

INELIGIBLE VOLUNTEER RECORD SHEET
REGISTRATION SERVICE
BOY SCOUTS OF AMERICA

DATE: June 17, 1991

FULL NAME HOWARD CUNNINGHAM S.S. NO. _____
(No initials if you can possibly get full name)

ADDRESS _____

CITY Centralia STATE IL ZIP CODE 62801

DATE OF BIRTH 12/45 (best info available) (This is important and should be exact)

APPROXIMATE AGE 45 (To be used ONLY when date of birth is not known)

RELIGION Baptist NATIONALITY (Citizen of) U.S. Citizen

OCCUPATION Laborer

EDUCATION High School

WEIGHT 115 approx. HEIGHT 5'6" RACE Caucasian

COLOR OF HAIR Lt. Brown COLOR OF EYES Brown

ANY DISTINGUISHING PHYSICAL CHARACTERISTICS None

HOBBIES OR SPECIAL INTERESTS Photography

MARRIED SINGLE NAME OF SPOUSE _____

CHILDREN _____
(Name, number, ages, if possible)

SCOUTING CONNECTIONS:

UNIT #	CITY	STATE	POSITION	DATE REGISTERED	DATE RESIGNED
279	Walnut Hill	IL	SA(?)		1980

Chartered Organization Raccoon Elementary School, Centralia, IL

SPECIAL RECOGNITION _____

INCIDENT: TYPE 1 or 2 DATE OF INCIDENT 1978-1991 RESOLUTION 2 and 3
Type Resolution Sentenced to 2 consecutive 40 year terms

1=Scout Related
2=Non-scout related
3=homosexual (not specifically with youth)

1. Internal (only Scouts Know)
2. Criminal action
3. Court action
4. Probationary status
5. Reported to state agency

Check off list of attached documentation

- 1. Description of incident
- 2. Victim(s) statement
- 3. media reports
- 4. legal proceedings
- 5. Offender's statement
- 6. Official notification of termination
- 7. Found guilty/innocent by court

NOTED
JUL 19 1991
JOSEPH L. LANGRISH

CONFIDENTIAL
JUL 23 1991
F. STARON

Council OKaw Valley #16 Signed _____ SCOUT EXECUTIVE

July 24, 1991

RECEIVED

JUL 24 1991

A. GRAVES

Mr. Glenn E. Stone
Scout Executive
Okaw Valley Council, No. 116

PERSONAL AND CONFIDENTIAL

SUBJECT: HOWARD CUNNINGHAM

Dear Gene:

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

ab

cc: North Central Region,

CONF026835

July 15, 1991

Mr. James D. Stone
Scout Executive
Buckskin Council, No. ¹¹⁶~~677~~

PERSONAL AND CONFIDENTIAL

SUBJECT: HOWARD CUNNINGHAM

Dear Jim:

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: Peter M. Barbernitz, East Central Region

RECEIVED FOR FILE
JUL 15 1991
ERIN O'RILEY

CONF026836

READY FOR FILE

JUN 05 1991

A. GRAVES

June 4, 1991

Mr. Glenn E. Stone
Scout Executive
Okaw Valley Council, No. 116

PERSONAL AND CONFIDENTIAL

SUBJECT: HOWARD CUNNINGHAM

Dear Gene:

Thanks for the material on Mr. Cunningham. This is most complete and will enable us to refuse registration in the future.

Enclosed is an Ineligible Volunteer Record Sheet which must be completed, so we can identify Mr. Cunningham. Please complete this with as much information as you have available.

Thanks for your help.

Sincerely,

Paul Ernst, Director
Registration and Statistical Service

ag

Enclosure

cc: Gerald R. Ulrich, North Central Region

CONF026837



OKAW VALLEY COUNCIL, B.S.A.

Co
116

1801 North 17th Street

Telephone: AC 618 234-9111

Belleville, Illinois 62223

May 28, 1991

Mr. Paul Ernst
Director - Registration Service
National Office, BSA
1325 Walnut Hill Lane
Irving, TX 75015-2079

Dear Mr. Ernst:

Please place the name of Mr. Howard Cunningham on the ineligible volunteer listing. I have included supporting material from the Centralia, Illinois Sentinel regarding Mr. Cunningham's conviction on child molestation charges.

Mr. Cunningham was last registered in 1980 with Scout Troop 279 in the Okaw Valley Council. He was registered as an assistant Scoutmaster.

I have few other details and it appears Mr. Cunningham will be incarcerated for a long period of time.

Sincerely,

Gene Stone
Scout Executive

Enc.

cc: North Central Region
Lloyd Roitstein - Area Director

GS/db

*Added to Troop file
No use at this time
Not on NESA file
6-3-91
JMS*

Sex Abuse Conviction Nets

BY TED SAYLOR
Sentinel Area Reporter

Tearful pleas from confessed child molester Howard Cunningham were not sufficient to prevent Judge Harold Pennock III from ordering him Friday to spend up to the next 70 years in an Illinois prison.

Pennock deliberated less than 30 minutes before pronouncing sentence on the 48-year-old Centraia man who pleaded guilty but mentally ill in late March to engaging in sexual acts with four different boys ranging in age from 10 to 14 since the summer of 1988.

Prior to receiving the prison sentence, which was far below the 120-year maximum he could have received, Cunningham spoke on his own behalf for nearly an hour. Cunningham's emotional statement ranged in content from a confession of guilt and shame at what he had done to the children, to a plea for sentencing leniency.

Cunningham sobbed and trembled uncontrollably as he recounted the alleged childhood sexual abuse he suffered at the hands of an older neighborhood boy beginning when he was only 4 or 5 years old. He told the judge the boy would make him get into a large cardboard box with a hole in

the side, and force him "to do things through the hole in the box."

He went on to explain how this type of sexual abuse continued even after his family moved away from that neighborhood, when he joined a Boy Scout troop in the new city and was fondled by several older boys during a camping trip. "All the kids I knew were doing it," he said.

Due to this exposure to sexual abuse at an early age, Cunningham said he was unable to have sex with a woman and continued seeking out children into adulthood.

He told Pennock he did not realize the effect his actions were having on the children until police made it clear to him after the arrest in late January. "It's like someone put a knife through me. I killed those kids... I hurt the kids," he said.

At the close of his statement, Cunningham said some of the boys initiated sexual contact with him because they had previously been abused by other persons. He asked Pennock to consider what fate lies ahead for them. "How many of them are going to wind up in the same place I am?"

The sentencing hearing began Tuesday with Centraia police investigator Rich Simer testifying that 80 different nude juvenile males were identified in photographs and videotapes seized from Cunningham's home. Some of the more than 300 photographs and 13 videotapes depicted the children engaging in sexual acts alone or with other children.

Simer also said statements made to the children point out Cunningham knew his actions were illegal and he could end up in prison if they were revealed. During closing arguments, the defendant's attorney, Eddie Veltman, said, "I honestly believe he did not mean to harm anyone."

Veltman described the apparent mood of the children depicted in the photographs and videotapes as "playful," and said their faces did not show fear, anxiety or embarrassment. "No evidence, including the statements of the victims, indicates Cunningham forced them to engage in sexual conduct," he added.

Yellman pointed out that Cunningham cooperated fully during the investigation of the incidents and even told police where to find the photo albums and videotapes.

Paul Hillis in his statements angrily last man's statement Cunningham's cooperation began to cool complainant was file victims.

Hillis said Cunnivior was methodic reduced the chitic to teach them ho crafts and then when he had the

The prosecutor tion to the diagn chiatrist hired i who said Cunn "high-grade mer suffering from th retardation." Hill the diagnosis as " that a test by a col vid Kennard show has an above-av

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Wednesday, May 15, 1991

Confessed Child Molester Won't Take Witness Stand

BY TED SAYLOR

Sentinel Area Reporter

SALEM — The attorney representing confessed child molester Howard Cunningham told Judge Harold Pennock III yesterday that his client had opted not to take the witness stand in his own defense, but would make a statement before sentencing.

Cunningham, whose sentencing hearing has continued each afternoon since Tuesday, chose not to participate as a witness during the portion of the hearing in which his attorney, Eddie Veltman, presented "evidence in mitigation." If Cunningham had taken the witness stand, Marion County State's Attorney Paul Hillis would have been allowed to question him concerning any matter relevant to the case.

A plea of guilty but mentally ill was entered by Cunningham during a court appearance in late March. The original plea included an admission of guilt to three counts of aggravated criminal sexual assault, four counts of aggravated criminal sexual abuse and a

single count of child pornography.

The defendant was allowed earlier this week to withdraw the plea to one count of criminal sexual assault, after a dispute arose between Hillis and Veltman concerning the terms of the plea.

The charges stem from incidents in which Cunningham admitted to performing sexual acts with several males under the age of 14 — one as young as 10 — on several occasions since the summer of 1988. Cunningham also told investigators that he personally photographed and videotaped the children depicted in over 300 photographs and 13 videocassettes confiscated from his home in January.

Centralia police investigator Rich Simer testified Tuesday that over 60 young boys were depicted nude, with some engaged in sexual acts, in the photographs and videotapes.

Since Cunningham was scheduled to testify yesterday but did not, Judge Harold Pennock told both attorneys that he would use the remainder of yesterday after-

noon to review the photographs and videotapes confiscated from Cunningham. Pennock said he would not review the material in open court or on the record, but would allow the attorneys to be present during the viewing as long as they did not ask questions or make comments.

Following Cunningham's statement and closing remarks from both attorneys, Pennock said he would deliberate and hopefully pass sentence this afternoon.

Veltman was allowed to enter a framed letter from former Illinois Governor Jim Thompson, which praised Cunningham for his past work on behalf of the Illinois Artisan Association and a display of his crafts for then-Vice President George Bush's wife Barbara.

Pennock took under advisement a motion by Veltman to permanently seal the evidence in Cunningham's case so the public could not inspect it upon request. Pennock said the motion was "premature," and could be argued after sentencing.

Police Testify In Centralia Child Molestation Hearing

BY TED SAYLOR
Sentinel Area Reporter

SALEM — Centralia police investigator Rich Simer testified in Marion County Court yesterday that photographs and video tapes confiscated from confessed child molester Howard Cunningham of Centralia depicted 60 different nude juvenile males, with many involved in sexual situations.

Simer, who testified at length during the first afternoon of Cunningham's sentencing hearing, told Judge Harold Pennock III that the defendant's collection of pornographic materials included over 300 photographs in two albums and 13 video tapes, all showing the exposed genitalia of juvenile males.

Cunningham pleaded guilty but mentally ill earlier this year to three counts of aggravated criminal sexual abuse, four counts of aggravated criminal sexual assault and a single count of child pornography. Eddie Veltman, Cunningham's attorney, was allowed to withdraw the guilty plea on one count of aggravated criminal sexual assault yesterday because he and Marion County State's Attorney Paul Hillis could not come to an agreement on the terms for that plea.

It is not known how this withdrawal of plea on only one count will affect the sentencing of Cunningham. The guilty by mentally ill charge does not mean Cunningham would escape prison time, but only that he could seek mental health treatment while in prison.

Simer testified that he had known Cunningham personally for over 20 years, and was very surprised when one of the 10-year-old victims came to the Centralia Po-

lice Department to file an assault complaint against Cunningham. This unidentified victim told police Cunningham had performed oral sex on him at the defendant's home on Jan. 25 and 26.

During the time he knew Cunningham, Simer characterized him as a "very polite and congenial person," who was well liked by everyone who knew him. Although the two men had never been close friends, Simer said he would have trusted Cunningham before learning of molestation complaints.

Simer said Cunningham freely offered to teach his knowledge of leather crafting, car repair, gunsmithing and carpenter skills to anyone who asked — especially children — but he admitted that the man probably had ulterior motives for being helpful to the boys. Simer also revealed that Cunningham was a local leader in the Boy Scouts of America.

When asked by Hillis if he would still trust Cunningham around his own children, Simer said, "I can't say that now."

During most of yesterday's hearing, Cunningham stared at the floor and often wept openly while Simer described the contents of the photographs and videotapes.

One of the video tapes, Simer recounted, depicted a male child sleeping in a bed and what appeared to be Cunningham's hand peeling back the bed sheet and stripping off the boy's underwear. The same scene then showed Cunningham touching the boy's genitals.

Simer said another video tape showed a boy taking a bath and occasional close-up shots of the boys' genitals. The investigator

told the judge the sound had been deleted from the tape, but the child mouthed the words, "Howard," and "do we have to do this."

The boy participated in the taping, Simer said, because Cunningham "talked him into it."

On cross-examination by Veltman, Simer said Cunningham cooperated fully during the investigation and arrest, and even revealed the location of many of the items confiscated in his home. Cunningham also appeared sorry for what he had done to the boys, he said, and even instructed investigators to see that the children were given items that they left at his home.

Following Simer's testimony, Hillis rested the prosecution case against Cunningham. As part of this hearing, statements from the victims, their parents, a presentencing investigation by the probation office, and psychiatric reports were submitted for the judge's consideration.

Hillis told the Sentinel after the hearing adjourned that the parents of the victims asked that he not put them on the witness stand to testify unless it was absolutely necessary. To save them the embarrassment of public testimony, Hillis said he decided to submit the victims' statements instead.

Veltman said he would present testimony from the psychiatrist who examined Cunningham and several close friends as character witnesses.

The hearing resumed this afternoon and is expected to take the rest of the week to complete. Pennock informed Cunningham at the time he pleaded guilty but mentally ill that he could receive up to 120 years in prison on the charges.

Thursday, May 16, 1991

12A Centralia Sentinel

Psychiatrist: Sex Abuser Didn't Intend Any Harm

BY TED SAYLOR

Sentinel Area Reporter

SALEM — A psychiatrist hired by the defense testified yesterday that confessed child molester Howard Cunningham of Centralia is "driven against harming people," and did not realize how his actions were affecting the children he sexually assaulted and abused.

In the second day of Cunningham's sentencing hearing in Marion County Court, Dr. David Kennard characterized the defendant as a "high-grade mental defective," who was constantly "frightened of hurting people," and did not understand the psychological impact the abuse had on the many victims.

Cunningham, 48, of 900E. Broadway, Centralia, pleaded guilty but mentally ill March 25 to three counts of aggravated criminal sexual assault, four counts of aggravated criminal sexual abuse and a single count of child pornography. On Tuesday, Judge Harold Pennock III allowed Cunningham to withdraw the plea to one count of aggravated criminal sexual assault because Cunningham's attorney, Eddie Veltman and Marion County State's Attorney Paul Hillis conflicted on the terms of the plea agreement.

The charges state that on Jan. 25 and 26 Cunningham performed oral sex on a 10-year-old boy at the man's home, and engaged in similar acts with other males under age 14 on several occasions since the summer of 1988. The child pornography charge is related to over 300 photographs and 13 videotapes depicting nude male children, some of which were engaged in sexual acts alone or with other boys, that were confiscated from Cunningham's home following his arrest on Jan. 29.

Centralia police investigator Rich Simer testified Tuesday he counted 60 different boys who had been photographed by Cunning-

ham among the pictures and video tapes confiscated. Simer said the videos show some of the boys were reluctant and embarrassed to pose nude, but Cunningham "talked them into it."

Kennard's testimony painted Cunningham as a man suffering from the "dementia of retardation," which did not allow him to realize the legal consequences of his actions. He said testing also revealed that Cunningham's IQ was 80 points, although he admitted a colleague he enlisted for additional testing found the defendant's IQ to be 105 points.

The average IQ is 100 points, Kennard said.

Hillis asked Kennard why Cunningham told several of the children not to tell their parents about the abuse or he would go to jail, if he did not understand the consequences of his actions. Kennard said he believes Cunningham's actions were still consistent with his mental illness diagnosis.

Under cross-examination, Kennard said the discrepancy between his reading of Cunningham's IQ and the one obtained during his colleague's testing was due to the difference in methodology. He said these tests often differ in results because they test different factors.

Hillis also questioned Kennard about his diagnosis of Cunningham's mental illness, suggesting that the defendant's actions also fit the profile of a pedophile. Webster's dictionary defines pedophilia as, "sexual perversion in which children are the preferred sexual object."

Kennard said the mental condition of Cunningham better explains his actions than this term.

During Hillis' inquiry, Kennard said Cunningham admitted he had never engaged in sexual relations with an adult, only children.

Hillis revealed during Kennard's testimony that Cunningham claims to have paid \$6,500 in

property to a man who is now an adult, but was once a child victim of the defendant. Hillis told reporters after the hearing that the alleged "blackmail" incident was under investigation by Centralia police, and authorities do know the name of the man in question.

If the investigation backs up Cunningham's claim, Hillis said charges against the man could be considered.

Among the character witnesses that testified on behalf of Cunningham was Sandoval High School principal Richard Rich, who told the judge he has known the defendant for over 30 years through their shared interest in motorcycles. Rich referred to him as "friendly and talkative," and popular with nearly everyone who knows him.

Rich, who was testifying under subpoena by the defense, also said Cunningham saved his son's life by rushing him to the hospital following a four-wheeler accident several years ago.

Similar character testimony was provided by Richard Magnan, James Larry Stock, Cleo Stock, Byron Fortney and Mike Wiemken, all of Centralia. Each witness told the judge that they had a close relationship with Cunningham, and this has not changed since his arrest. The five people also said they would be willing to invite Cunningham into their homes if he were out of jail today.

Wiemken said, "We consider him one of the family," and added that he would not be afraid to have him around his children.

Veltman concluded the presentation of character testimony yesterday afternoon. He then informed Pennock he would call Cunningham to the witness stand this afternoon.

Pennock adjourned the hearing until 1 p.m. today. The judge is not expected to sentence Cunningham until at least tomorrow afternoon.

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