

POWELL, JAMES LOUIS 80

11511

CONF009636

DYKES_I_007503

CONFIDENTIAL RECORD SHEET

REGISTRATION AND SUBSCRIPTION SERVICE

APPENDIX A

BOY SCOUTS OF AMERICA

DATE Jul 3, 1980

FULL NAME James Louis Powell
(No initials if you can possibly get full name)

ADDRESS PO Box 496

CITY Meridian STATE Idaho ZIP CODE 83642

DATE OF BIRTH _____ (This is important and should be exact)

APPROXIMATE AGE 38 (To be used ONLY when date of birth is not known)

RELIGION _____ NATIONALITY _____

OCCUPATION Henkel McCoy Construction & River Runner

EDUCATION _____

WEIGHT 175 HEIGHT 6' RACE white

COLOR OF HAIR Curly Brown COLOR OF EYES _____

OUTSTANDING CHARACTERISTICS OR INTERESTS River Running - Jamborees

MARRIED OR SINGLE Single CHILDREN _____
(Number, ages, and names, if possible)

WIFE'S NAME _____

SCOUTING CONNECTIONS:

UNIT #	CITY	STATE	OFFICE	DATE REGISTERED	DATE RESIGNED
<u>T- 1</u>	<u>Meridian</u>	<u>Idaho</u>	<u>SM</u>	<u>78 + 79</u>	

SPECIAL RECOGNITION Silver Beaver

SUSPENDED OR DENIED REGISTRATION FOR FOLLOWING REASONS: Sm World-Jamboree
Nat'l Jamboree
see correspondence

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND DENIAL OF REGISTRATION AND LIST ATTACH SUPPORTING DOCUMENTS (STATE ONLY KNOWN FACTS, NOT RUMOR, CONJECTURE OR SPECULATION):

4th Judicial Dist Court
State of Idaho - Crim # 7330
nd # 612-306

Signed [Signature]
SCOUT EXECUTIVE

Council One - Ida

CONF009637

DYKES_I_007504

November 2, 1981

Mr. Rex J. Black
Scout Executive
Ore-Ida Council, No. 106

PERSONAL AND CONFIDENTIAL

SUBJECT: ~~JAMES POSSILL~~

Dear Rex:

In the middle of 1980, we had some communication concerning the above named individual. You sent us a confidential record sheet and a letter indicating that this man had applied for leadership in a Jamboree Troop.

We have heard nothing from you since that time and since we did not have information on the 1977 charges, we were not able to establish a confidential file for this individual.

If you feel that this man should be denied registration wherever he might move in the country, please send me any information which you have available so that we may establish a file with the proper backup material.

Sincerely,

Paul I. Ernst, Director
Registration, Subscription &
Statistical Service

ek

cc: Western Region

READY FOR FILE

NOV 2 1981

DAWN HARDELL

CONF009638

DYKES_I_007505



BOY SCOUTS OF AMERICA
Ore-Ida Council Inc. 106

Fort Boise Park
110 Scout Lane
Boise, Idaho 83702
Ph. (208) 342-6839

May 13, 1980

Director of Registration
S.U.M. 108
Boy Scouts of America
P. O. Box 61030
Dallas/Ft. Worth Airport, TX 75261

Dear Sir:

I have received information that Jim Powell pleaded guilty to charges of lewd conduct with an adolescent at a court in 1977.

Since that time Jim has served as a Scoutmaster in a troop and as a leader to the National and International Jamboree.

He is not currently active as a leader in his troop but has applied for Scoutmaster of the 1981 Jamboree.

Please advise me as to steps to take.

Sincerely,

Rex J. Black
Council Executive

RJB/lk

F. STARON

MAY 16 1980

CONF009639

DYKES_I_007506

*referred to 3y. Pub.
Personal
not active*

July 8, 1980

Mr. Rex J. Black
Scout Executive
Ore-Ida Council Inc. #106

PERSONAL AND CONFIDENTIAL

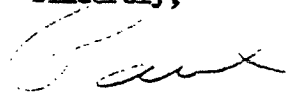
SUBJECT: ~~James Russell, Troop #1, SM~~

Dear Rex:

Thank you for the detailed information concerning the above Scouter. We are having our Attorney review the case.

We will keep you informed.

Sincerely,



Paul I. Ernst, Director
Registration & Subscription Service

tl

CONF009640

DYKES_I_007507

July 8, 1980

Mr. Rex J. Black
Scout Executive
Ore-Ida Council Inc. #106

PERSONAL AND CONFIDENTIAL


SUBJECT: James Powell, Troop #1, SM

Dear Rex:

Thank you for the detailed information concerning the above Scouter. We are having our Attorney review the case.

We will keep you informed.

Sincerely,



Paul L. Ernst, Director
Registration & Subscription Service

tl

CONF009641

DYKES_I_007508

June 19, 1980

Mr. Rex J. Black
Council Executive
Ore-13a Council Inc. 106

PERSONAL AND CONFIDENTIAL

SUBJECT: James Powell

Dear Rex:

Thank you for the detailed information concerning the above Scouter. We are reviewing this case with our Attorney.

We would appreciate your completing the enclosed Confidential record sheet. Substantiating documents, such as letters from people involved, newspaper clippings or copies of police or court records are a necessity. This information is most important for future reference purposes and it would certainly strengthen our position of refusing to accept any future application for registration we might receive from this individual.

Sincerely,

Paul L. Ernst, Director
Registration & Subscription Service

PL
enc.

CONF009642

DYKES_I_007509



BOY SCOUTS OF AMERICA

Ore-Ida Council Inc. 106

Fort Boise Park
110 Scout Lane
Boise, Idaho 83702
Ph. (208) 342-6839

June 12, 1980

Mr. Paul Ernst, Director
Registration, Subscription and
Statistical Service
Boy Scouts of America
P. O. Box 61030
Dallas/Ft Worth Airport, Texas 75261

Dear Paul:

Reference is made to our earlier correspondence concerning James Powell. I have made further investigation of this case and have talked with the detectives, probation officer, and the doctor concerned. Fourth District Court Report #612-306, August 21, 1976, James Lewis Powell was charged with aggravated battery resulting from sexual abuse and lewd and lascivious conduct.

Jim was involved with a Big Brother program, and a male youth testified that over a continued period, including at least five consecutive nights, Jim pulled his shorts off and "beat him off." Jim pleaded guilty and was placed under psychiatric care and a three-year probational period. During his probational period he was not to have association with any youth organization unless approved by both the probation officer and the psychiatric doctor. During this time he was a Scoutmaster with Troop 1 of Meridian, Idaho, attended the National Jamboree and attended the World Jamboree as a Scoutmaster without approval of either. He now has been released from probation. It was after his release from probation that we have learned of this.

The Executive Committee of the Council has met, and we felt that we should take immediate action to request Mr. Powell to sever all relations that he may have with the Boy Scouts of America. A letter was prepared (copy enclosed) and signed by the Council President. Two appointments were made with Mr. Powell to hand deliver the letter. He canceled one appointment and failed to keep the second. His office now reports that he will be out of town for the week. I am leaving for an assignment at Philmont this Saturday and will be gone for the rest of the month. Therefore, we have sent a registered letter to Mr. Powell. This procedure has been verified by phone through your secretary.

This letter is for a written record.

Sincerely,

Rex J. Black
Council Executive

RJB/lk
Enclosures

CONF009643

DYKES_I_007510

June 19, 1980

Mr. Rex J. Black
Council Executive
Ore-Ida Council Inc. 106

PERSONAL AND CONFIDENTIAL

SUBJECT: James Powell

Dear Rex:

Thank you for the detailed information concerning the above Scouter. We are reviewing this case with our Attorney.

We would appreciate your completing the enclosed Confidential record sheet. Substantiating documents, such as letters from people involved, newspaper clippings or copies of police or court records are a necessity. This information is most important for future reference purposes and it would certainly strengthen our position of refusing to accept any future application for registration we might receive from this individual.

Sincerely,

Paul I. Ernst, Director
Registration & Subscription Service

tl
enc.

CONF009644

DYKES_I_007511



BOY SCOUTS OF AMERICA

Ore-Ida Council Inc. 106

Fort Boise Park
110 Scout Lane
Boise, Idaho 83702
Ph. (208) 342-6839

June 30, 1980

F. STARON

JUL 7 1980

Mr. Paul Ernst
Director, Registration Service
National Council, BSA
P. O. Box 61030
Dallas/Ft. Worth Airport, TX 75261

Dear Mr. Ernst:

Reference is made to our letter of June 12th concerning James Powell. As indicated in that letter, efforts were made to have a personal conference with Mr. Powell, and finally a registered letter was mailed to him. We have a written receipt that he received the letter June 16, 1980.

Today, June 30, Mr. Powell came into my office and chatted about his court case, wondering why it just now came up, claimed that a verdict and sentence was not given and that he had received a dismissal of the charges. He supplied a copy of the Dismissal and a letter from the Prosecuting Attorney stating that Mr. Powell's conviction of lewd and lascivious conduct was a computer error and that Mr. Powell had pled to aggravated assault. I assured Mr. Powell that the record I had given the Boy Scouts of America indicated that his plea was aggravated assault.

Mr. Powell stated that he would support Scouting but was dropping out of activity. Enclosed are copies of the documents referred to.

Sincerely,

Rex J. Black
Council Executive

RJB/lk

Enclosures

CONF009645

DYKES_I_007512



National
BOY SCOUTS OF AMERICA

Ore-Ida Council Inc. 106

Fort Boise Park
110 Scout Lane
Boise, Idaho 83702
Ph. (208) 342-6839

June 9, 1980

James Powell
Box 496
Meridian, Idaho 83642

Dear Mr. Powell:

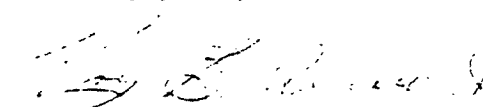
After careful review, we have decided that your registration with the Boy Scouts of America should be suspended. We are therefore compelled to request that you sever any relations that you may have with the Boy Scouts of America.

You should understand that BSA leadership 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 measure up to the high standards of leadership which the BSA seeks to provide for American youth. Please also understand that this decision and the reasons for it will be maintained as confidential.

Your \$500 deposit that you have submitted in connection with an application for Jamboree leadership is enclosed.

If you wish to have this decision reviewed, please write to me, explaining your version of the facts supporting your claim that your registration as a BSA leader should be granted or reinstated.

Sincerely yours,


Roy B. Arnold, Jr.
President

RBA/lk

CONF009646

DYKES_I_007513

June 12, 1980

Mr. Jim Powell
P. O. Box 496
Meridian, Idaho 83642

Dear Jim:

I am sorry to have to deliver this letter to you in such an im-
personal way, but we have tried to meet with you. One appoint-
ment you canceled, and the other you did not keep because you had
to go out of town. Your office reported that you would be gone
for the week, and then I'll be out of town on assignment.

Therefore, due to the urgency of the matter, we have had to take
this alternative.

Sincerely,

Rex J. Black
Council Executive

RJB/lk

CONF009647

DYKES_I_007514

IN THE DISTRICT COURT
OF THE
FOURTH JUDICIAL DISTRICT
OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

NO. _____ FILED
P.M.

MAR 9 1977

THE STATE OF IDAHO,

CLARENCE A. PLANTING, CLERK
7330 by Clarence A. Planting
DEPUTY

Plaintiff,

vs. JAMES LOUIS
"JIM" POWELL,

Defendant.

INFORMATION

DAVID H. LEROY, Prosecuting Attorney in and for the County of Ada, State of Idaho, who in the name and by the authority of said State, prosecutes in its behalf, in proper person comes now into said District Court of the County of Ada, and gives the Court to understand and be informed that

JIM POWELL

(is) ~~(was)~~ accused by this Information of the crime of AGGRAVATED BATTERY (I.C. Section 18-912) Felony

upon which charge the said JIM POWELL

having been duly brought before a magistrate on the 1st day of March 19 77, and having waived his preliminary examination therein upon said charge, by said magistrate thereupon held to answer to the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, to said charge, which said crime was committed as follows to wit:

That the said defendant, JIM POWELL, on or about the 3rd day of January, 1976, in the County of Ada, State of Idaho, did without justifiable or excusable cause, unlawfully commit an assault and battery upon the person of [REDACTED] without a weapon by touching the private parts of said [REDACTED] thereby inflicting grievous mental harm upon the person of the said [REDACTED]

All of which is contrary to the form, force and effect of the Statute in such case made and provided and against the peace and dignity of the State of Idaho

DAVID H. LEROY

CONF009648

DYKES_I_007515

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

HON. ROBERT M. ROWETT
District Judge

Term 19

APRIL 12, 1977

Date

COURT MINUTES

The State of Idaho,

Plaintiff -

vs

JAMES LOUIS POWELL,

Defendant -

AGGRAVATED BATTERY

No. 7330

Appearances:

Alan Cameron,
Prosecuting Attorney

Counsel for the State

James Scanlan,
Sallaz, Scanlan, Beer & Cain

Counsel for the Defendant

Defendant appearing on bond.

Court reviewed previous proceedings.

Defendant entered a plea of "Guilty" to the charge in the Information.

The Court advised defendant by pleading guilty he would be giving up his right to a trial by jury, his right to confront witnesses, his right against self incrimination and any defenses he would have to the charge.

Defendant sworn and examined on plea.

Court accepted the defendant's plea, ordered a pre-sentence investigation and continued the matter for sentencing until May 2, 1977 at 2:30 p.m.

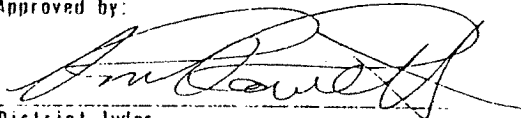
Defendant continued on bond and instructed to appear.

Reporter, Richard M. Bumpus

Approved by:

Clerk: -sam

Dated: 4-12-77


District Judge

CONF009649

DYKES_I_007516

memo from the desk of

REX J. BLACK

date 7/3/80

to Paul Ernst

message:

Here is copy of H. on
Jean Powell 1976 & 77 are
to far back to get news
clippings

Enclosed are copies of 3
more court records which
show the charge and
the plea of guilty.

more are available
at the court records
if needed

[Signature]

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
MAGISTRATE DIVISION
OF THE STATE OF IDAHO IN AND FOR *Case 2950*
THE COUNTY OF ADA

Before _____ Magistrate

THE STATE OF IDAHO,

Plaintiff,

vs.

JIM POWELL

Defendant.

Magistrate J. Smith
COMPLAINT—Criminal

PERSONALLY APPEARED Before me this 11th day of September 1976

_____ in the County of Ada, who, being first duly sworn, complains and says: that
JIM POWELL

on or about the 3-10 day of January 1976
in the County of Ada and State of Idaho, then and there being, did then and there commit the crime of

LEWD & LASCIVIOUS CONDUCT WITH A CHILD UNDER SIXTEEN

said crime being committed as follows, to-wit: (I.C. 18-6607, Felony) TWO COUNTS

COUNT I

That the said defendant, JIM POWELL, on or about the 3rd day of January, 1976, in the County of Ada, State of Idaho, then and there being, did then and there knowingly, wilfully, intentionally, unlawfully, feloniously and lewdly commit a lewd and lascivious act upon the body of a minor child under the age of sixteen (16) years, one _____ of the age of thirteen (13) years, not then and there the wife of said defendant, by then and there touching _____ penis with the intent to arouse or gratify the sexual desires of himself.

COUNT II

That the said defendant, JIM POWELL, on or about the 10th day of January, 1976, in the County of Ada, State of Idaho, then and there being, did then and there knowingly, wilfully, intentionally, unlawfully, feloniously and lewdly commit a lewd and lascivious act upon the body of a minor child under the age of sixteen (16) years, one _____ of the age of thirteen (13) years, not then and there the wife of said defendant, by then and there touching _____ penis with the intent to arouse or gratify the sexual desires of himself.

All of which is contrary to the form, force and effect of the statute in such case made and provided and against the peace and dignity of the State of Idaho.

Said Complainant therefore prays that a Warrant issue for the arrest of said defendant

JIM POWELL

and that _____ he _____ may be dealt with according to law.

Subscribed and sworn to before me this 31st day of September, 1976

[Signature]
Magistrate

CONF009651

DYKES_I_007518



Senior Deputy
Major Crime Unit
RONALD O. HOWEN

Chief Criminal Deputy
GREG H. BOWER

Chief Civil Deputy
SCOTT L. CAMPBELL

Criminal Deputies
JOHN F. DUTCHER
ROGER BOURNE
PATRICIA A. FLANAGAN
THOMAS F. NEVILLE
DEBRA J. CARNAHAN
LEE SIMS
JOSHUA A. MARKHEIM
TIMOTHY J. GASS
DENNIS L. JOHNSON

Civil Deputies
J. KELLEY WILTBANK
DAVID W. BALL

JIM C. HARRIS

ADA COUNSEL

PROSECUTING ATTORNEY

100 COMMERCE
BOISE, IDAHO 83702

16 June, 1980

RECEIVED

Spillaz and ... entered

Area Code 208
Telephone 384-8722

Family Support Unit
Administration
JACK O. KEMMELER
Telephone 444-7600

Inmate - Mental Health
Division
6300 Division Street, Bldg. 11
Telephone 384-8500

Investigator
H. DEE PEEPER

Secretarial Administration
LONNA M. TERSEN

Captain Gil Wright
Central Services Division Director
7200 Barrister
Boise, Idaho


Re: State v. James Louis Powell, Cr. 7330

Dear Gil:

Pursuant to a request from Mr. Powell's attorney, it has been brought to our attention that the computer files indicate that Mr. Powell was convicted of Lewd & Lascivious Conduct when in fact Mr. Powell pled to Aggravated Assault on April 11, 1977.

If there is any problem with this, please let me know. Thank you for your time and cooperation in this matter.

Sincerely,


GREG H. BOWER
Chief Criminal Deputy

1/za

CONF009652

DYKES_I_007519

COPY

NO _____ FILED
AM 11:40 PM _____

MAY 12 1980

JOHN BASTIDA, CLERK
BY BARBARA ANN EDWARDS

1 JAMES E. SCANLAN
2 SALLAZ AND SCANLAN, CHARTERED
3 ATTORNEYS AT LAW
4 1822 IDAHO STREET
5 P. O. BOX 8888
6 BOISE, IDAHO 83707
7 TELEPHONE (208) 398-1148

8 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
9 STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

10 STATE OF IDAHO,)
11 Plaintiff,) Crim No. 7330
12 vs.) MOTION TO DISMISS
13 JAMES POWELL,)
14 Defendant.)

15 COMES NOW, The defendant in the above entitled action, by
16 and through his counsel of record and moves this Court for an
17 Order dismissing said action for the reason and on the ground
18 that the defendant has successfully completed the term of his
19 probation as imposed by this Court.

20 Dated this 3rd day of April, 1980.

21 SALLAZ AND SCANLAN, CHARTERED

22 JAMES E. SCANLAN
23 James E. Scanlan
24 Member of the Firm
25 Residing at Boise, Idaho
26 Attorneys for Defendant

27 ORDER

28 Upon reading the above Motion to Dismiss, and good cause
29 appearing therefor, IT IS HEREBY ORDERED AND THIS DOES ORDER
30 That the above entitled action be, and the same hereby is dismissed.

31 Dated this 7th day of April, 1980.

32 ROBERT M. ROWETT

Judge

b- MOTION AND ORDER TO DISMISS

CONF009653

DYKES_I_007520