

CONFIDENTIAL RECORD SHEET
REGISTRATION SERVICE
BOY SCOUTS OF AMERICA

DATE: 1-23-89

FULL NAME JAMES H. SCHARFSCHWERDT
(No initials if you can possibly get full name)

S.S. NO. [REDACTED]

ADDRESS [REDACTED]

CITY VERO BEACH STATE FLORIDA ZIP CODE 32962

DATE OF BIRTH 09/01/57 (This is important and should be exact)

APPROXIMATE AGE 31/7/57 (To be used ONLY when date of birth is not known)

RELIGION ? NATIONALITY (Citizen of) USA

OCCUPATION _____

EDUCATION _____

WEIGHT 227 HEIGHT 6' 2 1/2" RACE W

COLOR OF HAIR Brn COLOR OF EYES Brn

ANY DISTINGUISHING PHYSICAL CHARACTERISTICS _____

HOBBIES OR SPECIAL INTERESTS _____

MARRIED SINGLE NAME OF SPOUSE [REDACTED]

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

SCOUTING CONNECTIONS:

UNIT #	CITY	STATE	POSITION	DATE REGISTERED	DATE RESIGNED
<u>See attached roster</u>					
Chartered Organization _____					

SPECIAL RECOGNITION _____

INCIDENT: TYPE 3 DATE OF INCIDENT Nov RESOLUTION 2
Type Resolution

- 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 **NOTED**
- 3. media reports
- 4. Legal proceedings **NOV 13 1989**
- 5. Offender's statement
- 6. Official notification of termination **JOSEPH L. ANGLIM**
- 7. Found guilty/innocent by court

CONFIDENTIAL

FEB 16 1989

F. STARON

Council 2nd Stream Signed [Signature]
SCOUT EXECUTIVE

38287-eko-11/3/88



GULF STREAM COUNCIL, INC.

2935 AUSTRALIAN AVENUE NORTH • WEST PALM BEACH, FLORIDA 33407-4597

(407) 844-0279 • FAX (407) 844-8573



GULF STREAM COUNCIL
SERVING
SOUTHEAST FLORIDA

December 3, 1990

Mr. Paul Ernst
Registration Service
Boy Scouts of America
1325 Walnut Hill Lane
P. O. Box 152079
Irving TX 75015-2079

Dear Paul:

Here is the latest update on James Scharfschwerdt.

Any advice you may share with us is appreciated.

Thank you for this consideration.

Sincerely,



Tom Whittingslow
Scout Executive

cc: Jim Wilson, Southeast Region Director
Don Sasser, Legal Counsel
Ted Moffett



UNITED
WAY

Serving youth in Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, Glades and Hendry Counties.



Boy Scouts
of America

CONF011635

Sex Charges Dropped In Deal With Ex-Cop

By LINDA WILCOX
Press-Journal Staff Writer

Two years after charging him with sexually molesting five teen-age boys, the state Thursday dropped all remaining felony counts against former Vero Beach police officer James Scharfschwerdt.

As part of a plea bargain, Scharfschwerdt, 33, pleaded no contest to a single count of battery.

The battery charge stemmed from an incident on Oct. 18, 1988, when police officers placed a hidden microphone on one of the alleged victims and sent him to Scharfschwerdt's home.

Scharfschwerdt suspected the boy was wired and frisked him. The victim was not injured.

Circuit Judge Paul B. Kanarek found Scharfschwerdt guilty of the first-degree misdemeanor and sentenced him to one year of probation, ordering him to forfeit his law enforcement certification permanently and submit to mental health counseling.

"I believe it's in my best interest," Scharfschwerdt said. "It's been a long two years. These allegations against me have taken their toll It's cost me my life."

After court was recessed, he hugged his wife, shook his father's hand and said, "Let's go home." He walked out to the applause of a crowd of friends and relatives.

"This is the end of the case," defense attorney Michael Brodsky said.



Press-Journal staff photo by Kelly Collins

Wanda Scharfschwerdt hugs her husband after the court session.

Please See CHARGES/2A

Charges ————— From Pg. 1A

Brodsky said as part of the plea agreement, negotiated over the past week, the state cannot refile any of the molestation charges.

Assistant State Attorney Lynn Park said she dropped the remaining lewd and lascivious charges — four were disposed of when Scharfschwerdt was acquitted in a trial last year — because it was in the best interest of the victims.

Two are reportedly undergoing psychological counseling.

She also said there were problems in the upcoming trial because the victim couldn't remember if the alleged abuse happened in 1983 or 1984.

It would have been difficult to explain why the victim didn't come forward until last week to report an alleged statement by Scharfschwerdt admitting he needed help, she said.

"I felt it strengthened our case, but the fact he only told me a few weeks before the trial ... they could have hurt him badly on the stand."

Vero Beach Police Capt. Ronald Blanton, the case detective, remains "100 percent convinced" of Scharfschwerdt's guilt.

"I have no doubt in my mind," Blanton said. "He's a pedophile. He'll always be a pedophile. He's not going to be cured."

He noted the victim of the case

tried last year suffered further abuse at the hands of peers who called him names like "queer" and "faggot" and eventually dropped out of school.

Chief Jim Gabbard said he "certainly was disappointed" at Thursday's outcome of the case.

"I have very strong feelings regarding this case, but those opinions just didn't prevail," he said. "I'm powerless to pursue it any further."

Ad Directory

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and Wildlife Ser-
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names of 1,117
from around the

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tests are a much
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ve said.

Florida. The Flor-
te animal in 1982

is convinced
cratic meddling.

"I'm very happy the Fish and
doesn't plan to kick the Florida panther out but
always another administration" that might, said U.S.
Rep. Bill McCollum, R-Florida.

"I think we need to amend the law and make very
clear that the Florida panther is a member of the endan-
gered species list," McCollum said, adding that he plans
to introduce just such a bill when Congress convenes in
January.

State drops former cop's abuse charges

By PHIL LONG
Herald Staff Writer

VERO BEACH — With their case
starting to unravel, prosecutors
dropped eight felony sex abuse
charges against a popular ex-cop
and scout leader Wednesday in
exchange for a guilty plea of one
misdemeanor.

The action came during an
unusual evening court hearing in
which James Scharfschwerdt, 33,
pleaded no contest to a nonsex-re-
lated misdemeanor charge of bat-
tery.

Scharfschwerdt, a former Vero
Beach police officer and ex-deputy
for the Indian River County Sheriff's
Department, was immediately sen-
tenced to a year of probation.

As a stipulation of that probation,
the 12-year veteran cop must give
up his police license forever and
must undergo a year of "stress
counseling," said Mike Brodsky,
Scharfschwerdt's attorney.

"I was innocent," an ebullient
Scharfschwerdt said as he was
mobbed by about two dozen sup-
porters after the hearing. "I said so
from the start, and this proves it."

"It's gone, it's over," the tearful
Scharfschwerdt said as he hugged
his pregnant wife, Wanda.

"Good," his father answered.

"Let's go home," the ex-officer
called loudly as many of his friends
broke into applause.

One of the most talked-about
criminal cases in Indian River
County in the past two years had
come to a surprise ending. It began
with five alleged victims and 13 fel-
ony sex charges.

Assistant State Attorney Lynn
Park said that changes in witnesses'
testimony had begun to erode the
credibility of the state's case. For
example, the alleged victim in one of
the cases changed a key part of his
story. He was "off by a year in the
dates he first gave," Park said.

It is not that victims or other wit-
nesses are not truthful, Park said.
The problem was that the alleged
crimes occurred as far back as
1984, when most of the victims
were 13 or 14 years old. Most of the
alleged victims were not inter-
viewed by authorities until perhaps
four years after the alleged inci-
dents.

Park had taken Scharfschwerdt to
trial in 1989 and lost. The jury found



GUILTY OF MISDEMEANOR:
Other charges against James
Scharfschwerdt dropped.

him not guilty.

The cases against Scharfschwerdt had other problems, Park said. One of the remaining charges involves a youth who is under psychiatric treatment for unrelated problems, and one of the other victims was not a strong witness, Park said.

"Overall, we assessed the case and decided this was best for every-
one," she said. Park said she talked
to several people involved in the
case, including two of the three
remaining victims, and they agree.

Under the terms of an agreement
approved by Circuit Judge Paul Kan-
arek, Scharfschwerdt pleaded no
contest to misdemeanor battery on
one of the victims that occurred the
night Scharfschwerdt was arrested
in 1988.

In their investigation, detectives
had placed a hidden microphone and
transmitter on a teen-age boy and
sent him to Scharfschwerdt's house
to see if they could record him say-
ing something incriminating.

Scharfschwerdt, suspicious of the
youth's unexpected call, searched
the boy and found the microphone.
Surprised by Scharfschwerdt's
reaction, police rushed in and
arrested Scharfschwerdt on charges
of simple battery, a misdemeanor.

Park said that the witnesses and
alleged victims she talked to were
pleased that Scharfschwerdt would
give up his badge and get counsel-
ing.

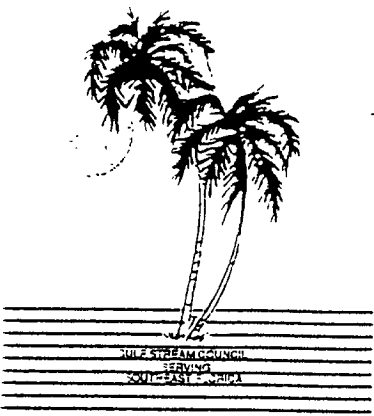
The Miami Herald

UPPER COAST

NOVEMBER 30, 1990

SECTION
FRIDAY

B



GULF STREAM COUNCIL, INC.

2935 AUSTRALIAN AVENUE NORTH • WEST PALM BEACH, FLORIDA 33407-4597

(407) 844-0279 • FAX (407) 844-8573

Paul Ernst
Director of Registration Services
Boy Scouts of America
National Office
1325 Walnut Hill Lane
P. O. Box 152079
Irving, TX 75015-2079

Dear Paul,

Attached is an update in a newspaper release, Vero Beach Press Journal, of October 18, 1990 relating to James Scharfschwerdt. I will share more with you as information is forth coming.

Sincerely,


Tom Whittingslow



UNITED
WAY

Serving youth in Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, Glades and Hendry Counties.



Boy Scouts
of America

CONF011638

Molestation Trial Date Set For Ex-Cop

By LINDA WILCOX
Press-Journal Staff Writer

Former Vero Beach police officer James Scharfschwerdt is scheduled to stand trial in December for a second time on child molestation charges.

Two months after Acting Circuit Judge Joe Wild disqualified himself from presiding at the trial, Circuit Judge Paul B. Kanarek has been assigned to the case.

The trial is set for 9 a.m. Dec. 3.

Wild recused himself at the request of defense attorney Michael Brodsky, who alleged Wild could not be impartial because of his relationship with Assistant State Attorney David Morgan.

Wild was a prosecutor working under Morgan when the Scharfschwerdt case broke in late 1988. Brodsky has accused Morgan of coercing and manipulating the testimony of alleged victims, but no action has been taken on the allegations:

State Attorney Bruce Colton has denied Brodsky's contentions and said Morgan acted properly during the investigation.

Scharfschwerdt, 33, the city's former beach patrol officer, was arrested in October 1988 on charges of lewd and lascivious conduct with five teen-age boys.

He resigned shortly after the arrest and stood trial for the first time in August 1989, with Kanarek presiding. A jury acquitted Scharfschwerdt of molesting a 13-year-old boy in 1986. Four other trials on eight counts remain.

Assistant State Attorney Lynn Park has said the next trial will be based on allegations that Scharfschwerdt sexually molested another teen-age boy in 1983.

She could not be reached for comment on the upcoming trial, but said after last year's trial that the alleged victim of the 1983 case is a "very credible young man."

Vero Beach Police Chief Jim Gabbard declined to comment on the pending trial.

At last year's trial, Brodsky suggested the two alleged victims who testified against Scharfschwerdt made up their stories because they wanted to get him in trouble.

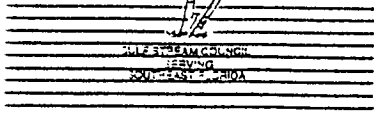
Some jurors agreed that the boys could have been trying to get revenge against Scharfschwerdt.




GULF STREAM COUNCIL, INC.

2935 AUSTRALIAN AVENUE NORTH • WEST PALM BEACH, FLORIDA 33407-4597

(407) 844-0279 • FAX (407) 844-8573



TO: Paul Ernst

FROM: Tom Whittingslow 

RE: James H. Scharfschwerdt

DATE: August 29, 1990

Enclosed is an article on James H. Scharfschwerdt dated August 23, 1990.

As you can see, we will not have any information at least until October. We will advise you later on the trial progress.

TW/g/enc.

CC: Jim Wilson, Regional
David Baugh



UNITED
WAY

Serving youth in Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, Glades and Hendry Counties.



Boy Scouts
of America

CONF011640

Judge Wild Steps Down From Trial

By LINDA WILCOX
Press-Journal Staff Writer

Acting Circuit Judge Joe Wild disqualified himself Wednesday from presiding at the upcoming child molestation trial of a former police officer amid allegations of bias and prejudice.

Wild granted a motion for disqualification filed by Miami defense attorney Michael Brodsky, who represents 32-year-old Vero Beach resident James H. Scharfschwerdt.

Scharfschwerdt worked for the Vero Beach Police Department as beach patrol officer until he resigned after his October 1988 arrest on charges of lewd and lascivious conduct with five teen-age boys.

He was acquitted of four charges at a trial in August 1989. A second trial has not yet been set but is expected to be held in October after the case is reassigned to another judge.

Brodsky alleged Wild could not be an impartial judge because he used to work as a prosecutor under the direction of Assistant State Attorney David Morgan, whom Brodsky said "coerced and manipulated" the testimony of alleged victims.

Although Wild was never assigned to investigate or prosecute the case against Scharfschwerdt, the defense attorney said Wild's relationship with Morgan was enough to cause a "well-grounded fear" that Wild could not be impartial.

Brodsky accused Morgan of coercing one of the victims into making false allegations against Scharfschwerdt.

Brodsky also alleged that Morgan "repeatedly" communicated with another victim in violation of a court order limiting the interviews of any victim of sexual abuse under 16.

The defense asked the court last year to determine whether Morgan should be held in contempt for doing so, but Circuit Judge Paul B. Kanarek, who was assigned the case at the time, never held a hearing on the matter.

State Attorney Bruce Colton defended Morgan's actions.

"I am aware of Dave Morgan's involvement in the investigation and I don't feel he did anything improper," Colton said. "When the evidence comes out at trial, that will be evident."

Colton said some of Brodsky's allegations are inaccurate and others are irrelevant to the case.

"They're trying to cloud the issue," he said. Colton said the issue is whether the victim is telling the truth, not alleged prosecutorial misconduct.

"Many witnesses at times are reluctant to tell the truth at first for a number of reasons. It takes, sometimes, some coaxing or pressure," Colton said.

As to allegations that Morgan violated a court order limiting communications with young victims, Colton said the order only applies to compelling them to testify and not voluntary discussions.

Park said the next trial — the second of a possible four on eight remaining counts — will revolve around allegations that Scharfschwerdt sexually molested a teen-age boy in 1983.

November 20, 1989

Mr. Thomas J. Whittingslow
Scout Executive
Gulf Stream Council, No. 35

PERSONAL AND CONFIDENTIAL

SUBJECT: JAMES R. SCHARFSCHWERDT

Dear Tom:

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 Confidential File.

Sincerely,

Paul Ernst, Director
Registration Service

je

cc: Southeast Region

READY TO FILE
NOV 13 1989
ERIN O'RILEY

CONF011642



BOY SCOUTS OF AMERICA

National Office
1325 Walnut Hill Lane
P.O. Box 152079, Irving, Texas 75015-2079
214-580-2000

August 28, 1989

Mr. Thomas J. Whittingslow
Scout Executive
Gulf Stream Council, No. 85

PERSONAL AND CONFIDENTIAL

SUBJECT: JAMES H. SCHARFSCHWERDT

Dear Tom:

I have everything I now need concerning the above named individual except for the outcome of the legal action. I would hope by now that the legal action has been completed and that we could have the final outcome and sentencing if any occurred.

Please send us newspaper clippings or court records which will help to give us a solid file for refusal of registration in the future.

Thanks for your help.

Sincerely,

Paul Ernst, Director
Registration Service

je

cc: Southeast Region

Paul - attached are newspaper articles which you requested.

CONF011643

Treasurer Coast

ST. LUCIE
INDIAN RIVER

FRSDAY, SEPTEMBER 14, 1989

THE MIAMI HERALD

SECTION B

Ex-officer's attorney seeks to block trial

By PHIL LONG
Indian River Bureau Chief

VERO BEACH — An appeals court in West Palm Beach is expected to rule today or Friday on an emergency request to block next week's trial of a former police officer.

James Scharfschwerdt, a former St. Lucie County jailer, Indian River County sheriff's deputy and Vero Beach police patrolman, is scheduled to start trial Monday. He's charged with lewd and lascivious conduct and sexual battery involving a boy, 13.

In an effort to give people additional time to report sexual abuse that happened when they were children, the Florida Legislature ruled in 1985 that sex-crime victims have until the age of 19 or 20 to report them.

The acts Scharfschwerdt is accused of took place six years ago, in 1983. The alleged victims are now 19.

In a motion filed this week, defense attorney Michael Brodsky told the Fourth District Court of Appeal

that Indian River Circuit Judge Paul Kanarek erred by not tossing out the case.

The law in effect in 1983 was for a three-year statute of limitations on lewd and lascivious conduct and four years on sexual battery, Brodsky said.

But in a document filed with the appeals court Wednesday, the Attorney General's Office agreed with Kanarek and with Lynn Park, the assistant state attorney prosecuting the case, who said the law can be applied retroactively.

If the appeals court asks for more information from each side, both Park and Brodsky said, it is unlikely the trial will start next week.

A circuit court jury in Vero Beach last month acquitted Scharfschwerdt of four counts of sexual misconduct with another teen-age boy.

Besides the trial scheduled for next week, the ex-officer faces similar charges involving 70 other youths.

Scharfschwerdt Acquitted By Jury

A jury Wednesday acquitted former police officer James Scharfschwerdt of charges he sexually abused a 13-year-old boy in August 1986.

After three hours and 40 minutes of deliberation, the five-woman, one-man panel found the defendant not guilty of four counts of level and lascivious assault on a child under 16.

The jury, which wavered on a decision earlier in its deliberations, reached the verdict at 6:25 p.m. after Circuit Judge Paul B. Karmark told them that failure to

reach a unanimous vote would result in a mistrial.

Defense attorney Michael Brodsky said the verdict was "absolutely correct."

"The man has a reputation in the community that speaks for itself," he said of his client, who was described by some witnesses as a citizen of good moral character.

Scharfschwerdt, who still faces charges that he sexually molested three other boys, had no comment. Unless the state drops those charges, Scharfschwerdt will stand trial three more times on seven

counts of level and lascivious assault and one count of sexual battery.

Assistant State Attorney Lynn Park said she planned to "reassess" the other cases against the defendant. In the meantime, Karmark said he would schedule the second trial on the September docket.

Park, who had urged the jury to believe the testimony of two teenage boys allegedly molested by Scharfschwerdt, said it was "difficult for people to convict on the word of a young person."

August 28, 1989

Mr. Thomas J. Whittingslow
Scout Executive
Gulf Stream Council, No. 85

READY FOR FILE

AUG 28 1989

JULIE EATON

PERSONAL AND CONFIDENTIAL

SUBJECT: JAMES H. SCHARFSCHWERDT

Dear Tom:

I have everything I now need concerning the above named individual except for the outcome of the legal action. I would hope by now that the legal action has been completed and that we could have the final outcome and sentencing if any occurred.

Please send us newspaper clippings or court records which will help to give us a solid file for refusal of registration in the future.

Thanks for your help.

Sincerely,

Paul Ernst, Director
Registration Service

je

cc: Southeast Region

CONF011646

February 24, 1989

Mr. Thomas J. Whittingslow
Scout Executive
Gulf Stream Council, No. 35

PERSONAL AND CONFIDENTIAL

SUBJECT: JAMES H. SCHARFSCHWERDT

Dear Tom:

We really appreciate the information you recently sent concerning the above named individual. The confidential record sheet will enable us to identify this individual should he attempt registration in some other location. I now believe we have all the personal information that we need.

We will want the outcome of the legal action once it is completed. Once a trial has taken place, and the acquittal or conviction has occurred, we would want to have this outcome for our files. This would then complete this situation so that we could refuse registration any where it might be attempted in the future.

Thanks for your help.

Sincerely,

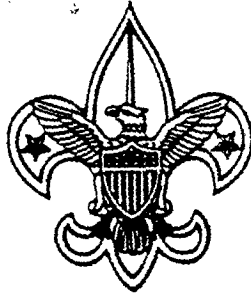
Paul Ernst, Director
Registration Service

eko

cc: Southeast Region

READY TO FILE
FEB 24 1989
ERIN O'RILEY

CONF011647



From the desk of
NORMA OSTERWALD
Office Manager

February 1, 1989

Paul Ernst
Registration Service

Dear Paul:

Attached is the information I received from the
Capt. in Vero Beach Police Dept. He also sent
the clipping which I am forwarding on to you.
This way you have a fairly good picture of Mr.

~~Scharf Schwerdt~~

Hope this helps, however it is all I could come
up with.

Sincerely,

A handwritten signature in cursive script, appearing to read "Norma".

Norma Osterwald

12-2-88

Accused Scharfschwerdt Resigns From Department

By LAURA FARRELL,
Press-Journal Staff Writer

James Scharfschwerdt, the 31-year-old Vero Beach police officer facing 12 charges of sexually related incidents involving minors, resigned from the force Thursday morning.



Police Chief James Gabbard said Scharfschwerdt submitted a letter of resignation citing the sexual misconduct allegations and the resulting criminal charges as his main reason for resigning.

"He said he was unjustly accused and it would be best for all if he resigned," Gabbard said.

Neither Scharfschwerdt nor his attorney, Michael Brodski of Miami, could be reached for comment.

Initially, Scharfschwerdt was charged Oct. 18 with four felony counts of committing a lewd or lascivious act upon a child under 16 years of age.

On Oct. 21, he was arrested and charged additionally with two

counts of sexual battery and three counts of lewd or lascivious acts on two boys under the age of 16.

Then, on Nov. 8, Scharfschwerdt turned himself in after police obtained warrants for his arrest on three more charges: one count of sexual battery and two counts of lewd or indecent acts upon a minor.

Some of the incidents reportedly occurred while the youths were members of the Indian River County Sheriff's and Vero Beach Police departments' Explorers posts. Scharfschwerdt was an adviser in the training programs for teens considering law enforcement careers.

Scharfschwerdt had been suspended from the Police Department without pay since Oct. 21.

"We don't like to hear these things about our officers and it has adversely affected the force's morale," Gabbard said. "It's a very difficult thing."

12-6-84 Miami Herald

Ex-officer asks judge to reduce his bond

By PHIL LONG
Indian River Bureau Chief

VERO BEACH — Former Vero Beach Police officer James Scharfschwerdt has asked a judge to reduce his bond and to declare him indigent, court officials said Monday.

Disclosure of the motions came following Scharfschwerdt's resignation from the police force late last week. The officer had been on suspension without pay.

Scharfschwerdt is charged with three counts of sexual battery and nine counts of lewd and lascivious conduct against four boys ages 12 and 13. In most of the cases, the 31-year-old former patrolman and former sheriff's deputy is accused of masturbating the teenagers, performing oral sex on them or masturbating in front of them.

He is out of jail on total bond of \$111,000. In addition to the \$11,100 cash premium Scharfschwerdt paid, several friends and family members pledged property as security for the bond.

The officer is scheduled to be arraigned on all the charges Jan. 9. The hearings on his motion for bond reduction and declaration of indigence will probably be held the

week before, a spokesman for Circuit Judge Paul Kanarek said Monday.

In his letter of resignation, Scharfschwerdt was critical of Vero Beach Police Chief Jim Gabbard and of his fellow officers who investigated him. Gabbard declined Monday to comment on the letter.

The letter was also Scharfschwerdt's first comment since his original arrest Oct. 18. He has been arrested twice since.

"Although I have spent numerous years devoted to law enforcement and to the youth of Vero Beach and Indian River County," Scharfschwerdt wrote to Gabbard, "you have unjustly permitted the lives of my wife, my beautiful young child and myself to be morally and financially destroyed."

Scharfschwerdt accused Gabbard of allowing an investigation that "has encouraged an solicited false accusations while ignoring the truth." He said officers "manufactured evidence in an attempt to corroborate those false accusations."

"You have attempted to prejudice the public against me by manipulating the press," Scharfschwerdt



James Scharfschwerdt
Accused in sex-abuse case.

wrote.

"I thank God there are still people in the community who believe in me and know that I am incapable of committing those heinous acts for which I am now charged."

Scharfschwerdt said that regardless of his confidence that he will be acquitted, "I could never return to your department because of the irreparable harm that has resulted. Nor could I ever serve under a chief who would sanction the biased and vicious investigation that you have allowed in my case."

January 16, 1989

Mr. J. Ben Edwards
Scout Executive
Gulf Stream Council, No. 85

PERSONAL AND CONFIDENTIAL

SUBJECT: JAMES HOWARD SCHARFSCHWERDT

Dear Ben:

We appreciate the material you sent in early October, concerning this individual. I do need the Confidential Record Sheet, so that we may identify Mr. Scharfschwerdt should he attempt registration in some other location.

Please complete the enclosed Confidential Record Sheet with as much information as you have available. A paper with his signature would also aid in this process.

We will need the outcome of the legal action once it is completed. If any further action has taken place or if any newspaper clippings have appeared, we would like copies of these.

Please send us a copy of the letter which was given to Mr. Scharfschwerdt's suspending his registration. Thanks for your help in this matter.

Sincerely,

Paul Ernst, Director
Registration Service

je

Enclosure

cc: Southeast Region

READY TO FILE
JAN 16 1989
ERIN O'RILEY

CONF011651

October 27, 1988

Mr. J. Ben Edwards
Scout Executive
Gulf Stream Council, No. 85

PERSONAL AND CONFIDENTIAL

SUBJECT: James Howard Scharfschwerdt

Dear Ben:

Thanks for the newspaper articles concerning the above named individual. These are most helpful, as a file is initiated for refusal of future registration attempts.

I am enclosing a Confidential Record Sheet which we would like to have completed, with as much information as is available. A paper with his signature would, also, be helpful to the identification process.

The outcome of the legal action and any sentencing which takes place would complete our file. Please send this as it is available.

Thanks again for protecting the youth of America.

Sincerely,

Paul Ernst, Director
Registration Service

ag

Enclosure

cc: Southeast Region

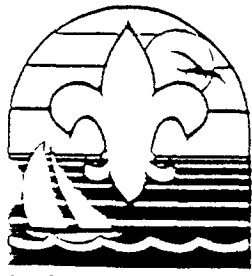
READY TO FILE

OCT 28 1988

ERIN O'RILEY

CONF011652

160 85



GULF STREAM COUNCIL
BSA - FLORIDA

2935 AUSTRALIAN AVENUE NORTH • WEST PALM BEACH, FLORIDA 33407-4597

(407) 844-0279

October 21, 1988

Mr. Paul Ernst
Registration Service
Boy Scouts of America
1325 Walnut Hill Lane
P. O. Box 152079
Irving, Texas 75015

Dear Paul:

Enclosed are two newspaper articles concerning James Howard Scharfschwerdt, Explorer Post 500, Vero Beach. We have removed him from our computer file as Explorer Advisor and will followup with the letter outlined as Appendix C in the publication "Child Sexual Abuse - How To Deal With It" No. 34-199.

Sincerely,

Ben Edwards
Scout Executive

cc: Harold C. Fieszal - Risk Management
Bob Somers - Area Director
Don Sasser - Council Attorney
Doug Johansen - Council President

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Serving youth in Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, Glades and Henry Counties.

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Vero Beach

Wake Of Officer's Arrest

Police Plan To Interview Explorer Post Teen-Agers

By JAMES KIRLEY
Press-Journal Staff Writer

Vero Beach police investigating child molestation charges against a member of their own ranks said Thursday they will speak to teens in Explorer's Post 500 where Patrolman James Howard Scharfschwerdt was an adviser. "We're interviewing present and past police explorers," Police Chief James Gabbard said. "We're also going to interview the explorers in the sheriff's office, from when Jim Scharfschwerdt was there." Scharfschwerdt, 31, was charged Tuesday with four counts of lewd or lascivious acts upon a child under 16. The accused officer first met the boy through the Vero Beach Police Explorer unit, and allegedly engaged in the sex acts between February 1985 and January 1987. The victim's identity is being kept secret, and investigators have refused to discuss how the case was brought to their attention. Scharfschwerdt, whose most recent assignment was on the city's new motorized beach patrol, has been suspended pending resolution of the case. Repeated attempts to reach him have been unsuccessful. He joined the Vero Beach force Feb. 12, 1985, during the tenure of Police Chief Sam McCall. A month earlier, Sheriff Tim Dobeck had noted Scharfschwerdt he would not be reappointed as a deputy. Scharfschwerdt worked with the sheriff's explorer post while a deputy. "The local and regional Scout leaders will try to continue Post 500. If the Police Department wants to continue we will continue it," Ben Edwards, Scout executive for the seven-county Gulfstream Council said. "The charges are against the officer, not against the post itself."

The Boy Scouts of America charter Explorer Council serves as administrator of the programs. There are 15 police explorer posts in the Gulfstream Council.

Investigators say they plan to interview teens in both the Vero Beach police and Indian River County Sheriff's Explorer programs.

"To the best of my knowledge, this is the first time that any allegations of child sexual abuse have been alleged in any of those posts," he added.

"Mr. Scharfschwerdt is no longer the leader, and he has been removed from the rolls of the Boy Scouts of America," Edwards said.

He noted a new, more detailed background investigation for all potential Scout advisers was initiated Sept. 1.

David Baugh, district Scout executive for Indian River County, said he and Gabbard have scheduled a meeting to discuss the status of Post 500:

"(Vero Beach police) are responsible for maintaining and approving of the leadership," Baugh said.

"Obviously, there are changes that need to be done," he added. "One of the things that Boy Scouts are concerned about is the safety of the kids."

"We're going to continue (the Explorer post) as if nothing happened," Vero Beach Lt. Terry

Williamson said. "Of course, there will be a different face in there."

There are between eight and 10 teens in Post 500, Williamson said. Remaining advisers at the post include ID Technician Leslie Justice, Detective Dan Brumley, and Cpl. Dav Winslow.

Post activities include working alongside officers in traffic and crowd control, learning police procedures, and how to properly wear uniforms.

Scharfschwerdt worked as a part-time security officer evenings at Thompson Elementary School but never had any contact with children there, according to the principal.

Scharfschwerdt lived on the school grounds in his own trailer and patrolled the grounds, Principal Dale Klaus said.

Scharfschwerdt was fired from his security job at the school and removed his trailer from the school grounds as soon as the information on his arrest was released Tuesday, Klaus said.

"The School Board made the decision that he was to be evicted immediately," Klaus said. "As soon as we heard, we moved on it."

Klaus emphasized that Scharfschwerdt never had any contact with the school's children.

"He was never around here during the day," Klaus said.

Scharfschwerdt's work was limited to the evenings, when he walked the school grounds and checked doors and windows, Klaus said.

A new person will be hired for the security position and even if Scharfschwerdt is acquitted of the charges, he would not be hired for the job.

"Just because of the nature of the accusations," Klaus said.

Thursday, October 20, 1988, Vero Beach, Fla., Press-Journal

Cop Charged With Molesting

By JAMES KIRLEY
Press-Journal Staff Writer

A Vero Beach patrolman and adviser for the department's Police Explorer youth program who was instrumental in the arrests of child molester Gary Martin and accused pedophile William Echols has been arrested and charged with molesting a boy.

James Howard Scharfschwerdt, 31, was charged Tuesday evening with four felony counts of committing a lewd or lascivious act upon a child under 16 years. All incidents involved the same victim, who is now 16, according to Police Chief James Gabbard.

Scharfschwerdt was arrested on the counts at his home at 7:16 p.m. He was released on \$10,000 bond later that evening.



Scharfschwerdt

Repeated attempts to contact Scharfschwerdt Wednesday were unsuccessful.

"We are continuing the investigation," Gabbard said. "We are interviewing a number of other people, both juveniles and adults."

Scharfschwerdt has been suspended with pay until further notice, Gabbard said.

Asked if there may be other victims involved, Gabbard replied, "We are certainly not ruling out that possibility at this time."

The alleged acts took place between February 1985 and January 1987, according to the arrest affidavit.

It claims the victim first met Scharfschwerdt as a member of the Vero Beach Police Department's Explorer program.

See Molesting, Next Page

(over)

Molesting

The victim told investigators he went to Scharfswerd's home in February 1985, where the defendant gave him beer and showed pornographic videos.

The victim said Scharfswerd gave him a back rub, took off his pants, masturbated him, then gave him oral sex.

One month later, according to the affidavit, the same youth was offered a title home from an Explorer's meeting. Instead, investigators claim, Scharfswerd bought beer and drove the youth to a remote area west of Vero Beach, where similar acts were repeated.

Two more incidents reportedly took place, one at Scharfswerd's home and another in a vehicle west of town.

Gabhard and Assistant State Attorney David Morgan both refused to discuss how the alleged crimes were brought to the attention of authorities.

Scharfswerd's personnel file contains two letters regarding the allegations. Both are dated Oct. 13. They notify Scharfswerd and City Manager John Little of the allegations.

"On Sept. 23, 1988, our department received information from the State Attorney's office in the 19th Judicial Circuit regarding alleged criminal conduct committed by you," Gabhard's letter to Scharfswerd read. It informed Scharfswerd he was suspended with pay until further notice.

Report

The Emergency Services Coordinating Committee, comprising all the medical, fire, police and ambulance groups in the county, will meet to discuss the report at 1 p.m. Oct. 28 in the first floor conference room of the County Administration Building.

"My personal belief," said O'Grady, "and again, it's just my belief, is that if a decision is made by whatever group to have a centrally managed system, the hospital is better suited to

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topic of several letters of thanks in his personnel file.

Examples include a letter of thanks from the Vero Beach High School administration for Scharfswerd's April 11, 1986, arrest of a suspected campus drug dealer; thanks from a grandparent whose runaway grandchild was returned by the patrolman; and a Sept. 13, 1987, employee performance review that states, "(Scharfswerd) has an excellent rapport in dealing with teen agers."

Scharfswerd's most recent assignment was initiating Vero Beach's first roving beach patrol. He has been driving an alternate cycle five days a week, enforcing city ordinances and watching for hazards.

Scharfswerd was hired by Vero Beach Sam McCall. His starting patrolman's salary was \$14,976 a year.

Prior to that, he had been earning \$18,772 at the Indian River County Sheriff's Department. He began there Oct. 1979, after jobs as a deputy and dispatcher for the St. Lucie County Sheriff's Department.

Sheriff Tim Dolbeck wrote Scharfswerd Jan. 2, 1985, informing him he would not be reappointed as a deputy.

The letter did not specify reasons, but Scharfswerd had been investigated for a Sept. 23, 1984, incident in which he supposedly fell asleep while guarding prisoners at Indian River Memorial Hospital.

This information apparently found its way

to Little, because it was a topic in a May 21, 1985, letter to him from Human Resources Director Jim Huff.

"Scharfswerd was not fired for falling asleep while guarding prisoners, as you were incorrectly informed," Huff wrote Little. "It was four months after this incident was alleged to have occurred that Deputy Scharfswerd and four other men were simply not rehired by the current sheriff."

While you did not reveal the source of your information and concern, Jim Scharfswerd believes that his leadership in establishing a new Explorer Scout group under the sponsorship of our police department has drawn fire from the Sheriff's Department. Jim organized and directed the program at the Sheriff's Department during his tenure there.

In an apparently unrelated incident, a former Vero Beach officer recently was charged with the same offense now facing Scharfswerd.

Robert Linger, 29, was charged with lewd, lascivious and indecent assault upon a child under 16 on Oct. 11.

He left the Vero Beach police department May 31, 1987. His letter of resignation cited personal reasons.

Scharfswerd is the second Explorer's post leader arrested in the last 18 months. Former sheriff's post leader Jeff Sandella, a former deputy, is now serving a one-year jail term for accepting gifts from a cocaine king pin.

Thousands Flee Hurricane Joan

SAN JOSE, Costa Rica (AP) — Hurricane Joan churned toward Central America with 120 mph winds Wednesday and forced thousands to evacuate coastal areas after it left 35 people dead or missing in Colombia.

"It will hit Nicaragua or Costa Rica if it keeps on this track, but there will also be heavy rainfall in Panama," said forecaster Max Masfield at the National Hurricane Center in Coral Gables, Fla.

He said the eye of the storm probably would hit the coast early Friday and that mountainous areas could suffer flash flooding and mudslides in the coming days.

Rainfall of 5 to 10 inches was forecast for the storm's path. The hurricane center said parts of Panama, Costa Rica and Nicaragua might get even heavier rains.

The Colombian islands of San Andres, Albuquerque and Providencia were under a hurricane warning.

Wednesday's
CASH-3
Drawing
9-5-3

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From Pg. 1A

report does not cut out the ambulance volume

responding to emergency scenes.

"We'll review the report and talk about what (Ward) has to say and what his feelings are," said Mrs. Eggert, who chairs the emergency coordinating committee.

Eggert said Ward's recommendation for a countywide coordinator, such as Emergency Services Director Doug Wright, made a lot of sense.

number of EMS units and personnel are often

responding to emergency scenes.

Inconsistency in the level of response and response times on a countywide basis

interagency competitiveness. The current

atmosphere of EMS delivery has created a rivalry between organizations.

The competitive environment created in the county has led to a duplication of personnel and equipment in some areas based primarily on