

DATE: August 6, 1985
MEMO TO: Archbishop Roach
FROM: Bishop Carlson
SUBJECT: FATHER KENNETH G. LaVAN

On Tuesday, August 6th, 1985, you will be meeting with Father Ken LaVan concerning the parish of [REDACTED]

This meeting was scheduled after Father Michael O'Connell and I met with Father LaVan to discuss his involvement with [REDACTED]. [REDACTED] and her husband [REDACTED], have been parishioners at [REDACTED], for about 17 years and they live at [REDACTED], [REDACTED]. Their home phone is [REDACTED] and [REDACTED] work number is [REDACTED].

The couple first met Father LaVan in November 1968, when he became pastor at [REDACTED]. They had been active in the parish with Father [REDACTED] and continued that active involvement under Father LaVan. They are now attending St. Patrick's in Hudson.

Because Mr. and Mrs. [REDACTED] are from out of town, the parish was a center of activity for them and their family of [REDACTED]. The [REDACTED] served at daily Mass as the church was just a stone's throw away and M [REDACTED] has volunteered in a number of ways in the parish. On November 1982, Father LaVan asked [REDACTED] to count the collection on Tuesday mornings and to type the parish bulletin on Thursday mornings. They were token gifts but this was a volunteer job and there was no money exchanged.

The family became more and more involved with Father LaVan and he was someone who was in their home socially on a number of occasions. Mrs. [REDACTED] was surprised that from the very beginning there were sexual overtones to Father LaVan's conversation with her. She felt he was a very lonely man and tried to explain her lack of comfort with his speech in that way.

In the Fall of [REDACTED], just before Father LaVan's trip to Israel he made his first sexual advance on [REDACTED]. He talked of his love relationships with other women and the fact that they called him etc. There apparently is a woman by the name of [REDACTED] in [REDACTED] parish that Father LaVan continues to see. [REDACTED] and [REDACTED] admit that their marriage was not in bad shape, but also not what it really could be and that [REDACTED]'s travels gave [REDACTED] and Ken the opportunity to get together. Father LaVan would call and whenever [REDACTED] was out of town.

At Christmas time in [REDACTED], Ken approached [REDACTED] and wanted to know why she would not have sex with him. He planned a party for her and gave her a gift and they had drinks, and he said that he had bought some condoms so that they could have a sex relationship and she would not have to worry about getting pregnant. Apparently at this dinner Father LaVan had exposed himself and acted very strange. [REDACTED] left at that point. In February [REDACTED], [REDACTED] began a sexual relationship with Father LaVan.

[REDACTED] says that she felt bonded to Father LaVan and they had sexual intercourse frequently. During this time [REDACTED] learned of the lavish ways that Father LaVan would retain his friends and specially his "woman lovers". There apparently are hundreds and hundreds of dollars worth of phone bills which the women of Father LaVan sees ring up when they are out of town and call him.

[REDACTED] describes their relationship as a sick one and she began receiving help at [REDACTED] Human Services. In April of this year, [REDACTED] attempted to break off the relationship and the last sexual encounter between Father LaVan and [REDACTED] was in June .

After this time there was a great deal of harrassment and Father LaVan became very upset with [REDACTED]. He continued to call , frequently went up and down in front of their house and surprised [REDACTED] on the beach. He asked the children questions about where their mother was and during this time [REDACTED] husband who by now knew of the situation had an encounter with Father LaVan. He apparently was not polite and [REDACTED] told Ken to leave their family alone. The next Sunday Father La Van preached a sermon on those who would not forgive and also he had Father Don Piche call [REDACTED] once and invite her over to the rectory after all these encounters.

On July 1st, Father LaVan made another attempt to solicit a sexual relationship with [REDACTED] and also at that time mentioned a threat about possibly burning down the house and I quote - "torture house or have your husband murdered , but I am not that kind of person". This type of talk and Ken LaVan's anger towards [REDACTED] has scared them and at one point they were considering involving the police so that they could receive protection.

I have a fairly open relationship with [REDACTED] and at this point there is at least a basis for dialogue. I did not confront Father LaVan with the financial misdealings or the other girlfriends as he readily admitted the situation with [REDACTED] and I felt that was the step we needed to get him into therapy.

If we don't want this to build into a real problem it is my recommendation that we accept Father LaVan's resignation from the parish , find a suitable cover story and get him into a in-patient treatment program.

Bill Kenney and I have discussed this as we have both talked to [REDACTED] , and it sounds like Father LaVan has a real sexual addiction problem. He apparently also is doing a lot of gambling and a fair amount of drinking. I asked Father LaVan if he was an alcoholic and he denied it.

As I told you I had seen Father LaVan in early June, and he looks terrible. He apparently has shared this story with Monsignor Hayden . I hope that we can get Father LaVan out of the parish as soon as possible so that this thing does not blow up.

md/

DATE: February 25, 1986
MEMO TO: Archbishop Roach, Fr. Michael O'Connell, Fr. Bill Kenney
FROM: Bishop Carlson
SUBJECT: Report from Dr. Gendron

I am attaching to this memo the psychological report from Dr. Joseph Gendron. You will note that it is dated February 14th and the six week delay is due, in part, to the fact that Fr. Ken LaVan refused to have a joint meeting between himself and Dr. Gendron and me at Saint Mary's hospital. This left Dr. Gendron no other option but to prepare a written report as time would permit.

Given the facts in this psychological report I think we will have to sit down and discuss the LaVan case. It seems to me we will either need a third consultation or we should meet with Fr. LaVan and set out a rather definite plan for his own welfare and mental health. It is obvious to the Gendron report that Fr. LaVan is not ready for a regular assignment at this time.

Given the liability it involves and the fact that this report puts on notice, I think we will have to treat this as a rather serious case.





SAINT LUKE INSTITUTE

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(301) 967-3700

March 8, 1989

Confidential

Reverend Michael T. O'Connell
Vicar General
Archdiocese of St. Paul-Minneapolis
226 Summit Avenue
St. Paul, Minnesota 55102

Re: Reverend Kenneth LaVan
SLI #12008

Dear Father O'Connell:

Thank you very much for the referral of Father Kenneth LaVan, a 56 year old priest from the Archdiocese of St. Paul-Minneapolis. The material you provided regarding allegations of inappropriate sexual behavior as well as some previous evaluation was most helpful to us in our work with Father LaVan. I appreciated the opportunity to give you some preliminary feedback by telephone on Thursday, March 2nd and I am writing now to document our findings more fully.

As you are well aware, Father LaVan was sent to the Servants of the Paracletes in Jemez Springs, New Mexico in 1986 after accusations of inappropriate conduct with an adult female parishioner were brought to the attention of the Archdiocese. Upon arrival at Jemez Springs, Father LaVan was exceedingly anxious as well as depressed. He returned on his own volition to the Minneapolis/St. Paul area and eventually obtained some helpful counseling services.

He was apparently functioning fairly well in a ministry assignment when allegations were made of inappropriate sexual contact with adolescent girls twenty years ago. It is our understanding that at least one of these allegations has proceeded to the point of civil litigation. Despite Father LaVan's constant denial of inappropriate contact with these individuals, it was clear that a comprehensive evaluation was in order.

Father LaVan came to us on February 20, 1989 and, despite his disavowal of the behavior of which he is accused, he was generally cooperative. He gave a great deal of information about himself including descriptions of more recent difficulties in managing his sexuality. Thus, even without resolving the issue of his denial of old behavior, we believe we came to a sufficient understanding of him to make some useful recommendations.



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NATIONAL HEALTH SYSTEM

ARCH-002737

You are familiar with the scope of our evaluation process from previous referrals, but for the sake of Father LaVan's record let me list the elements here:

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,
5. Computerized tomographic brain scan study (CT brain scan),
6. Neuropsychological testing including Wechsler Adult Intelligence Scale-Revised, Wechsler Memory Scale, Halstead-Reitan Neuropsychological Battery, and Minnesota Multiphasic Personality Inventory,
7. Informal meetings with current residents in the Saint Luke Institute rehabilitation program,
8. Formal psychological interview with mental status examination,
9. A Dexamethasone Suppression Test. This is a biochemical challenge test that examines how the pituitary gland regulates certain adrenal hormones. A positive test correlates highly with those types of depressions that have a strong biochemical component and are usually helped by antidepressant medication.

On Wednesday, March 1, 1989 all of the elements of our assessment had been completed and our evaluation team met to discuss our findings and then share them with Father LaVan. The remainder of this report will largely recapitulate what was shared with Father LaVan in the feedback session. Much of what follows will be extremely personal and sensitive in nature and we suggest that this written report not be kept with routine personnel files where those without an explicit need to know might inadvertently see it.

PSYCHOSOCIAL HISTORY: Father LaVan is the youngest of three children born to his parents who resided in Red Wing, Minnesota. He has a sister eight years older and another three years older. His father died in 1953 at age 59, apparently of complications of rheumatic heart disease. His mother died at age 61 in 1955 after a four year course with leukemia. He describes his home life as generally pleasant. His father had a successful barbering business and there was much laughter in the family. He does recall that his father had a periodic bad temper. He would lash out abruptly and then calm down. Father LaVan can recall instances of being struck physically but a pattern of abuse was not characteristic. Father LaVan had a closer relationship with his mother. At times he felt he was her confidant. The parents were described as having a stable relationship. They communicated well together and the children were frustrated in any attempts to split them.

Father LaVan started school at the local parish grade school which he liked. Prior to starting school his mother had prepared him and his sisters well and they got off to a good start. For high school Father LaVan was sent to a Dominican high school some fifty miles from his home. The family put a high priority on education and this decision was apparently made to give him the best high school education available. While attending that school he boarded with a family. Father LaVan recalls some degree of isolation and loneliness,

particularly in the ninth and tenth grades. In the latter part of high school he was more comfortable. He dated and apparently excelled in sports.

Father LaVan entered seminary training directly after high school. He had some difficulty academically but he experienced more academic competition than he had encountered before. It should be noted that it was in his early seminary training that both parents died. In looking back on these circumstances, Father LaVan reports that they made him "grow up quickly." In addition to the loss of the family structure, responsibility for disposing of his parents' estate rested with him. In any case, his formal priestly training continued without interruption until his ordination in 1958.

Over the past thirty years of ministry, Father LaVan has had various assignments in parishes. He has enjoyed the work of priesthood and likes helping people. In retrospect, he notes the development of a depressed mood beginning quite a few years ago. He experienced a loss of energy and some difficulty in discharging his obligations as a pastor. He states that he resigned one parish and started a vigorous program of physical exercise. At times this program as well as a more formal retreat to an exercise spa has helped him to feel better. The effect would last for a period of time but eventually the lowered mood would recur. After returning from New Mexico in 1986 he began seeing a psychiatrist in the St. Paul/Minneapolis area and was placed on an antidepressant. He has found this extremely helpful and has not had a recurrence of his depressive symptoms. Father LaVan states that he has not had any sexual activity since the events which led to his referral to New Mexico three years ago.

SEXUAL DEVELOPMENT HISTORY: Because of the nature of the referral, extra care was taken in reviewing the development of Father LaVan's sense of his own sexuality. In general, he believes he learned good lessons about affectionate relationships at home. His parents seemed to care for each other as well as the children. His earliest sexual memory is of some childhood games, perhaps in the eighth grade. The onset of puberty occurred for him around the end of the seventh grade and was not marked by any unusual events. He experienced some masturbation in early adolescence and its frequency may have peaked in the middle of high school. Father LaVan states that this behavior was no problem after high school or through the seminary years. No history is given of sexual abuse and the occasional physical outbursts of his father do not appear to represent true physical abuse. In the latter part of high school, Father LaVan enjoyed the company of girls and this included some degree of physical affection. During the seminary years he was approached homosexually on a couple of occasions but easily declined the invitations.

There were some discrepancies in how Father LaVan described sexual activities to various interviewers here at the Saint Luke Institute. He told one of us that he had his first sexual encounter with a parishioner in approximately 1960; he told another interviewer that the first such activity was in approximately 1969. This appeared to be a matter of confusion and patchy memory as opposed to a conscious attempt to deceive. In any case, it was clear that at least from the late 60's through the mid 80's there was a series of as many as four relationships, some of which extended over quite a few

months and involved sexual interaction. It was noted that most if not all of these involved sexual contact with parishioners who were married. This, of course, raises the ethical issue of priest/parishioner interaction in addition to any other more basic moral considerations. In this regard, there does appear to be some level of exploitiveness.

As regards the allegations of sexual contact with minors, Father LaVan consistently denied any forcible activity on his part. He did acknowledge some degree of physical affection such as kissing, and hugging. As noted in the material you sent us, some of the detail provided by the accusers argues against fabrication. Despite the apparent validity of these charges, there is nothing in his current life or more recent history that suggests a pattern of attraction to underage sexual partners. For many years such activity has been with age appropriate individuals. It is of interest to note that prior to 1969 Father LaVan, by his own admission, abused alcohol. The exact nature and extent of his drinking is not clear but it is not unreasonable to assume that alcohol consumption could have obscured his memory of the events of the 60's as well as contributing an element of disinhibition and sexual excitation.

ALCOHOL USE HISTORY: There is only a slight element of genetic predisposition to alcohol use in Father LaVan. He states that a paternal grandfather was an alcoholic who abused his children. His own parents drank quite moderately and he can only recall one or two instances of his father possibly having too much to drink. He himself began drinking beverage alcohol around age 17 or 18 upon seminary entrance. He drank mostly beer at that time. As noted above, he does characterize himself as drinking excessively in the 60's, sometimes having as many as five drinks of an evening. He has cut back a great deal and, as for many years, drinks only modestly. In addition to this, he has availed himself of several educational opportunities around the subject of chemical dependency and if he had a difficulty in the past it does not seem to be operative at the present time. It is of special interest that Father LaVan does not drink at times of stress. The data is not there to make an alcohol abuse diagnosis at this time.

PHYSICAL EXAM AND LABORATORY EXAMINATION: Father LaVan has, with the exception of his depression, enjoyed fairly good health. In 1981 he was diagnosed as having hypertension. He currently takes one Diazide tablet daily which produces adequate control.

While with us he received a thorough physical exam and a neurologic screening exam by Dr. David Isaacs, our consultant in internal medicine. On examination he was noted to be a little over 72" tall with an appropriate weight of 200 lbs. His pulse was 72, his blood pressure 138/90. Examination of the head and neck was unremarkable. The optic fundi did not show hypertensive changes. There was no evidence of thyroid enlargement. Chest and cardiac exams were normal. Abdominal exam showed no liver or other organ enlargement. There was no evidence of hidden gastrointestinal bleeding. His extremities showed good pulses without any evidence of peripheral vascular disease. Neurologic exam showed symmetrical reflexes and good coordination. His EKG and his chest x-ray were both within normal limits.

An extensive laboratory review was undertaken, yielding results almost entirely within the normal range. Important normals included tests for liver, kidney and thyroid function. One liver enzyme, SGPT, was minimally elevated at 52 intl. units/lt. This is probably a side effect due to his antidepressant and is not a cause of concern. His cholesterol was a healthy 208 mg./dl. Special tests of those hormones associated with sexual functioning were all within the normal range. Antibodies to hepatitis A, hepatitis B and the HIV virus were all negative. A toxicology screen showed the presence of Nortriptyline (Pamelor) present in his system. His serum level of this antidepressant is 72 mcg./dl. which is nicely in the therapeutic range. The dexamethasone suppression test was negative with both post suppression values well below 5 mcg./dl. In general, Father LaVan appeared in fairly good physical health.

NEUROPSYCHOLOGICAL EXAMINATION AND PERSONALITY ASSESSMENT: The human brain is the organ of the body responsible for the highest level of integration of both experience and behavior. In assessing behavior that may be problematic, we are careful to establish the health of this organ. To this end we use the CT scan and an extended battery of specialized tests.

Father LaVan's CT scan showed a mild degree of cortical atrophy. This was not localized and appeared to be a slight acceleration of the normal aging process. The neuropsychological test battery indicated a pattern of overall mild impairment that appeared nonacute and stable. His Verbal IQ is 104, his Performance IQ 100, his Full Scale IQ showed him to be of average intellectual endowment with 102. Some difficulties were noted on the Similarities subtest of the Verbal Intelligence Scale. The most significant neuropsychological finding related to a mild but persistent difficulty with memory. There seemed to be a problem encoding new material in both verbal and nonverbal modes. Delayed recall was more intact. A test of abstract thinking and logical problem solving capacity, the Category Test, scored 89 errors which is in the moderately impaired range. The Verbal Abstraction component of the Shipley test was done above average. Comparing these findings suggests that the abstracting deficit is more apparent with nonverbal, that is spatial, material. A test of complex psychomotor learning ability was done rather poorly with a relative deficit in the left hand. The memory component of this test was also poorly done with a 0 score for Localization and a similarly poor performance in remembering the shapes involved in this particular instrument. A mild relative right-sided deficiency was noted with fine motor coordination, although major motor performance as measured by the grip strength test was normal. The Wisconsin Card Sorting Test was done with a mild degree of difficulty suggesting some degree of impairment of frontal lobe function. The Stroop, another frontal lobe instrument, could not be done because of the degree of color blindness in Father LaVan. Although not necessarily much of a handicap in day-to-day life, the difficulties with encoding new memory information and the difficulty in nonverbal abstracting ability would have to be taken into account in conducting any psychological therapy that might be suggested.

PERSONALITY TESTING: The formal psychological inventories yielded an MMPI profile that was valid with a clinical elevation on the

Paranoid scale. Some of the influence on this scale is undoubtedly due to current environmental pressures and should not be construed as implying a true paranoid state. The pattern of responses suggested that extra effort was being expended in inhibiting aggressive impulses possibly originally directed at family members. Significant needs for affection were noted and there was not any elevation of the Depression scale. The Millon, another personality inventory, was a bit defensive with a rather high elevation of the Dependency scale. An individual with his profile is likely to be very fearful of incurring the resentment of others and would be prone to suppressing any anger at others which would tend to provoke rejecting responses. The Rorschach protocol yielded a D score of -4. This suggests an individual who has very poor resources for coping with stress. In terms of perceptual style, Father LaVan is what is known as an overincorporator, that is an individual who picks up a large amount of the data available in a given stimulus field. In terms of problem solving style, he is what is known as introversive, that is, given to taking in information, thinking it over and then proceeding in a planful way. This style plus the overincorporative tendency may make him prone to an excessive degree of rumination that can get him bogged down in dealing with life conflicts. The Rorschach record yielded many distorted responses. Father LaVan may interpret things in ways quite different from the consensus impression. Overall, the record suggested rather poor modulation of affect. There was evidence of dependency and rather extreme unmet needs for closeness. The latter may be experienced by him as feelings of loneliness. The content of some of the Rorschach responses suggested relatively poor interpersonal relatedness and a pattern of aggressive responses that were often deflected in mid-expression into more socially acceptable forms. Given the degree of his emotional needs, his poor modulation of affect and his limited stress tolerance, he is seen at somewhat of a high risk for acting out. It is possible that some of the neuropsychological deficits noted above may effect the pattern of Rorschach responses, particularly in terms of distorted perceptions.

DIAGNOSIS:

- Axis I - 1. Sexual disorder not otherwise specified (compulsive sexuality)
2. Dysthymic disorder, in remission secondary to treatment
- Axis II - Personality disorder not otherwise specified with dependent and paranoid traits
- Axis III - 1. Hypertension, treated
2. Neuropsychological dysfunction

RECOMMENDATION AND DISCUSSION: It is clear from Father LaVan's history that there have recurrent difficulties over time with the management of his sexual impulses. Although he does not experience a high degree of drivenness, he has been involved on a repeated basis with sexual relationships with inappropriate partners. His sexual expression has undoubtedly been driven at least in part by dependent needs and unmet needs for closeness. In this sense, they have been compulsive, that is, driven by other affective needs out of Father LaVan's awareness. His view that his sexual behavior was a function of his depression is an incomplete explanation. In other words, the fact that he is not depressed now is only a modest assurance that he will not repeat past problematic behaviors. In the light of

this, we are recommending comprehensive inpatient treatment here at the Saint Luke Institute. The neuropsychological deficits cited above, particularly in regards to memory and abstracting ability pose certain obstacles for an insight oriented treatment. These problems reduce his prognosis somewhat but, on the other hand, he is very unlikely to derive significant benefit from less than intensive treatment. If he were to come to us, we would have to pay particular attention to behavioral prescriptions and other directive approaches and not expect a great deal in terms of Father LaVan using insight on his own initiative.

In closing, I would like to thank you again for the referral of Father LaVan to us. We hope that our services prove useful both to him and the Archdiocese of St. Paul-Minneapolis. Asking for your continued prayers in support of our work, I am

Respectfully,

A handwritten signature in cursive script, appearing to read "Frank Valcour", followed by a stylized flourish or mark.

Frank Valcour, M.D.
Medical Director

FV/bm

cc: Reverend Kenneth LaVan

MONITORING GRID FOR PRIEST SUPERVISION

PERSON INTERVIEWED: Kim LaVan

DATE: 10/19/90

INTERVIEWER: myoc

PLACE: Chamery

1. SELF CARE:

- looking after his needs for exercise

2. SELF KNOWLEDGE:

- esp. after his experience at St. Luke's 2 weeks ago he is reawakened to hatching symptoms of reoccurrence.

3. STRESS MANAGEMENT:

- has good balance of work, play, self care in his life

4. EMPATHY:

- he is still very afraid of his shame and is working towards empathy.

5. ASSERTIVENESS:

- he does name his feelings and is growing toward raising them w/ those who have offended him.

6. SEXUAL MATURITY:

- seems to understand more what is appropriate + inappropriate behavior.

7. PROFESSIONAL SATISFACTION:

- really likes his work at garage + very much likes the staff

8. LIVING ENVIRONMENT:

- continues to enjoy living w/ John F.

9. CONTACT WITH PROBLEM PUBLIC:

- of. special circumstances

10. THERAPY:

— continues reg. contact w/ Dr. O

11. MONITORING GROUP(s):

— He will widen his circle of disclosure including Shirley Gormley + Paul Krenzolok at Parish.

12. SUPPORT GROUPS:

— SA GP
— Priest support group

**13. SOCIAL SUPPORT
(Friends & Family)**

— Sees + talks to Joe Wajda, Dick Sklarzinski

14. SPIRITUAL DIRECTION:

15. CHEMICAL USE:

rare use of alcohol

16. FURTHER ISSUES: (Set Short & Long Range Goals)

Ken considering disclosure → { Shirley Gormley - DRE (50's)
Paul Krenzolok - youth min (mid 20's)
already knowledgeable { John Fitzpatrick
Kurt Fenske

17. OTHER COMMENTS:

He had a tough experience at St. Lukes weekend Nov. 8 - He had prearranged to have former secretary at St. Lukes pick him up w/ her mother + take him to motel Sunday eve. He indicated to them that he would take them out to dinner at end of week - St. Lukes found out + strongly confronted him during the week long session - He feels he has been sufficiently frightened by the experience + agrees w/ St. Lukes about inappropriateness of his behavior -

BOARD RECOMMENDATION

The Board recommends that Father LaVan be allowed to continue in his present ministry (or one comparable to it) under the following conditions:

- 1). That there be regular continued monitoring by archdiocesan representatives. This monitoring should be rigorous, consistent, regulated, with clearly defined expectations in the form of an "after-care contract." Some of the suggested elements of the contract are participation in a support group, regular exercise, therapeutic counseling, taking of medications, etc. It was recommended that this monitoring be done on a quarterly basis and that evaluation of continued ministry be based on compliance with the expectations that have been clearly delineated.
- 2). That the parameters of Father LaVan's Pastoral Ministry be carefully established. It is recommended that he should not be appointed Pastor again and complete restrictions on any one-on-one ministry to women be instituted.
- 3). That there be total disclosure of Father LaVan's history and status to all members of the Parish staff where Father serves and that they be provided immediate access to archdiocesan representatives with any concerns that they might have relative to Father.
- 4). That in the event there is a lack of compliance with his after-care contract or if any further problems surface because of behavior since he underwent treatment at St. Luke's Institute, in 1989, Father LaVan's retirement from pastoral ministry be implemented without delay.

The preceding recommendation was carefully studied by all members of the Board and is submitted with that body's consensus.

The Board would be very happy to review with you any aspects of its recommendation or respond to any questions you may have.

c: Archbishop Harry Flynn
Rev. Kevin McDonough
Mr. William Fallon

MEMO

TO: Archbishop Flynn, Bishop Pates, Sister Dominica, Andrew Eisenzimmer
FROM: Fr. Kevin McDonough
DATE: November 3, 2005
RE: Father Kenneth LaVan and the Charter?

Tim Rourke has been reviewing the files of all of our priests with a history of boundary violations. His purpose in doing so is to establish a monitoring plan for each.

Some months ago he was reviewing the file of Father Ken LaVan. What he saw in the file prompted him to ask whether LaVan is not actually covered by the Charter for Protection of Children and Young People. It embarrasses me to acknowledge once again a lapse of memory on my own part. Although I had dealt with LaVan for many years about his boundary violations with adult females, I had forgotten that there were two allegations in the late 1980s concerning sexual involvement with teen-aged girls.

While readily acknowledging his misconduct with adults, LaVan had always denied any misconduct with the two teenagers. It is evident from a review of the file that their allegations were taken very seriously, and that Father Michael O'Connell had initially considered them to be trustworthy. Over time, however, significant doubts were raised about both of them. In the end, both matters were closed with what might realistically be characterized as "defense cost settlements." That suggests that even the attorney, Jeff Anderson, representing the two women had significant doubts about whether their complaints would hold up in a lawsuit.

From the Archdiocese side of things, I believe that our focus was on the therapeutic and spiritual work that LaVan was doing to address his acknowledged misconduct with adult women. Since all of this was brought to a close years before the Charter was on the horizon, we did not ever reach our own complete determination about the veracity of the two complaints against him.

As I understand it, Kenneth LaVan is now fully retired and no longer engages in any ministry. Even so, I do not think we have the option of leaving this matter "open ended." I propose the following steps:

1) That I or several of us would meet with Kenneth LaVan and ask him whether he is willing to live by the restrictions of the Charter. He could do so even without acknowledging guilt in the two 1980s complaints against him and we probably would have discharged all of our obligations in his regard.

2) If he is unwilling to live by the Charter restrictions, then we would reopen an investigation into those old matters. I would ask Richard Setter to re-interview [REDACTED]

Re: Kenneth LaVan
November 3, 2005
Page two

██████████ I would ask Mr. Setter to form his own opinion about the reliability of there accusations.

3) If Richard Setter believes that the allegations have credibility, then we would go back to LaVan once again and ask him to respect that finding and live by the Charter. If he would then refuse to do so, we would have to explore our canonical options at that point.

I look forward to discussing this with you or having your written response.

cc: Tim Rourke

JANUARY 17, 2006

MEMO TO: FR. KEVIN MCDONOUGH

FROM: ARCHBISHOP FLYNN ✕

On November 3, 2005, you had written me a memorandum concerning Father Ken LaVan. In that memorandum you raised the question as to whether or not he should be subject to the restrictions of the Charter because of two accusations that were made against him some years ago.

In reading your memorandum you stated that Father Michael O'Connell had initially considered the two accusations of the two teenagers to be trustworthy. Over time, however, significant doubts were raised about both of them and in the end both matters were closed. The suggestion is made that Jeff Anderson, representing the two women, must have had significant doubts about whether their complaints would hold up in a lawsuit.

Because of this I do not think that we should reopen this case again since it seems to have been closed to the satisfaction of everyone involved. Thank you.

May 2, 2006

Reverend Kenneth G. LaVan
1657 Granada Avenue N. #105
Oakdale, MN 55128

Dear Kenneth,

Since the early 1990s it has been my privilege to coordinate the responses of our Archdiocese to clergy misconduct of various sorts. I have worked with a team of people who attend to legal matters, counseling programs, communications, and other kinds of issues. For the most part, however, I have personally been the usual conduit of communication with clergy about whom concerns had been raised.

The recent abuse crisis, which began in Boston in early 2002 and spread throughout the nation, was the occasion for some very significant reassessment in our own Chancery. I am pleased to say that a lot of what we were doing through the 1990s held up to inspection. Nonetheless, we also realized that we needed to improve some procedures. In particular, Archbishop Flynn and I believe that too much of our response - and especially, too much of our communication with our clergy - has relied directly on me. At times I have simply been too heavily scheduled to respond to phone calls. I have not always met deadlines in correspondence. It was particularly painful for me to apologize to the people of the parishes where John Bussmann had worked, and to have to explain that I had missed establishing a critical communications link in those parishes.

The most sensitive clergy situations, of course, are those involving men who abused minors. Therefore, for the last two years we have developed and implemented a program of monitoring for them. We call the office that implements the program the Promoter of Ministerial Standards. Deacon Sherman Otto helped us develop the program, and now Tim Rourke serves as the Promoter. Tim came to us after more than thirty years in probation work. He brings enormous personal sensitivity and professional credibility to this work.

What does this have to do with you? Let me reassure you that we do not consider you among those who are covered by the Charter for the Protection of Children and Young People. Even so, Archbishop Flynn and I are also asking Tim Rourke to help

Reverend Kenneth G. LaVan

Page 2

May 2, 2006

us formalize communication with and – where it is called for – monitoring of priests who have committed other kinds of misconduct. That is why I am writing to you.

I have asked Tim Rourke to contact you to set a time for a personal meeting with you. He will explain the work that he is doing with a significant number of our priests. He will also bring with him a written contract which reflects, as fully as we can reconstruct it, whatever agreements you and I have already reached about any ongoing counseling, disclosures, ministerial restrictions, support group participation, and other aids to your health, your holiness, and your effectiveness in ministry. In other words, he will be introducing clarity, formality, and regularity into an area that I too often have left unclear, informal, and irregular. More than a few of our priests have asked precisely for such a change, and I am grateful that Tim is able to provide it.

My hope is that, after a conversation with Tim for your input, you would be able to sign the agreement as it may be necessary for you to maintain your faculties. It would then be forwarded to the Archbishop (who, after consultation with the Presbyteral Council, has approved this project).

You have been generous in putting up with my limitations in our work together about sensitive questions. I now hope you will give Tim your full cooperation in making this project successful. Our hope is that this type of program will provide our clergy a consistent and formalized approach. It should also reassure our people that we are serious and consistent about providing them with trustworthy ministries. I will do my best to be available to you, especially if you want to express concerns or ask questions about this project. Even so, I would encourage you to contact Tim at 651-291-4449 if you have immediate questions; otherwise, you will be hearing from him soon. We can talk again thereafter if you have questions or concerns.

I am grateful to have come to know you and I pray good things for you. Please do the same for me.

Sincerely yours in Christ,

Reverend Kevin M. McDonough
Vicar General and Moderator of the Curia

cc: Tim Rourke