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REG]	STRATI	ON S	ERVICE		
BOY	SCOUTS	OF .	AMERICA		

	DATE:	1/31/91
FULL NAME H. Richard Wolfersteig (No initials if you can possibly get full n	\$.\$. NO.	
(No initials if you can possibly get full r	lame)	
ADDRESS		
CITY Santa Maria STATE CA	ZIP CODE_	93454
DATE OF BIRTH 10/13/58 (This is important	and should be	exact)
APPROXIMATE AGE(To be used ONLY when da	te of birth is	not known)
RELIGION Unknown NATIONALITY (Citizen of	:) <u>U.S.A.</u>	210 x x x x x x x x x x x x x x x x x x x
OCCUPATION Male Nurse		
EDUCATION A.A.		
WEIGHT · 175 lbs. HEIGHT 5'7"	RACE Caucas	ian
COLOR OF HAIR Brown COLOR OF EY	ES Blue	
ANY DISTINGUISHING PHYSICAL CHARACTERSTICS None		
HOBBIES OR SPECIAL INTERESTS Choir member - Han	cock College	
MARIED / SINGLE /X/ NAME OF SPOUSE		
CHILDREN N/A (Name, number, ages, if possible)		
(Name, number, ages, if possible) SCOUTING CONNECTIONS:		
UNIT # CITY STATE POSITION DATE R	EGISTERED	DATE RESIGNED
C3077 Santa Maria CA CM 9/1/		
Chartered Organization American Legion Post 56		
SPECIAL RECOGNITION None		
Summer 1990 INCIDENT: TYPE 2 DATE OF INCIDENTEurope tour Type of choir	RESOLUTION Resolution	1
	ernal (only Sco	outs Know)
	minal action art action	
1: · ? 4. Pro	bationary state	
5. Rep • Check off list of attached documentation Already se	oorted to state Int to Registrat	-
(1.) Description of incident		
Z. Victim(s) statement		
 media reports Legal proceedings 		
5. Offender's statement		CONFIDENTIA
(6.) Official notification of termination 7. Found quilty/innocent by court		
Council Mission #53 Signed On A	1	FEB 1 9 1991
3828r-ako-9/22/89	COUT EXECUTIVE	F. STARON
50101TEXOTY/ 22/ 0 7		CONF019987

April 2, 1991

Mr. Alan Hutchison Scout Executive Hission Council, No. 53

PERSONAL AND CONFIDENTIAL

SUBJECT: H. RICHARD WOLFERSTEIG

Dear Alan:

Thank you for the detailed information sent concerning the above Scouter. This case has been reviewed with our attorney and is now on our permanent Ineligible Volunteer File.

Sincerely,

Paul Ernst, Director Registration and Statistical Service

eko

cc: Richard E. Parker, Western Region

REPRIO 3 1991
ERINO'RILEY



Western Region • Boy Scouts of America 185 North Wolfe Road • P.O. Box 3464 • Sunnyvale, California 94088-3464

(408) 735-1201

January 31, 1991

Paul Ernst, Director Registration National Council, BSA S108

RE: H. RICHARD WOLFERSTEIG

Dear Paul:

No activity in Mr. Wolfersteig's file at the moment. Discussed the case with Alan Hutchison, Mission Council Scout Executive. He will send the Ineligible Volunteer report to you.

I intend to do nothing until we hear from Mr. Wolfersteig or his attorney.

Sincerely,

Richard E. Parker

Assistant Regional Director

/1j

January 29, 1991

Mr. Richard Parker Assistant Regional Director Western Region

PERSONAL AND CONFIDENTIAL

SUBJECT: H. RICHARD WOLFERSTEIG

Dear Richard:

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I recently received the file for Mr. Wolfersteig from David Park. The latest communication we had was a letter dated November 21, from Dick Harrington to David Park requesting information on how to respond on a letter dated November 13, from Michael Hardy an attorney who is representing Mr. Wolfersteig.

As for as I can determine no response has been made, and I wondered if any futher contact has been received from Mr. Hardy or Mr. Wolfersteig. We need to be prepared to conduct a regional review, if it is requested at this time.

We will not release any information from our files to Mr. Hardy. Mr. Wolfersteig is aware of the concerns. Our records indicate that he was involved with communication on September 6, 1990 and that he did make statements which indicated he was aware of the situation.

Please keep me informed of further progress or contacts, and I will attempt to help you.

We would ask by copy of this letter that Mr. Mutchison send us an Ineligible Volunteer Record Sheet, so we can identify Mr. Wolfersteig.

Sincerely,

Paul Ernst, Director Registration and Statistical Service

READY FOR FILE

bg

JAN 29 1991

cc: Alan Hutchison, Council 53

ERIN O'RILEY



Western Region • Boy Scouts of America 185 North Wolfe Road • P.O. Box 3464 • Sunnyvale, California 94088-3464

(408) 735-1201

November 21, 1990

NOV 30 1990

..!=-

TO:

David Park

Legal Counsel

S400

FROM:

Dick Harrington

Regional Director

RE:

H. Richard Wolfersteig

Would appreciate your good counsel and advise on how we should respond to Michael S. Hardy, attorney for Richard Wolfersteig. Copies of material in our file are enclosed.

/1j Encl.

2. 28

GLINES & HARDY ATTOPHEYS AT LAW 311 WEST CHURCH STREET SANTA MARIA, CALIFORNIA 93454

TELEPHONE (805) 922-1964 POST OFFICE BOX 610

November 13, 1990



FOR YOUR INFORMATION

Alan R. Hutchison Scout Executive Mission Council BSA 4000 Modoc Road Santa Barbara, CA 93101

Re: Suspension of H. Richard Wolfersteig

Dear Mr. Hutchison:

On October 22, 1990, I sent you a letter, a copy of which is attached, stating that your letter of September 18, 1990 fails to specify the reasons alluding to "the accusations" and asking that you provide me those accusations in writing so that we can respond and appeal the "accusations".

As of this date, I have not received a response from you to this letter.

Your immediate attention to this matter will be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Yours very truly,

Michael S. Hardy

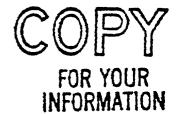
MSH:bmj

Enclosure

cc: H. Richard Wolfersteig /

JACK H GLINES MICHAEL S HARDY GLINES & HARDY
ATTORNEYS AT LAW
311 WEST CHURCH STREET
SANTA MARIA, CAUFORNIA 93454

* TELEPHONE (805) 922-1 964 POST OFFICE BOX 610



October 22, 1990

Alan R. Hutchison Sout Executive Mission Council BSA 4000 Modoc Road Santa Barbara, CA 93101

Re: Suspension of H. Richard Wolfersteig

Dear Mr. Hutchison:

I received a copy of your letter dated September 18, 1990 responding to my request for a written statement of the charges which you have used for your suspension of Mr. Wolfersteig. For some unexplicable reason, I did not receive your letter until October 16, 1990. I originally requested that you provide me with a written statement of the charges and reasons for the suspension of Richard Wolfersteig. Your letter of September 18, 1990 fails to specify the reasons other than vaguely alluding to "the accusations". We desire to have those accusations stated to us in writing so that we can respond and appeal the "accusations".

Further, Mr. Wolfersteig disputes your recollection as stated in your letter that "after first denying the accusations he admitted knowledge of the incident but said that the witness was out to get him." Hence, the need to specify the "accusations" becomes even more necessary.

All "appeal processes", whether it be for termination of employment or suspension of membership, require as a precedent a statement of the reasons for such termination. We have received no such statement except for a vague reference that Mr. Wolfersteig may not meet the high standards of membership which the BSA seeks to provide for american youth and "accusations". Fundamental due process entitles Mr. Wolfersteig to know why he was suspended/expelled. If it is so difficult to place the reasons in writing for us, perhaps you can provide us with all the information about the incident which has been turned over to your regional office as you state in your letter of September 18, 1990.

Page 2 Alan Hutchison October 22, 1990

We do not intend to let this matter go without a written statement from the Boy Scouts of America of the charges, reasons, or "accusations". Your failure to provide this simple request so that we may adequately exercise our right of appeal appears to indicate that there may have been insufficient reason for the suspension in the first place. If necessary we will commence legal action against Mission Council and the Boy Scouts of America to recind the suspension/expulsion because you have failed to provide the reasons for such suspension/explusion thereby preventing us in supplying facts, evidence, and witnesses to rebut the suspension/explusion at an appeal.

I am sending copies of this correspondence and all previous correspondence to the Regional Director, Richard Harrington, in the hopes that common sense and fundamental procedural rights will prevail. I await your reply.

Yours very truly,

Michael S. Hardy

MSH:bmj

cc: H. Richard Wolfersteig Richard Harrington, Regional Director

mission council SERVING ALL OF SANTA BARBARA COUNTY



Boy Scouts of America

4000 MODOC ROAD. SANTA BARBARA, CALIFORNIA 93110 (805)967-0105

September 18, 1990

Michael S. Hardy Attorney at Law 311 West Church Street Santa Maria, CA 93454

Dear Mr. Hardy:

Regarding your letter of September 17th concerning H. Richard Wolfersteig, the Mission Council followed procedures outlined by the National Council BSA when an individual is accused of actions outside the normal standards of leadership of the Boy Scouts of America. I spoke personally with Mr. Wolfersteig explaining the accusations and indicated that he could appeal the process. After first denying the accusations he admitted knowledge of the incident but said that the witness was out to get him. I suggested he send us a letter indicating his side of the story. We in turn would send his letter to our Regional Office. All information about the incident has been turned over to that office.

The standard administrative process for consideration of reinstatement should be sent to our Western Region Office at the following address.

> Western Region, BSA P.O. Box 3464 Sunnyvale, CA 94088-3464

Attention: Richard Harrington, Regional Director

I can assure you that only those who brought the information to our attention and key personnel on a need to know basis are aware of the suspension. I am unaware of any innuendos or slander being made towards Mr. Wolfersteig. Matters of this nature are kept confidential.

Sincerely yours,

Alan R. Hutchison Scout Executive

CC: Richard Harrington, Western Region BSA



Scouling is financied by Sustaining Members - The United Way of Santa Barbarit County - The United Way of the Central Coast - The Lombot Vailey United Way ind Friends of Scouting - Gilts and Bequests

An Hardy: Sent Copy of letter Sent of your 1990. September 1990.

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TELEPHONE (805) 922-1964 POST OFFICE BOX 610

September 17, 1990

Alan R. Hutchison Scout Executive Mission Council, BSA 4000 Modoc Road Santa Barbara, CA 93110

Re: Suspension of H. Richard Wolfersteig

Dear Mr. Hutchison:

This law office has been retained by H. Richard Wolfersteig to represent him with regard to your suspension of him with the Boy Scouts of America.

Your letter dated September 7, 1990 to Mr. H. Richard Wolfersteig suspended his membership with the Boy Scouts of America stating that you "reserve the right to suspend registration whenever there is a concern that an individual may not meet the high standards of membership which the BSA seeks to provide for american youth."

Mr. Wolfersteig does indeed desire to appeal the suspension, respond to any and all charges for the suspension in writing, and appear at a council review committee to present evidence and rebut all allegations.

However, your letter of suspension dated September 7, 1990 does not specify the charges or the facts upon which Mr. Wolfersteig is being suspended. There is a generalized vague statement and an implication that Mr. Wolfersteig does not "meet the high standards of membership". We hereby request a written statement of the charges which you have used for your suspension so that we may adequately respond to them. Your immediate attention in providing us with the written reasons for the suspension will be greatly appreciated.

In addition, after responding to the reasons for suspension, we are requesting a personal appearance before a council review committee so that all facts, evidence, and witnesses can be presented to rebut the suspension.

Page 2 Alan R. Hutchison September 17, 1990

Your letter of September 7, 1990 states that Mr. Wolfersteig's registration with the Boy Scouts of America is to be suspended. Suspension implies a "temporary" status. However, with the refund of four months membership registration, the implication is that you have "expelled" Mr. Wolfersteig from the Boy Scouts of America without hearing his side of the story or any due process whatsoever.

Finally, we are requesting that all innuendos and slander of Mr. Wolfersteig's character cease immediately until a statement of charges, response, and full review of the situation has been effected.

Your immediate attention to this matter will be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Yours very truly,

Michael S. Hardy

MSH: bmj

cc: H. Richard Wolfersteig

TELEPHONE (805) 922-1 964 POST OFFICE 80X 610

October 12, 1990

Alan R. Hutchison Scout Executive Mission Council, BSA 4000 Modoc Road Santa Barbara, CA 93110

Re: Suspension of H. Richard Wolfersteig

Dear Mr. Hutchison:

This law office has been retained by H. Richard Wolfersteig to represent him with regard to your suspension of him with the Boy Scouts of America.

On September 17, 1990, I sent you a letter stating that Mr. Wolfersteig does indeed desire to appeal the suspension and requesting a written statement from you of the charges which you have used for the suspension so that we may respond to them.

As of yet, I have not received your response to my letter dated September 17, 1990, a copy of which is attached.

Your immediate attention to this matter will be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Yours very truly,

Michael S. Hardy

MSH: bmj

Enclosure

cc: H. Richard Wolfersteig

October 26, 1990



OCT 25 1990

A. GRAVES

Mr. Alan Hutchison Scout Executive Mission Council, No. 53

PERSONAL AND CONFIDENTIAL

SUBJECT: H. RICHARD WOLFERSTEIG

Dear Al:

Thanks so much for the material you recently sent concerning the above named individual. This is most helpful to us as we build a file.

I am enclosing an Ineligible Volunteer Record Sheet which I would like to have completed, so we can identify this individual should be attempt registration in some other location. Please complete this with as much information as you have available.

Please keep us informed if any further action take place.

Sincerely,

Paul Ernst, Director Registration and Statistical Service

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Enclosure

cc: Western Region

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October 22, 1990

Alan R. Hutchison Scout Executive Mission Council BSA 4000 Modoc Road Santa Barbara, CA 93101

Re: Suspension of H. Richard Wolfersteig

Dear Mr. Hutchison:

I received a copy of your letter dated September 18, 1990 responding to my request for a written statement of the charges which you have used for your suspension of Mr. Wolfersteig. For some unexplicable reason, I did not receive your letter until October 16, 1990. I originally requested that you provide me with a written statement of the charges and reasons for the suspension of Richard Wolfersteig. Your letter of September 18, 1990 fails to specify the reasons other than vaguely alluding to "the accusations". We desire to have those accusations stated to us in writing so that we can respond and appeal the "accusations".

Further, Mr. Wolfersteig disputes your recollection as stated in your letter that "after first denying the accusations he admitted knowledge of the incident but said that the witness was out to get him." Hence, the need to specify the "accusations" becomes even more necessary.

All "appeal processes", whether it be for termination of employment or suspension of membership, require as a precedent a statement of the reasons for such termination. We have received no such statement except for a vague reference that Mr. Wolfersteig may not meet the high standards of membership which the BSA seeks to provide for american youth and "accusations". Fundamental due process entitles Mr. Wolfersteig to know why he was suspended/expelled. If it is so difficult to place the reasons in writing for us, perhaps you can provide us with all the information about the incident which has been turned over to your regional office as you state in your letter of September 18, 1990.

Page 2 Alan Hutchison October 22, 1990

We do not intend to let this matter go without a written statement from the Boy Scouts of America of the charges, reasons, or "accusations". Your failure to provide this simple request so that we may adequately exercise our right of appeal appears to indicate that there may have been insufficient reason for the suspension in the first place. If necessary we will commence legal action against Mission Council and the Boy Scouts of America to recind the suspension/expulsion because you have failed to provide the reasons for such suspension/explusion thereby preventing us in supplying facts, evidence, and witnesses to rebut the suspension/explusion at an appeal.

I am sending copies of this correspondence and all previous correspondence to the Regional Director, Richard Harrington, in the hopes that common sense and fundamental procedural rights will prevail. I await your reply.

Yours very truly,

Michael S. Hardy

MSH: bmj

cc: H. Richard Wolfersteig Richard Harrington, Regional Director September 21, 1990

TO: Richard Harrington, Western Region Director
Paul Ernst, Registration Service Director

FROM: Alan Hutchison

Scout Executive, Mission Council #53

SUBJECT; H. Richard Wolfersteig

Copy of my notes on individual listed above.

September 4, 1990

Returned to Santa Barbara office this morning and had a sealed note from my secretary which stated that Craig Beebe, Pack Committee Chair of Pack 77 in Santa Maria wanted to meet with me about Pack 77 Cubmaster. Some serious accusations have come up about him that needed to be brought to the attention of the council.

September 4, 1990

Called Mr. Beebe this evening and agreed to a meeting tomorrow night,

September 5, 1990 6:00 PM Oakley School, Santa Maria
Those in attendance were Committee Chair, Craig Beebe; Webelos leader, Mike
Perry and Den Leader Janet Freckleton. The conversation included an
accusation that Rick Wolfersteig had shown a thirteen year old boy a
pornographic magazine while they were on a choir tour of Europe this past
summer. Ricks nineteen year old roommate came into the room and stopped the
proceedings indicating he would do something violent to Rick if he ever did
that again. The thirteen year old told Rick he didn't like that kind of thing

Janet Freckleton was contacted by the thirteen year old boy's mother indicating that she couldn't understand why anyone like Rick could be involved with the Boy Scouts. Janet was asked to try and get the parents and the roommate to send the council letters indicating what had happened and their concern.

The other members of the Pack committee indicated that they were upset with Rick because of an incident at Rancho Alegre Scout Camp. Two boys had been fighting right after their arrival at Rancho Alegre for a campout. A Den Leader handled the problem and the boys shook hands and the matter was dropped. Rick arrived late and was informed of the action of the boys. He immediately got all the boys together and put the two youngsters in front of the other boys and "went on a forty-five minute tirade" which left the two boys in tears. One leader took his boy home rather than stay at camp in that kind of negative atmosphere. The Pack committee felt that Rick should be removed as Cubmaster. A member of the committee that was called after this should get a letter of reprimand. He was not told about the incident in Europe. One leader indicated that he would not continue with the Pack if Rick incident would probably be enough to suspend Rick and that the matter might end at that point.

September 6, 1990

Tried to reach Rick on the phone so we could set up an appointment but his phone has been disconnected. My District Executive Colleen Roach finally got in touch with Rick that evening personally and asked him to call me at home

September 6, 1990

Rick called me at home. I told Rick the accusations about the pornographic magazine and he denied knowledge of the incident. I told him that I couldn't understand how he was unaware of what happened when there was a witness. He said his roommate was out to get him. I told him that I didn't mention a roommate as the witness and he got flustered. I said that I was told he was observed showing a pornographic magazine to a eleven year old boy. He said that he had bought the magazine for his roommate as a joke and that the boy picked it up and started reading it. He also said the boy wasn't eleven, he difference and that we would have to suspend his registration until the matter was resolved. He was very upset on the phone. I did not discuss the matter of the Rancho Alegre incident to him.

September 7, 1990.

Mailed Rick a letter of suspension because he had moved and we were not sure where to reach him. District Executive was not available to get infomation needed.

September 6, 1990. Letter to Janet Freckleton asking her to contact the parents of the boy involved and the nineteen year old witness. Letter attached to this document.

September 10, 1990

I received a call from father of involved boy who would not give me his name (research found that the parents are Mr. & Mrs. (research found that the parents are Mr. & Mrs. (research found that the parents are Mr. & Mrs. (research found that the parents are Mr. & Mrs. (research found that he and his wife did not want to get involved in the issue. Said Janet Freckleton should not have reported the incident and that he feared that Rick might do something against his family if they came forward. He said that he believed that Rick was unstable and capable of anything. I told him that it would be terrible if we had to reinstate Rick and something else happen. He said he understood the problem but he didn't think that would change his position. I told him the decision was his at this point.

September 15, 1990

District Executive Colleen Roach called me saying that Rick has called her wanting to know how to get reinstated. He said that Scouting was going to ruin his life if he couldn't get back into the program. I told her that the letter he received was self explanatory and that he should follow the recommendations. I also indicated that she should be very careful how she handled Rick and what she said to him.

September 18, 1990

Received letter from Rick's attorney demanding to know what the charges are related to Ricks suspension. Called Dick Harrrington to get advice on how to respond to the letter. He recommended that he follow the letter and write his side of the story to the regional office. Copy of my letter attached.

September 21, 1990

Received a call from Paul Ernst, BSA Registration Service Director from yesterday's call. We reviewed the total story of Rick Wolfersteig and read him the letter to Rick's attorney. He said we were on the right track and that he was removing him from the files today. I told him we had put a no mail ident on Ricks registration and removed him from Cubmaster. He told us to print the screen and remove him from our registration file. He said that we could always reinstate him later if necessary.

September 21, 1990

Mailed letter to Ricks attorney. Sent Richard Harrington and Paul Ernst copies of our file on Rick. Pulled Ricks files off our registration files.



Boy Scouts of America

4000 MODOC ROAD, SANTA BARBARA, CALIFORNIA 93110 (805)967-0105

September 18, 1990

Michael S. Hardy Attorney at Law 311 West Church Street Santa Maria, CA 93454

Dear Mr. Hardy:

Regarding your letter of September 17th concerning H. Richard Wolfersteig, the Mission Council followed procedures outlined by the National Council BSA when an individual is accused of actions outside the normal standards of leadership of the Boy Scouts of America. I spoke personally with Mr. Wolfersteig explaining the accusations and indicated that he could appeal the process. After first denying the accusations he admitted knowledge of the incident but said that the witness was out to get him. I suggested he send us a letter indicating his side of the story. We in turn would send his letter to our Regional Office. All information about the incident has been turned over to that office.

The standard administrative process for consideration of reinstatement should be sent to our Western Region Office at the following address.

Western Region, BSA P.O. Box 3464 Sunnyvale, CA 94088-3464

Attention: Richard Harrington, Regional Director

I can assure you that only those who brought the information to our attention and key personnel on a need to know basis are aware of the suspension. I am unaware of any innuendos or slander being made towards Mr. Wolfersteig. Matters of this nature are kept confidential.

Sincerely yours,

Alan R. Hutchison Scout Executive

CC: Richard Harrington, Western Region BSA



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Council 53 Western Region



Boy Scouts of America

4000 MODOC ROAD, SANTA BARBARA, CALIFORNIA 93110 (805)967-0105

September 7, 1990

H. Richard Wolfersteig

Santa Maria, CA 93454

Dear Mr. Wolfersteig

After careful review, we have decided that your registration with the Boy Scouts of America should be suspended. We are therefore compelled to request that you sever any relations that you may have with the Boy Scouts of America.

Your should understand that BSA membership registration is a privilege and is not automatically granted to everyone who applies. We reserve the right to suspend registration whenever there is a concern that an individual may not meet the high standards of membership which the BSA seeks to provide for American youth.

If you wish to have this decision reviewed by a council review committee, please write to me, explaining your version of the facts supporting your claim that your registration as a BSA member should be reinstated.

Sincerely yours,

Alan R. Hutchison Scout Executive Mission Council, BSA

ARH/ah

Enclosure: Refund for Membership Registration

(4) months.



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WATS CALL FORM

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