

CHPEA, JOHN R. 84

1329

CONF002331

DYKES_I_002309

APPENDIX A

CONFIDENTIAL RECORD SHEET
 REGISTRATION, SUBSCRIPTION, and STATISTICAL SERVICE
 BOY SCOUTS OF AMERICA

Date May 10, 1984

Full name John R. Capra
 (No initials if you can possibly get full name)

Address 1064 Asbury Drive

City Olathe State Kansas Zip Code 66061

Date of birth December 13, 1947 (This is important and should be exact.)

Approximate age 36 (To be used ONLY when date of birth is not known)

Religion Methodist Nationality American
Technical

Occupation Engineer - Black & Veatch Co. Overland Park, Ks.

Education High School

Weight approx. 140 -160 Height 5'5"- 5'8" ^{wearing} leg brace Race Caucasian

Color of hair dark brown Color of eyes brown

Outstanding characteristics or interests multiple sclerosis -youth, artificial hip joint and brace on one leg.- adult

Married or single single Children NA
 (Number, ages, and names, if possible)

Wife's name NA

Scouting connections: * see reverse side →

Unit No.	City	State	Office	Date registered	Date resigned
troop 212	Salina	Ks.	ASM	1966	1970
troop 116	Kansas City Mo.		ASM	1970	1973
pack 3116	Kansas City Mo.		CM	1972	1973
Special recognition _____					

Suspended or denied registration for following reasons:

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

(OVERNOTED)

MAY 31 '84

JOSEPH L. ANGLIM

Signed Daniel H. Wheatcroft
 SCOUT EXECUTIVE
 Council Heart of America Council

STARON
 MAY 22 1984

CONF002332

DYKES_I_002310

Scouting connections: (continued from front page)*

<u>Unit No.</u>	<u>City</u>	<u>State</u>	<u>Office</u>	<u>Date Registered</u>	<u>Date Resigned</u>
Pack 3116	Kansas City	Mo.	WL	1970	1973
Troop 256	Overland Park	Ks.	(IR) SC	1971	1972
Troop 83	Olathe	Ks.	ASM	1975	1976
Troop 83	Olathe	Ks.	SM	1976	1978
Troop 83	Olathe	Ks.	MC	1978	1979
District	Kansas City	Mo.	TRNG/ACT.	1971	1973
District	Olathe	Ks.	ACT.	1973	1977
District	Olathe	Ks.	UC	1973	1975
District	Olathe	Ks.	ADV. CHRM.	1984	present
District	Olathe	Ks.	MERIT BADGE COUNSELOR	1973	present

CONF002333

DYKES_I_002311

January 22, 1991

Mr. Jere B. Ratcliffe
Scout Executive
Heart of America Council, No. 307

PERSONAL AND CONFIDENTIAL

SUBJECT: John R. Capra

Dear Jere:

A recent check of our Ineligible Volunteer File against the National Eagle Scout Association indicated that the above named individual is presently a member of NESAs.

This individual is listed on our Ineligible Volunteer File and will not be permitted to register with the Boy Scouts of America. We wanted you to be aware of this, so that the individual cannot participate in any activities with the council, simply because he is a member of NESAs. He should not participate in any leadership capacity or assume any responsibility in the Boy Scouts of America. He could participate as a parent if he has a son or daughter involved.

We wanted to make you aware of this, so you would not involve him. Let us know if you have any questions.

Sincerely,

Paul Ernst, Director
Registration and Statistical Service

eko

cc: J. Thomas Ford, Jr., North Central Region

PLEASE TO FILE
JAN 23 1991
ERIN O'RILEY

CONF002334

DYKES_I_002312

ES010C-R1

BOY SCOUTS OF AMERICA
EAGLE SCOUT SYSTEM
INELIGIBLE VOLUNTEER CHECKING MATCH REPORT - N.E.S.A. MEMBERS

PAGE: 759

CONT	N.E.S.A. MEMBER FULL NAME	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	BIRTH YEAR	SDC SEC NO
		CAPPS	THOMAS	ALLEN	M	58	
	JOHN D. CAPOBIANCO	CAPOBIAN CAPOBIANCO	J ALI		M	62 60	
	ANTHONY CAPOZZIELLO	CAPOZZIE CAPPS	A THOMAS	ALLEN	M	62 58	
	BRUCE A CAPPS	CAPPS CAPPS	B THOMAS	ALLEN	M	60 58	
	CHRISTOPHER P CAPPS	CAPPS CAPPS	C THOMAS	ALLEN	M	59 58	
	ERIC R CAPPS	CAPPS CAPPS	E THOMAS	ALLEN	M	63 58	
	JAMES D CAPPS	CAPPS CAPPS	J THOMAS	ALLEN	M	59 58	
	JAMES P. CAPPS	CAPPS CAPPS	J THOMAS	ALLEN	M	58 58	
	MICHAEL W CAPPS	CAPPS CAPPS	M THOMAS	ALLEN	M	63 58	
	THOMAS E CAPPS	CAPPS CAPPS	T WILLIAM	J	M	42 37	
	JOHN JAMES CAPPUCCINO	CAPPUCCI CAPPS	J THOMAS	ALLEN	M	63 58	
	JOHN R CAPRA <i>State KS 307 1-2-87</i>	CAPRA CAPRA COOPER	J JOHN JAMES	R	M	47 47 23	
	RICHARD ANTHONY CAPUANO	CAPUANO CAYANEY CHIAPPONE	R MICHAEL ALAN	F M	M	57 55 55	
	ANTHONY S CAPUZZI JR.	CAPUZZI CAPASSO CAPPS	A CONRAD THOMAS	T ALLEN	M	63 58 58	
	K C CARACCI	CARACCI CHURCH	K BRUCE	E	M	63 68	
	DWIGHT W CARATTINI	CARATTIN CARDEMAS	D MARIO	JOSEPH	M	57 52	
	WESTEY B CARAMAY	CARAMAY CARR	W JOHN	J	M	62 57	
	CAROLL J CARBONNEAU	CARBONNE CARPENTER CARPONTIER	C JULIAN DONALD	DELDY KEITH	M	00 40 33	

Mr. Ratcliff called 2-17-88
to verify that we had
John Capra on the file.
I told him yes we did
and that he had been
on the file since 1984.

2-17-88

AM

CONF002336

DYKES_I_002314

June 1, 1984

READY TO FILE
JUN 4 1984
ERIN O'RILEY.

Mr. Daniel H. Wheatcroft
Scout Executive
Heart of America Council, No. 307

PERSONAL AND CONFIDENTIAL

SUBJECT: John R. Capra

Dear Dan:

Thank you for the detailed information concerning the above Scouter. We have reviewed this case with our Attorney and have now placed this man on the Confidential File.

Sincerely,

Paul I. Ernst, Director
Registration Subscription &
Statistical Service

tkf

cc: North Central

CONF002337

DYKES_I_002315

PRIORITY SEPARATION

DEATH

COUNCIL NO. 307

UNIT NO. 8603

C. F.

ADULT/YOUTH NAME	ADDRESS	CITY	STATE & ZIP	STATUS	POS.
John Capra	1064 Ashbury	OLATHE	Ks 66203		79

Adult resulting
Co 307 - 8603 - 12/84 expired

John Capra 79

1064 Ashbury Dr.

Olathe, KS 66203.

66061 ~~66061~~

Returned to Claire

5/24/84

found at 66061 - JRP Cuda...

307-8603 CPRAN04J9 10A0025LC
deleted from 096 KS

See mast file
MAY 25 1984

JERRY MEYERS

TROOP CHARTER INFORMATION		No. 20-201E		1982 Printing		FOR COUNCIL USE ONLY	
CITY	STATE	COUNTY, DISTRICT	LOCAL UNIT NO.	CURRENT EXPIRATION DATE	NEW EXPIRATION DATE	TERM (MONTHS)	DATE WILL BE
	KS			12/31/83	12/31/84	12	

COUNCIL/DISTRICT SCOUTER ROSTER

COUNCIL NAME Heart of America

BOYS LIFE SUBSCRIPTIONS BEGIN 12/84 END 2/85

ADULTS BL SUBSCRIPTIONS TOTAL REGISTRATION FEE BOYS LIFE FEES

No. 32 FEE \$7600
1 \$40
\$16540

BIRTH DATE	BOYS LIFE POS.	LINE NO.	NAME	ADDRESS	CITY	STATE AND ZIP	SEX
0740	A	80	JOSEPH E BERGMAN	6629 MELROSE	SHAWNEE MISSION	KS 66203	M H 611180
1142	82	25	DEAN BROWN	11711 W 51ST TERR	SHAWNEE MISSION	KS 66203	F H 662180
	79	13	LORETTA BUNCE	10018 W 60 TERR	SHAWNEE MISSION	KS 66203	M H 268385
	79	15	LARRY BUNCE	10018 W 60TH TERR	SHAWNEE MISSION	KS 66203	M H 268385
1153	80	24	FREDERICK W CANADA	6516 REEFER #301	SHAWNEE MISSION	KS 66203	M H 268385
	79	9	JOHN CAPRA	1064 ASHFURY	OLATHE	KS 66061	F H 3751367
0335	80	11	SARA S CLINE	5725 OAK GROVE RD	KANSAS CITY	KS 66106	M H 677545
0021	82	10	WILLIAM F CLINE	5725 OAK GROVE RD	KANSAS CITY	KS 66106	M H 677545
	80	17	STEVE CROCKETT	9928 E 56TH ST	SHAWNEE MISSION	KS 66203	M H 662180
	80	22	JOHN LUNLAN	1125 W 65TH	SHAWNEE MISSION	KS 66203	M H 662180
0290	79	1	KATHY J FERLIN	6423 CULMAN	OVERLAND PARK	KS 66212	M H 6611797
0048	83	21	CATRICKA FLOOD	1128 E FLK	OLATHE	KS 66061	M H 6611797
	80	33	LEDA DAN BURTA	1128 E FLK	OLATHE	KS 66061	M H 6611797
	80	16	MOLLIE SWARTH	484 J Cherry	OVERLAND PARK	KS 66212	M H 6611797

CD 307

May 21, 1964

Mr. Daniel H. wheatcroft
Scout Executive
Heart of America Council, No. 307

PERSONAL AND CONFIDENTIAL

Dear Dan:

Thank you for the information concerning John R. Capra. This information seems to be complete and should enable us to refuse registration should he try to register in the future.

If he does ask for a review, please keep us informed as to the outcome.

Sincerely,

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

tkf

cc: North Central Region

CONF002340

DYKES_I_002318



Dan H. Wheatcroft

March 28, 1985

PERSONAL & CONFIDENTIAL

Mr. Paul Ernst
National Office
Boy Scouts of America
1325 Walnut Hill Lane
Irving, Texas 75038-3096

Re: John Capra

Dear Paul:

Note the attached news clipping for your file. This should wrap this matter up for now.

Dan H. Wheatcroft
Scout Executive

DHW//88

c. STARON

APR 5 1985

KANSAS CITY TIMES WEDNESDAY 3/27/85

Ex-Scout leader found guilty of molesting boys

By Mike Kennedy
A Member of the Staff

A former Boy Scout troop leader in Olathe has been convicted in Johnson County District Court of two counts of taking indecent liberties with minors.

John Capra, 37, of 1064 Ashbury Road, Olathe, agreed that the allegations were true and was found guilty Monday by Judge Gerald Hougland after the judge rejected his attempt to use an insanity defense at the trial.

By stipulating to the allegations without actually pleading guilty, Mr. Capra retained his right to appeal the conviction, Assistant District Attorney Joseph E. Cosgrove Jr. said.

Mr. Capra is scheduled to be sentenced April 25. Each charge carries a maximum penalty of three to 20 years in prison.

Mr. Cosgrove said he was pleased with the conviction because it spared the young Boy Scouts from reliving the incidents on the witness stand.

other indecent liberties

charges are pending against Mr. Capra. Mr. Cosgrove said that in light of Monday's conviction, those charges might be dismissed.

Mr. Capra was charged last summer after state authorities learned of an alleged fondling incident involving Mr. Capra and a Scout in Mr. Capra's home. He was subsequently charged with taking indecent liberties with other Scouts.

Joseph Dioszeghy, Mr. Capra's lawyer, filed a motion last week requesting permission to use the insanity defense, but Judge Hougland ruled that the motion was not filed on time.

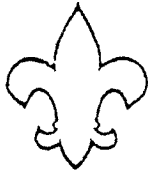
After that ruling, Mr. Cosgrove said, Mr. Capra indicated his willingness to sign a stipulation admitting to the evidence against him. A statement was prepared and presented to the judge, who then entered the guilty verdict.

In the statement, Mr. Capra acknowledged that he had sexually molested three Scouts at his house.

Since the allegations arose, Mr. Capra has been dropped from the Scouting program, in which he had participated about six years.

CONF002341

DYKES_I_002319



Boy Scouts of America / Heart of America Council

Suite 1017 / 400 State Avenue / Kansas City / Kansas 66101-2483 / 913-321-5151
May 15, 1984

PERSONAL AND CONFIDENTIAL

Mr. John R. Capra
1064 Ashbury Drive
Olathe, Kansas 66061


Dear Mr. Capra:

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.

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,


Dan H. Wheatcroft
Scout Executive



DHW/gg

Council No. 307 Serving Youth in 19 Kansas and Missouri Counties.
Kansas: Anderson / Douglas / Franklin / Johnson / Leavenworth / Linn / Miami / Wyandotte.
Missouri: Bates / Carroll / Cass / Clay / Henry / Jackson / Johnson / Lafayette / Platte / Ray and St. Clair.

CONF002342

DYKES_I_002320

B.S.A. TROOP # 85
FIRST BAPTIST CHURCH
[REDACTED]
Olathe, Kansas 66062

MAY 5, 1984

Mark Wappel
District Executive B.S.A.
Heart of America Council
118 N. Saxony
Olathe, Kansas 66061

Dear Mr. Wappel,

This is a petition for the immediate suspension this date 5-5-84 of John Capra from further B.S.A. activity.

Extremely questionable practices not consistent with standard procedures of B.S.A. policy is the reason.

The following practices are inconsistent with B.S.A. published requirements for merit badges.

1. Procedures outside merit badge requirements:

- A. Taking photographs of scouts without their shirts.
- B. Unnecessary statements about puberty.
- C. Late hours, during school nights at his insistence over the objection of the parents. (10:00PM)
- D. Taking a scout into a bedroom alone.
- E. Yelling, shouting, and verbal abuse.
- F. Signing the completion of merit badges without completing requirements.

We petition that this suspension is to remain in effect until thorough investigation is completed.

Sincerely,
[REDACTED]
[REDACTED]
[REDACTED]

CONF002343

DYKES_I_002321

May 7, 1984

Olathe, Ks. 66061

Heart of America Council
Greater Kansas City

Gentleman:

I am filled with anger and pain that I should have to write this letter. Anger...that this person is getting by with doing a great deal of damage everyday in the name of scouting...and hurting young boys more than drugs. Pain...it was reported to you almost three years ago and you ignored me. My ideals of scouting go back with Sir Baden Powell and Country, Mom and Apple Pie. You let me down tremendously. I did contact Johnson County Board of Child Abuse and they found what I am going to tell you...a "Wrengful Act against a minor " and I should take necessary actions.

This is my son's story...

The first year that we were at Camp Naish, I was assisat Camp Director and trying very hard to be a part of Boy Scouts as it was new to me. My sons were instructed to be a part of it, work hard and learn. Our First Aid Headquarters was a log cabin type building used by the cooks from the ¹⁹⁸¹camp. John Capra was in charge. He said my son was a good helper and he would like him to assist. That was the first time he started molesting my son. After camp John called and asked if my son could spend a weekend..We were delighted that our son was going to be around one of the greatest people in scouting. So far, this may be very boring to you..but as nevides in scouting, we thought this was a very fortunate happening.

IN THE
CABIN +
MADE
HIM
MIS
FLAG.

" When I spent the nite with him he insisted I sit on his lap in a very special chair (a recliner),,he would continue to fondle me between my legs. While we were driving down the roads he would insist I sit next to him, thigh to thigh so he could touch me. At one time a police car went by and he shoved me away from him. He invited me to visit his Mother in western Kansas and we went to see Indian Mounds and in the rocks he kept touching me between my legs. All the time he kept asking me..."You didn't tell your nether, did you?"

No, my son didn't tell me...I very slowly figured it out for myself. My son wouldn't answer the phone, get very up-tight when we mentioned the name John Capra. Starting crying, lieing, and having temper tantrums when we pushed that he should go visit John Capra, who was wonderful and top-notch in scouting. This man sexually abused my son and he did it in the name of the Boy Scouts of America, I find no reason why he should get by with this any longer..mmNew that you made me talk about it...think about it...relive it...again. I promise that you will do something about it...we are the Scouts and we are America. Please let me know what you decide.,,maybe I'll get back in Scouting again.

My heart always hurt me because the man was handicapped until I looked in my own life. My brother is blind and he was Exec. Dir. of Boy Scouts in Joplin, Mo.

to Scouting. [Redacted]

CONF002344

DYKES_I_002322

1910  1985
BOY SCOUTS OF AMERICA
Heart of America Council



April 29, 1985

Mr. Paul Ernst
SUM # 108
National Office
Boy Scouts of America
1325 Walnut Hill Lane
Irving, Texas 75038-3096

RE: JOHN CAPRA



Dear Paul:

Please note the copy of recent newspaper clippings. This wraps up our file on John Capra.

Sincerely,

Dan H. Wheatcroft
Scout Executive

DHW/gg
encl.

400  TE AVENUE KANSAS CITY, KANSAS 66101-2483  321-5151

CONF002345

DYKES_I_002323

Ruling concerns statement

(Continued from page 1)

Capra, who walks with leg braces and crutches, last July admitted to Pruett that he had placed his hands on boys' genitals, rubbed their arms and legs and took pictures of them partially clothed.

Several of the assaults occurred at Capra's house, authorities said.

A majority of the sexual assaults centered around Capra's role as a Boy Scout leader, including one attack that occurred at a Boy Scout camp in Bonner Springs, authorities said.

In two separate sexual assaults, that occurred at Capra's house last spring, the man rubbed his hand on the boys' genitals to teach them the location of pressure points, authorities said. The boys were at Capra's house working on merit badges.

The boys involved in the sexual assaults range in age from 11 to 16, investigators said.

During the hearing Monday, Cosgrove played the 20-minute tape statement Capra gave to police. It is the first time the statement has been played in open court.

The tape was played during a hearing before District Judge Gerald Houglund to determine whether Capra voluntarily gave the statement to police.

Defense attorney Joe Dioszeghy argued that Pruett coerced Capra into making the statement by being "overly nice" to him. Pruett admitted on the stand that he told Capra he would help him receive counseling for his problems, but denied ever coercing the man into confessing.

Houglund ruled that Pruett acted properly in his interview with Capra.

Dan Wheatcroft, executive director of the Heart of America Boy Scout Council, said recently that Capra was acting as a volunteer "merit badge counselor" when he is alleged to have committed the sexual acts.

Capra remains free on a \$10,000 bond.

CLAWE

HEART OF AMERICA COUNCIL No. 507

DIAMON
DEC 17 1984

Judge rules on child abuse suspect's statement

THE DAILY NEWS - OF JOHNSON COUNTY, KAN.

TUES. DECEMBER 11, 1984

BY ANDY HOFFMAN

A former Olathe Boy Scout leader admitted to investigators last summer that he had sexually molested about 10 boys since he moved to Olathe 12 years ago. John R. Capra, 1064 Ashbury, made the admissions during an interview last July with Olathe Det. Joe Pruett. Capra, a civil engineer who worked as a scout leader in Olathe until he was ousted

last May, is charged in Johnson County District Court with three counts of taking indecent liberties with a minor. Pruett testified in a pre-trial hearing Monday in Johnson County District Court that Capra admitted sexually molesting "probably 10, maybe a few more" boys since he moved to Olathe several years ago. The 37-year-old Capra also told police that he knew "he had a problem and was willing to get help," Pruett said.

"Yes, I've been trying and trying to get further and further away from little kids," Pruett said Capra told him during the interview. Capra is scheduled to go on trial within the next few weeks on the three felony charges. If convicted, he could be sentenced to prison for 3-20 years on each count. In addition, Joseph Cosgrove, Jr., an assistant Johnson County district attorney who is prosecuting the case, said he intends

to file two additional charges of taking indecent liberties with a minor against Capra. Cosgrove also said investigators have uncovered evidence indicating that Capra sexually assaulted several other boys. However, Cosgrove said those sexual assaults occurred more than two years ago, indicating that Capra cannot be charged with those crimes because the statute limitations has expired. (Continued to page 16)

CONF002346

DYKES_I_002324

Former boy scout leader waives hearing on sexual abuse charges

An Olathe man accused of sexually abusing three boys waived preliminary hearing Monday before Johnson County District Court Judge James H. Bradley.

John R. Capra, 36, a former volunteer merit badge counselor for the

Boy Scouts of America, will be formally arraigned Sept. 26 before Judge Earle D. Jones.

Capra was originally charged on July 11 with one count of taking indecent liberties with a child in an incident that allegedly occurred in April. Two charges in-

volving other youths were later added.

According to authorities, the three youths were Boy Scout members who had gone to Capra's house earlier this year for advice on merit badge projects. An investigation is continuing to see if other youths were involved.

K.C. TIMES - THURSDAY SEPT 27 1984

Former Scout leader enters not guilty plea

A former Olathe Boy Scout leader pleaded not guilty Wednesday in Johnson County District Court to charges of taking indecent liberties with a 13-year-old scout and two other boys, the county prosecutor said.

The defendant, 36-year-old John R. Capra of 1064 Ashbury Road, was charged in June with fondling a scout April 26 at the man's home. Two more sex charges were filed in July.

Associate Judge Earle D. Jones scheduled an Oct. 23 hearing to set a trial date, District Attorney Dennis Moore said.

Daily News

Johnson County, Kansas

Friday, April 26, 1985

Former scout leader sentenced to prison

By ANDY HOFFMAN

Daily News Reporter

Former Olathe Boy Scout leader John Capra was sentenced Thursday to 4-15 years in prison for molesting two young boys.

However, it's not known whether the 37-year-old Capra will be sent to prison or granted probation.

Johnson County District Judge Gerald Houglund sentenced Capra to prison and denied probation, but then allowed Capra to remain free on a \$10,000 bond pending an appearance before the Johnson County Parole Board at 2 p.m. May 9.

At that time, the parole board, comprised of the judges in the criminal division, will decide whether to uphold Houglund's sentence or grant Capra probation.

Dressed in a blue business suit, the handicapped Capra kept his head down during the 45-minute hearing. He kept his face turned away from television cameras in the courtroom.

At the hearing, defense attorney Joe Dionezgy asked for bench probation, telling Houglund that any prison sentence would be "a death sentence" for Capra because of his handicaps and his convictions on child molestation charges.

"In John Capra's case, even three or four months in prison, is a death sentence," Dionezgy said.

"In Mr. Capra's case there is absolutely no reason to send him to prison other than to punish him and to send a message to the community. And, as I have said before, I don't think the message would be perceived the way we want it to be perceived."

However, Joseph Cosgrove Jr., an assistant Johnson County district attorney, argued that Capra should be placed in prison for his crimes, saying society should send a message that child molesters will be dealt with sternly.

"Sentencing in this case should send a message that serious sex abuses of children will be dealt with sternly by the law," he said. "We need to send a message to those individuals who work with children's groups. Mr. Capra is not a minor sex offender. His crimes were of significant magnitude. Finally, society has a legitimate interest in punishment."

Houglund found Capra guilty March 25 of two counts of taking indecent liberties with a minor.

Although Houglund found Capra guilty, Capra did not enter a plea in the case, but simply stipulated to a set of facts that would have been presented if the case had been tried.

According to the stipulation, Capra admitted to Houglund that on several different occasions Capra fondled the genitals of at least three boys who were at his Olathe residence working on Boy Scout merit badges.

During the hearing Thursday, Dionezgy strongly urged that Capra be granted probation, indicating the charges against Capra involved minimal touching.

Dionezgy said Capra, who walks with braces, has been "physically handicapped for the entirety of his life."

"The man never, ever had the normal relationships all of us have had growing up," Dionezgy said, indicating that Capra's fondling was similar to what small children do to each other. "This is a man who is 37 years of age and, up to about six months ago, never ever had a date."

"Even though he has above average intelligence, the sexual and emotional part of his life never developed... he was acting as an eight-year-old would act. I don't think it is an exaggeration to say that John Capra truly loved the boys he worked with."

Cosgrove, however, said the boys who were molested have

(Continued to page 5)

K.C. TIMES - APRIL 26 1985

Ex-Scout leader sentenced in molestings

A former Boy Scout troop leader from Olathe was sentenced Thursday in Johnson County District Court to serve four to 15 years in prison for sexually molesting several boys in his troop.

Judge Gerald Houglund allowed John R. Capra, 37, of 1084 Ashbury Road, Olathe, to remain free on bond until the Johnson County Parole Board considers his case next month. Mr. Capra was found guilty last month of two counts of taking indecent liberties with a minor.

In arguing against probation, Assistant District Attorney Joseph E. Cosgrove Jr. said Mr. Capra had molested several boys.

"Mr. Capra's thinking was so

distorted he thought by fondling boys he was comforting them," Mr. Cosgrove said. "The boys, their parents and Scouting trusted Mr. Capra. He took advantage of them."

Mr. Capra was found guilty on March 25 after signing a statement admitting the allegations. By admitting to the allegations without actually pleading guilty, he retained the right to appeal the conviction. The action also spared the boys from testifying about the incidents.

Since the allegations were made against Mr. Capra, he has been dropped from the Scouting program. He had been involved with Boy Scouting for six years.

Former scout leader sentenced

(Continued from page 1)
needed counseling to overcome their problems relating to Capra.

"At sentencing we focus on the defendant," Cosgrove said. "I do not want us to lose focus on the children involved. They were used and victimized. This affected their families as well. There was not one child, but several. I am speaking for these children."

In addition to Cosgrove and

Dionezgy's statements, Houglund also received about 20 letters supporting probation for Capra.

However, Cosgrove took a dim view of those letters.

"The letters written last fall voiced support for (Capra's) character and work ethic," he said. "Some went as far to doubt the validity of the allegations.

They were obviously mistaken.

"No doubt these caring individuals were sincere. They knew one side of Mr. Capra — the public side. The boys in this case knew the private, criminal side. One letter commented that the defendant helped people during the ice storm of the past year. During that same time period, he was molesting a little boy. Therein lies the dichotomy."

CONF002348

DYKES_I_002326

Capra placed on probation

(Continued from page 1)

children, I think the message (to the community) should be that the people who commit these crimes are going to go to prison."

Capra told Olathe detectives when he was first questioned that he had sexually molested about 10 boys since he moved to Olathe 12 years ago.

Dioszeghy, however, said he was pleased with the board's decision, believing he thought Capra's minimal sexual involvement with the boys contributed to the judges' decision to grant probation.

"I'm just elated," he said. "I think they really did the right

thing. John deserves probation. He is going to continue with his therapy. He won't be in any more trouble.

"I think the board made the right decision. I don't disagree with the judges coming down hard (on sexual offenders), but this was not one of those cases."

After the hearing, Capra was asked by a reporter if he wanted to say anything on his own behalf.

"No, I've been crucified enough in the press," he said.

Capra was convicted last month after he stipulated to a set of facts that prosecutors said they would have been able to prove if the case had gone to trial.

According to the stipulation, Capra admitted that on several occasions he fondled the genitals of at least three boys who were at his residence working on merit badges.

At Capra's sentencing last month and again at the hearing Thursday, Dioszeghy asked the court for leniency.

"The man never, ever had the normal relationships all of us had growing up," Dioszeghy said, describing Capra as polite and unassuming.

Dioszeghy said Capra's actions with the boys were similar to what many children do to each other.

Molester receives probation

FRIDAY, MAY 10, 1985

By ANDY HOFFMAN
Daily News Reporter

An Olathe man convicted last month of taking indecent liberties with two young boys was granted a four-year probation Thursday by the Johnson County Parole Board.

John Capra, a former Boy Scout leader, was originally sentenced April 25 to 4-15 years in prison by District Judge Gerald Hougland.

However, defense attorney Joe Dioszeghy appealed Hougland's sentence to the parole board.

The parole board is usually composed of the four criminal judges in Johnson County District Court, but at Thursday's hearing only two members of the board were present - Hougland and District Judge William Gray.

At the hearing, Hougland told the 37-year-old Capra that the board decided to grant him probation because his actions involved only minimal touching and did not include any aggravated circumstances or homosexual activities.

Several weeks ago, Capra admitted to touching the boys on their genitals, but said he quit when the boys asked him to. The boys were about 13 years old when the molestations occurred.

According to court testimony, the molestations occurred while Capra was working as a volunteer Boy Scout counselor. Some of the molestations occurred at Capra's Olathe residence while the boys were there working on merit badges. The others occurred at a Boy Scout camp.

As part of his probation, Capra's activities with young boys will be restricted. Those restrictions will be outlined by the Johnson County probation department.

The crippled Capra, who walks with the aid of braces and crutches, has remained free on a \$10,000 bond since his arrest last summer.

Johnson County District Attorney Dennis Moore was not pleased with the parole board's decision.

"I agree with 90 percent of the decisions the judges make," he said. "But I disagree with this one. When you've got cases involving the molestation of several

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