENTO

2110 Broadway • Sacramento, California 95818 • 916/733-0200 • Fax 916/733-0215

January 28, 1997

REDACTED

Dear

, the instructor in the petition of Father Robert Van Handel, o.f.m., of your province, to be dispensed from his vows and returned to the lay state, has asked me by letter of December 27, 1996, to draw up a *votum* concerning the possibility of scandal. He requested that I return it to the Provincial; who at that time, was In view of the changing of the guard, I assume you are the person to whom I should return it.

Please find the *votum* requested enclosed.

Fraternally in the Lord,

WILLIAM K. WEIGAND
Bishop of Sacramento

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REDACTED

Respectfully,
Bishop of Sacramento

Enclosed for the Provincial is the *votum* requested.

Very truly yours,
Bishop of Sacramento

12/1



DIOCESE OF SACRAMENTO

2110 Broadway • Sacramento, California 95818 • 916/733-0200 • Fax 916/733-0215

OFFICE OF THE BISHOP

January 16, 1997

His Eminence Antonio Maria Cardinal Javierre Ortas

Prefect

The Congregation for Divine Worship

and the Discipline of the Sacraments

Vatican City

Your Eminence,

The priest initiating this petition for dispensation from the vows of religion and from the obligations arising from Sacred Orders is Robert Van Handel, a professed member of the Province of St. Barbara of the Franciscan Order of Friars Minor in the United States of America.

I am informed by the priest instructing the petition that Father Van Handel was found guilty of a felony by a court of the State of California in the summer of 1994. He was sent to prison in August 1994. At present he is imprisoned in the California Medical Facility, Vacaville, California, a prison which is situated within the boundaries of the Diocese of Sacramento. The Catholic chaplain of this prison, the Reverend Innocent A. Emechete, provides regular pastoral care to Father Van Handel.

The priest-instructor has informed me as follows:

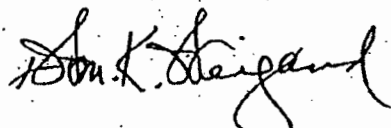
"Robert is not expected to be released from prison in the near future; when he is released this will most likely take place in another diocese."

12/2

acquainted with him here during his novitiate year almost thirty years ago, are few in number, and even fewer, if any at all, would have maintained a relationship with him. He spent the whole of his ministerial life in Southern California.

All these reasons convince me that there is no danger of scandal arising in the event the petition is granted. Indeed, given the circumstances of Father Van Handel's conviction and imprisonment, it is clear that anyone who might become aware of the grant of the petition in his case would judge it to be a grace and an act of charity both for Father Van Handel and for the Church.

Fraternally in the Lord,



WILLIAM K. WEIGAND
Bishop of Sacramento

gs



CONGREGATIO DE CULTU DIVINO ET DISCIPLINA SACRAMENTORUM

Prot. N. 626/97/S

D.nus ROBERT M. VAN HANDEL, sacerdos, Ordinis Fratrum
Minorum,

petiit dispensationem a sacerdotali coelibatu et ab omnibus oneribus sacrae Ordinationi conexas.

SS.mus D. N. Ioannes Paulus, Papa II,

die 23 iulii 1997

habita relatione de casu a Congregatione de Cultu Divino et Disciplina Sacramentorum, precibus annuit iuxta sequentes rationes:

1. Dispensatio vim habet ab ipso momento concessionis.
2. Dispensationis Rescriptum, a competenti Ordinario oratori notificetur et amplectitur inseparabiliter dispensationem a sacerdotali coelibatu et simul amissionem status clericalis. Numquam oratori fas est duo illa elementa se iungere, seu prius accipere et alterum recusare. Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis. Idemque insuper secumfert absolutionem a censuris, quatenus opus sit.
3. Notitia concessionis dispensationis adnotetur in libris baptizatorum parochiae oratoris.
4. Quod attinet ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine pompa vel exteriore apparatu.
5. Auctoritas ecclesiastica, ad quam spectat Rescriptum oratori notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita amantissimum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:
 - a) sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexas non amplius adstringitur;
 - b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976, 986, § 2 ac propterea nequit homiliam habere. Insuper nequit fungi ministerio extraordinario sacrae Communionis distribuendae nec potest officium gerere directivum in ambitu pastoralis;
 - c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, qui quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit;

d) in iisdem vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam disciplinam proprie theologicam vel cum ipsa intime conexam tradere potest;

e) in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica munere directivo vel officio docendi fungi nequit nisi Ordinarius, pro suo prudenti iudicio et remoto scandalo, ad munus docendi quod attinet, aliter decernere aestimaverit. Eadem lege tenetur sacerdos dispensatus in tradenda Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.

6. Per se presbyter a sacerdotali coelibatu dispensatus et a fortiori matrimonio iunctus, abesse debet a locis in quibus eius antecedens condicio nota est. Ordinarius loci commorationis oratoris tamen, audito quatenus opus erit, Ordinario incardinationis vel Superiore maiori religioso, dispensare poterit ab ista clausula Rescripti, si oratoris praesentia scandalum paritura non praevideatur.

7. Denique ei aliquod opus pietatis vel caritatis imponatur.

8. Notificatio dispensationis fieri potest vel personaliter per notarium aut ecclesiasticum actuarium vel per «epistulas perscriptas» (raccomandata, certificada, enregistrée, registered, einschreiben). Orator unum exemplar restituere debet rite subsignatum ad fidem receptionis et acceptionis eiusdem dispensationis ac simul etiam praeceptorum.

9. Tempore autem opportuno Ordinarius competens breviter ad Congregationem de peracta notificatione referat et, si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 6 augusti 1997

CONCORDAT CUM ORIGINALI
quod in Archivo huius
Congregationis asservatur.

Romae die 6 AGO. 1997

+ G. M. Agnelo
a Sem.



Dies notificationis

Subsignatio Oratoris in signum acceptionis

Subsignatio Ordinarii



CONGREGATIO DE CULTU DIVINO
ET DISCIPLINA SACRAMENTORUM

Romae, die 6 augusti 1997

Prot. N. 626/97/S

Reverendissime Pater,

Paternitatem Tuam certiore facio SS. mum Dominum Nostrum IOANNEM PAULUM PP. II,
ut patet ex Rescripto adnexo, in exemplari authentico, in audientia diei 23 iulii 1997
, dispensationis gratiam tribuere dignatum esse a sacerdotali coelibatu domino

ROBERT M. VAN HANDEL, Ordinis Fratrum Minorum.

Curet, ideo, Paternitas Tua notificare Rescriptum oratori et clausolarum adimplementum ur-
gere necnon huic Dicasterio eiusdem peractam executionem communicare.

Dum haec renuntio, omni obsequio permaneo.

+ *G. M. Agnello*

(+ Gerardus Majella Agnello)
Archiep. Secretarius

V. Ferrarà, pr. off.
(Vincentius Ferrarà)
Praep. Off.

Reverendissimo Patri
P. GILLES BOURDEAU, OFM.
Procuratori Generali
Via S. Maria Mediatricis, 25
ROMA

£.110.000

THANH DANG
HANG N. 535

My name is Robert Van Handel. I was born on April 2, 1947, in Georgetown, British Guiana (Guyana). My parents are both Catholic, were married in the Church, and are still living.

I made first profession in the Order of Friars Minor on September 17, 1970, and solemn profession on October 1, 1973.

Before being ordained deacon I made, in sincere fashion, a declaration that I was freely and of my own accord receiving sacred Orders and devoting myself perpetually to the ecclesiastical ministry. I was ordained to the priesthood at St. Mary's Cathedral, San Francisco, on May 17, 1975 by Archbishop McHugh.

As a child I was devout and I served Mass regularly from the age of ten. At my father's suggestion, I began to think about becoming a priest, and in August, 1961, I entered St. Anthony's Seminary. I graduated without distinction in 1965, and was accepted into the major seminary, San Luis Rey College.

San Luis Rey College was in the midst of substantial changes in its formation program. My class was

The first to study for four consecutive years without an interspersed year of novitiate. I studied philosophy, history, literature, and science. Almost always I was obedient and respectful toward authority, although I was not always perfectly honest. The friar-faculty was itself unsettled, and as it turned out, a few were questioning their own vocations. In June of 1969 I graduated with a Bachelor of Arts degree. The college closed its doors for the first time that same year.

In September, 1969, I entered novitiate in Sacramento. Besides studying Franciscan sources and Scripture, I worked part-time at St. Patrick's Children's Home. I was also involved in the parish music program. After several months in the novitiate, we novices were sent out to various other friaries. Pat Grove and I went to Ascension Parish, Portland, where I became involved in a summer youth camp program. After returning to Sacramento, I made first profession in the Order, and then enrolled in the Theologate for studies toward the priesthood.

In 1970, I was admitted into the Franciscan School of Theology in Berkeley, California, a member

of the Graduate Theological Union. Concurrent with courses aimed toward ordination, I studied English Church History for which I was awarded a Master of Arts degree in 1972. As part of my pastoral experience, I founded and directed a boys' choir at the Newman Center in Berkeley. I became friends with many families in the area, and between my studies and the choir, I was busy all the time.

On October 1, 1973, I made solemn profession in the Order at St. Anthony's Church in San Francisco, and was subsequently ordained deacon. A short time later I traveled to Europe for a year as research assistant to a law professor. Upon returning, I served as a deacon in St. Mary's Church, Phoenix. Howard Hall, OFM, was the pastor. After about six months, I returned to Berkeley to prepare for ordination to the priesthood. I was awarded a Master of Divinity degree in 1975. On May 17, 1975, I was ordained a priest. Immediately I was assigned to teach at St. Anthony's Seminary in Santa Barbara.

I was a professor at St. Anthony's Seminary for the next twelve years, the last two of which I

served as Rector. Also at various times I served the friar community as vicar and superior. During these years I was the founder-director of the Santa Barbara Boys' Choir. In 1987, under the direction of the Provincial, we closed the seminary, but I remained there as administrator. At this time I entered the University of California at Santa Barbara as a graduate student in colonial Latin American history, and in 1991 I earned a Master of Arts degree. During these later years I served as spiritual assistant to a fraternity of Secular Franciscans.

In 1991 I was transferred to Berkeley, where I was an assistant post-novitiate formation director to some of the students. My chief assignment was as personal secretary to the Provincial.

From June, 1992, until July, 1993, I was a patient at St. Luke's Institute in Maryland for treatment of a psycho-sexual illness. Upon returning to California, I was assigned to St. Francis Retreat in San Juan Bautista as an assistant administrator with no ministerial duties.

In March, 1994, I was arrested and found guilty of a felony. From August, 1994, through the present day I have been an inmate in California state prison.

Although I did have a supervised ministerial course as a Theology student, for the most part my involvement in Newman Center, Berkeley, was seen as a substitute. As a deacon I was closely supervised by the parish staff at St. Mary's Church, Phoenix. I gave instructions in preparation for baptism, confirmation, communion, and marriage. I assisted at funerals, weddings, and burial services.

Since ordination I have primarily ministered as a teacher and administrator. I have had very little pastoral experience. While at St. Anthony's Seminary, I did minister to the outside worshipping community which came to Sunday Mass. For a year or two I was spiritual assistant to a fraternity of Secular Franciscans. Later, while working at the provincial office, I periodically assisted at a local parish.

I have never had any serious physical health problems. While at St. Luke's Institute in 1992, I was diagnosed as suffering from chronic depression and a psycho-sexual problem. While I was aware of some possible sexual irregularities prior to novitiate, and I made some attempt to address these prior to ordination, it was not until years later

That these problems and the depressive symptoms became clearer to me, I only understood the extent of my problems when I was a patient at St. Luke's Institute. No formation personnel knew of these problems.

My desire to be a priest began in my boyhood years. When I began to attend St. Anthony's Seminary as a high school student, I began to learn about being a friar as a separate calling. Throughout my training, I tried to understand the dual vocations of priest and friar. As my knowledge of this life grew, so did my desire to reach these goals.

Beginning with my childhood years, and certainly in my application to St. Anthony's Seminary, I was strongly encouraged by my father. He believed that each of us children should explore a calling to religious life. My eldest sister was accepted into a convent, but at the last minute refused to go. One of my younger brothers attended the seminary for three years. It is difficult for me to estimate how much I was influenced by my father, but I did want to be successful in his eyes, and he certainly wanted me to be a priest. I never

seriously considered a different way of life.

All of those who supervised my formation were good men and fine friars. But it is true that several of those who guided me during my college years did themselves leave the Order and priesthood. Others are among the most exemplary friars in the province. I can find no fault with what was passed on to me.

I had a wonderful novitiate team — all were and are excellent friars. The difficulties in my novitiate year, the inconsistency and lack of focus, were the result of changing times, new programs, and somewhat rebellious novices. The Novice-Master was overworked, and both assistants were involved in academic degree programs. Much of the time my mind was occupied with work outside the novitiate regimen. These were times of unsettling change which affected us all. I was prepared as well as I could be for first profession, but there were areas in my life which remained unexamined.

My superiors during my post-novitiate years were also wonderful friars, particularly Kenan Osborne and Pierre Etcheberry. I learned much from their example and commitment to the Franciscan life and to theological studies. I did well in my courses

and was involved in the community life. My superiors guided me well and encouraged me to develop my interests in music and history. They felt I was making good progress as a young priest and candidate for Holy Orders. In formal and casual conferences, I was complimented. Now I realize that I too easily adopted a semi-independent lifestyle. My work with the choir at Newman Center commanded much of my concentration and time. An area which became increasingly problematic remained unexplored: my emotional and psycho-sexual life.

As early as my college years, in the late 1960's, I began to experience uneasiness in certain sexual areas, although it was not until years later that I offended, and even longer before I was able to identify these problems. They continued to simmer in my unconscious during novitiate, but actually did not surface until later. Because of my secrecy, combined with a lack of awareness of sexual problems, my misbehavior, which became more serious after ordination, was never discovered. Along with an outgoing and successful active life in teaching, I had serious but undiscovered emotional and psychological problems which continued to get worse. In 1984 my depression became acute, and I began to see a

licensed psychologist. This helped to reduce the symptoms, but I was not tested in any systematic or clinical way, nor did I receive any medication. I also never reached the source of the illness. For several years I continued to get professional counseling, but my religious superiors did not know of the problem, and I never dealt with the core illness. In 1992 I became a psychiatric patient at the St. Luke Institute in Maryland, a private mental hospital specializing in treating religious men and women with addictive problems. There I was given a thorough battery of physical and psychological tests. The admitting diagnosis was for a specific psycho-sexual illness with accompanying depression. This diagnosis was confirmed, I believe, by a court-appointed psychiatrist in 1994. For thirteen months I underwent medical and twelve-step therapy at St. Luke's, then upon returning to California, I entered a relapse-prevention program designed to treat this problem. I have continued to take anti-depressant drug therapy from 1992 through the present day. Even now in prison I am active in two therapy programs specifically focused on my psycho-sexual problem.

In September of 1996, after months of thought

and a discussion with my Provincial, I decided to leave both religious life and priestly ministry. My problems have been so serious and pervasive, and the accompanying scandal so virulent, that it is impossible for me to give good example as a religious or to function as a priest. Without doubt I would completely disrupt the community life in any friary to which I were assigned. The common life is no longer viable for me as a Franciscan priest. My continued participation in religious life will cause further disgrace and scandal for the Church.

At the present time I am an inmate in a California state prison. My address is:

California Medical Facility

Cell I 215 U

P.O. Box 2000

Vacaville, CA 95696

I have never attempted marriage, and I have never fathered any children.

At this time I am asking for a dispensation from my religious vows, and also for laicization from the priesthood. Not only am I unable to live the fraternal life as a Franciscan, but

It would be a scandal for the Church and a burden to my brothers. It would be impossible for me to minister as a priest.

I realize that this decision to seek a dispensation from my religious vows and laicization from priestly ministry is definitive and irrevocable. Further I understand that concomitant with a release from clerical celibacy is the complete loss of priestly ministry. I will no longer be able to serve in any priestly role.

Having read the foregoing, I have nothing to add.

In conclusion, I, Robert Van Handel, swear that I have spoken the truth and only the truth in my deposition as given above, as I perceive that truth before God and my conscience, and that I have explained that truth faithfully. So help me God and these Holy Gospels upon which I place my hand.

Vacaville, California

December 5, 1996

Robert Van Handel

In. witness to Robert Van Handel
swearing upon the Holy Gospels to the truthfulness
of this deposition, on December 5, 1996, I am

Rev Innocent A. Emechete

12/5/96.

California Medical Facility,

P.O. Box 2000,

Vacaville, Ca. 95696 .