

BOY SCOUTS OF AMERICA

DATE 9/19/86

FULL NAME SMITH, PAUL GILBERT SOCIAL SECURITY NUMBER _____
 (No initials if you can possibly get full name)

ADDRESS _____

CITY Santa Rosa STATE California ZIP CODE 95404

DATE OF BIRTH Appox. 4/32 (This is important and should be exact)

APPROXIMATE AGE 54 (To be used ONLY when date of birth is not known)

RELIGION Presbyterian NATIONALITY _____

OCCUPATION Safety Officer for State.

EDUCATION _____

WEIGHT Apprx. 200lbs HEIGHT 6'-6'1" RACE Cauc.

COLOR OF HAIR _____ COLOR OF EYES _____

OUTSTANDING CHARACTERISTICS OR INTERESTS _____

MARRIED OR SINGLE Married CHILDREN _____

(Number, ages, and names, if possible)

NAME OF SPOUSE _____ Was in M-1257

for short time

SCOUTING CONNECTIONS:

<u>UNIT #</u>	<u>CITY</u>	<u>STATE</u>	<u>POSITION</u>	<u>DATE REGISTERED</u>	<u>DATE RESIGNED</u>
S-0125	Santa Rosa	CA	SM	5/74	Prior to this position he was SA and MC

SPECIAL RECOGNITION _____

SUSPENDED OR DENIED REGISTRATION FOR FOLLOWING REASONS:

Retired from Air Force as a Sergeant and was stationed at Beale AFB.

Sentenced to 6 years in prison for molesting a young Santa Rosa boy in 1984. Pleaded no contest to one felony count of lewd and lascivious conduct involving a child under the age of 14.

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):

F. STARON
SEP 24 1986

NOTED

DEC 01 '86

JOSEPH L. ANGLIM

Copied from original by Regist
(OVER)

Signed Tom C. Powell

SCOUT EXECUTIVE

Council Sonoma-Mendocino Area Co.-41

RS-509
4/14/83-nah

CONF024007

Tom:

Here is that confidential file on Paul Smith. I have put in the things that I copied and sent in response to the subpoena. Do you want these records in this file or should I put them back in Troop 125's file with a notation that these are the records reflecting the name of Paul Smith??

Thank you.

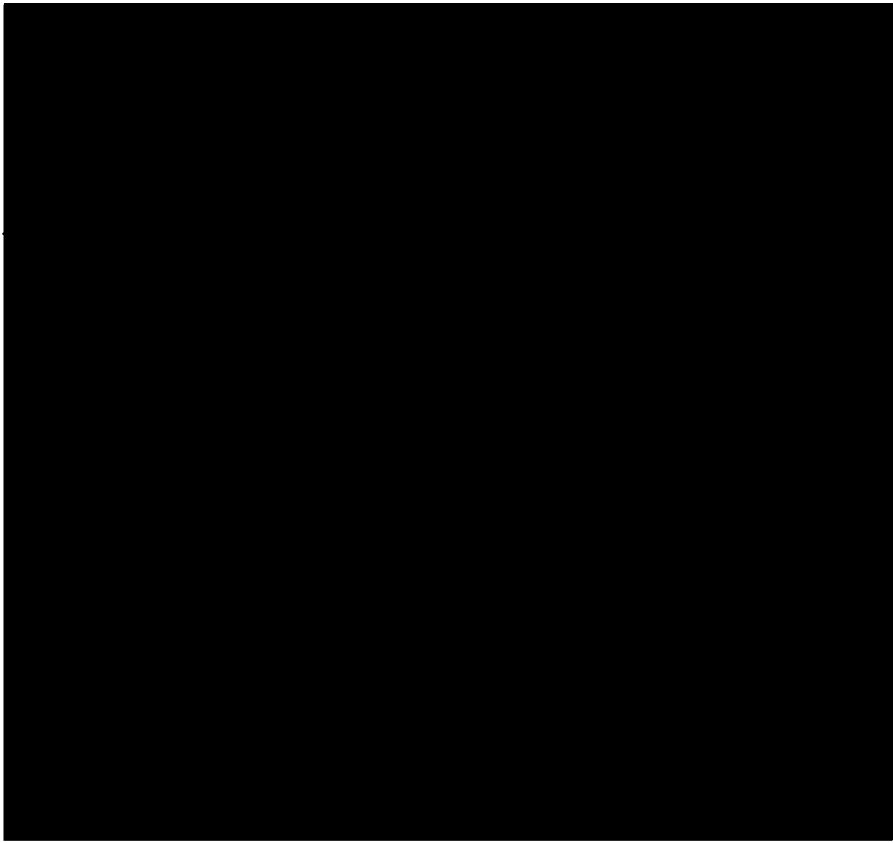
Kathy

11/19/87

CONF024008



Handwritten text, possibly a signature or initials, located below the first redaction.



Tom:

11/5/87

I looked all through the Troop 125 folder and could find Paul Smith's name reflected on the attached registration printouts. He was associated with Scouts for several years.

Do you know of any other place information might be? If not, shall I go ahead and prepare copies of this and package it up according to the Subpena?

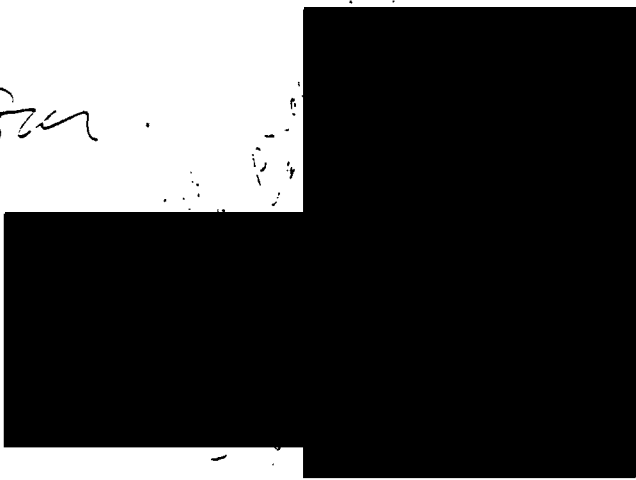
Thanks,

kathy

11/7

Kathy - don't we have anything for him from 1969 on?

Tom



10/27/87

3:15 AM.

Tom,

This NEEDS ATTENTION.

I Accepted Service ON

This Today. Do we

have ANY records

on this person

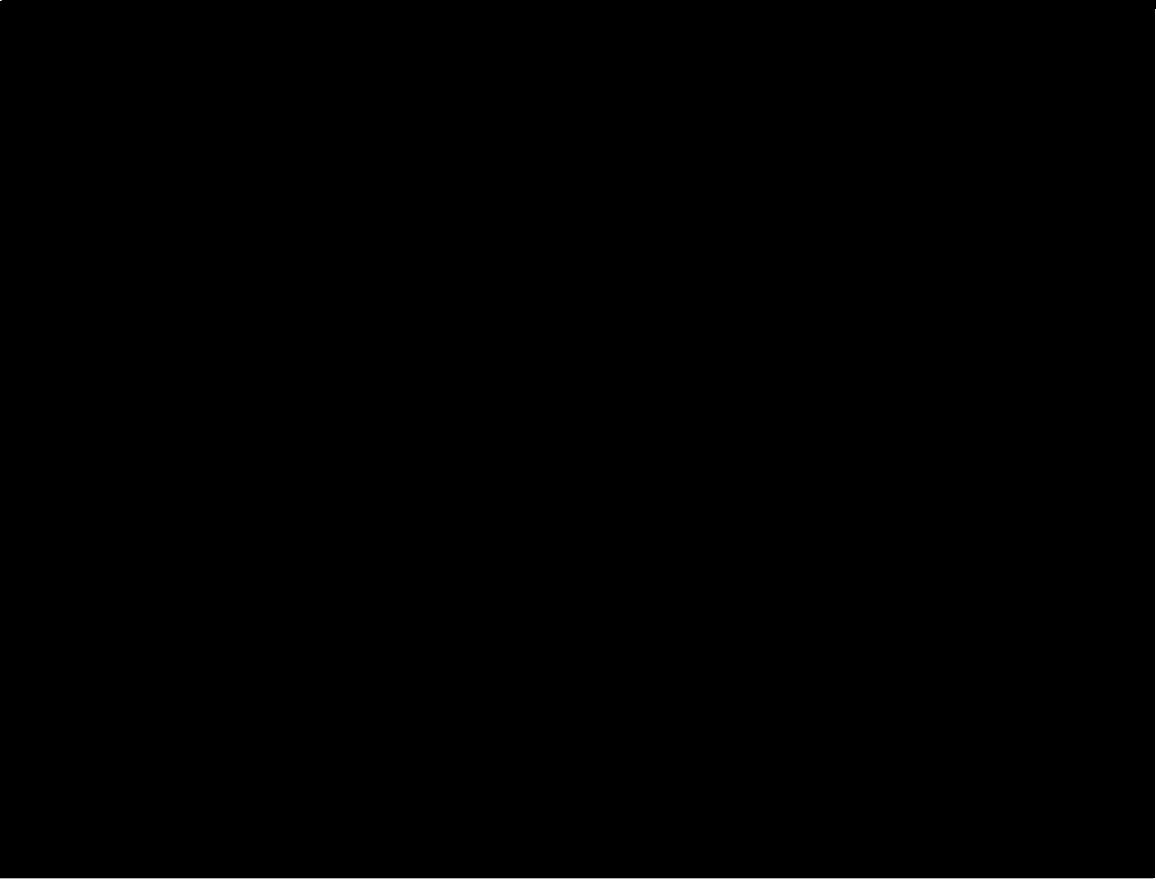
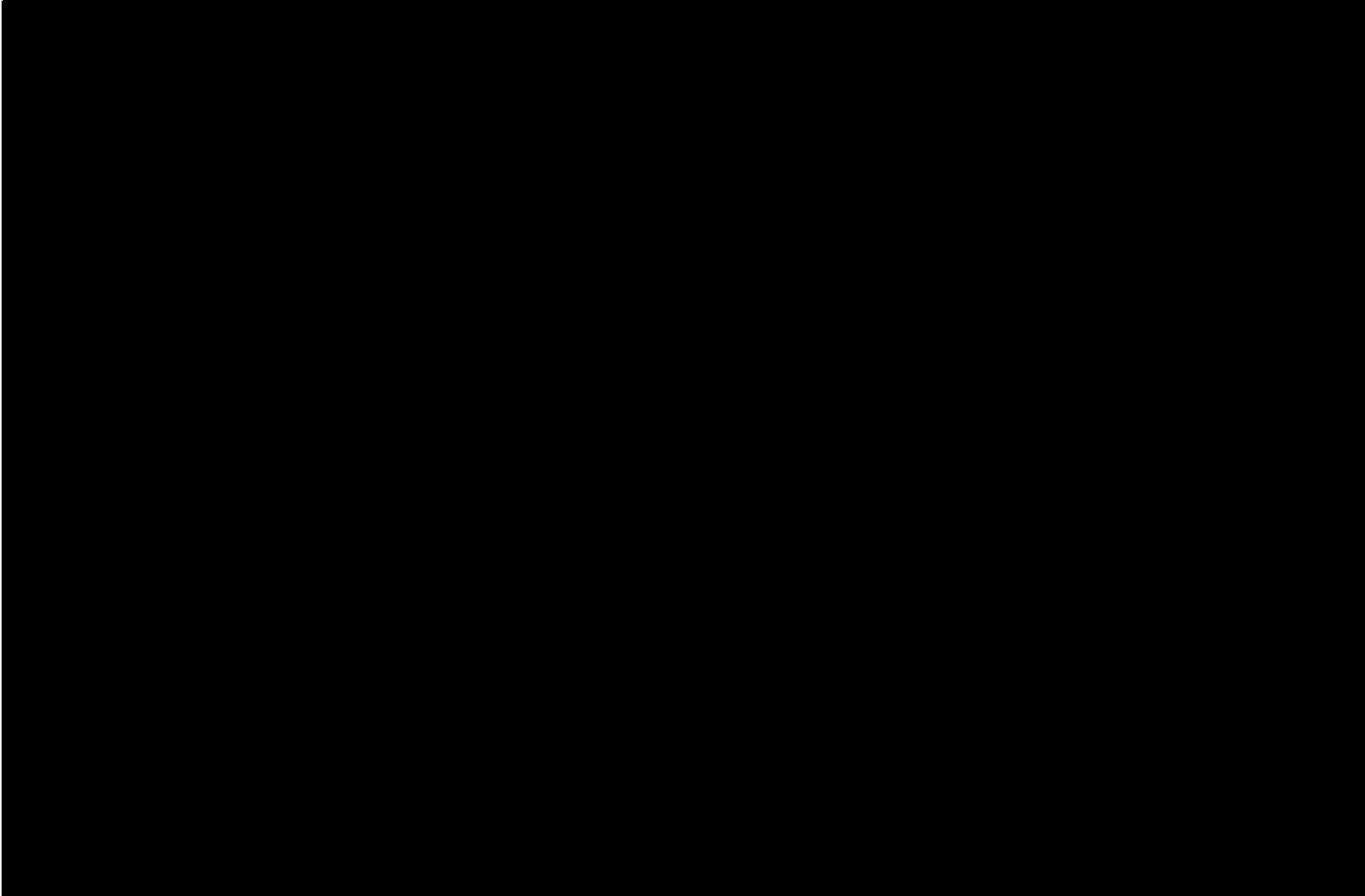
(Paul Smith)?

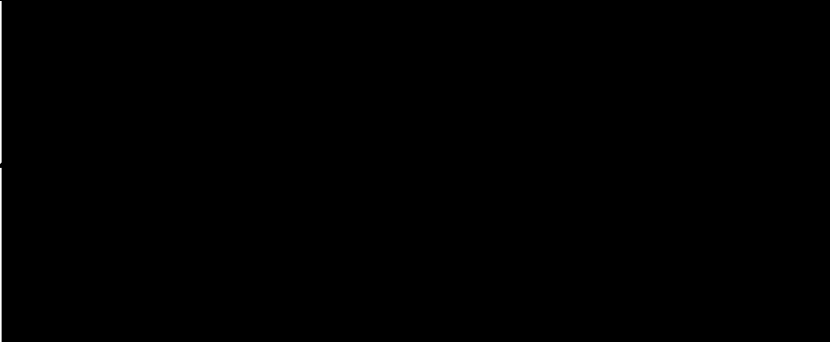
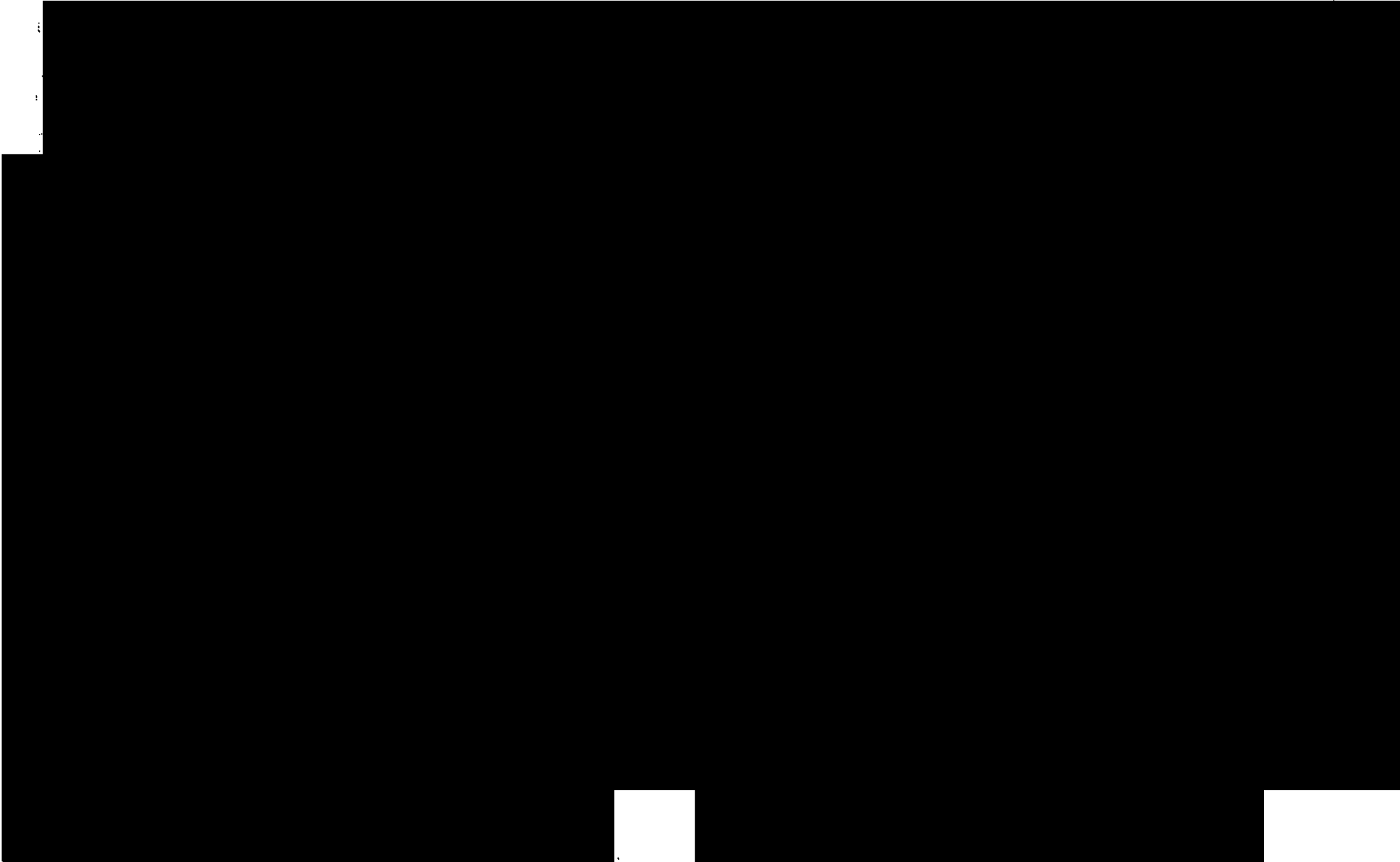
[Faint handwritten text]

Kathy

Troop 125 from
Approx. 1969
through 1974 or 75.

Please make two
copies of anything
we find.





TROOP CHARTER RENEWAL

No. 28-201

9

STATE	COUNTY	DISTRICT	LOUSE UNIT NO	CURRENT EXPIRATION DATE	NEW EXPIRATION DATE	TERM (MONTHS)

DATE ISSUED

ISSUED BY

DATE RECEIVED

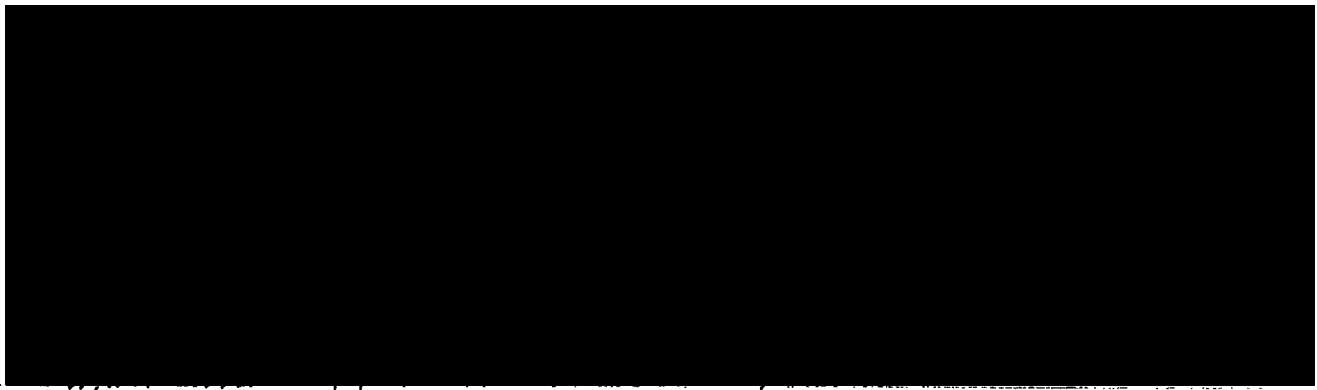
POST

11/13 me



004
796

STATE	COUNTY	DISTRICT	LOCAL UNIT NO	CURRENT EXPIRATION DATE	NEW EXPIRATION DATE	TERM (MONTHS)	RATE	US	DIS



Group 1.7.5

8

1/24



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): GEARY SHEA O'DONNELL & CRATTAN [REDACTED] SANTA ROSA, CA 95402		TELEPHONE NO.: 707, 545-1660	CASE NUMBER: 147982
ATTORNEY FOR (Name): DEFENDANT		DEPOSITION SUBPENA	
NAME OF COURT: SUPERIOR COURT, COUNTY OF SONOMA		For Production of Business Records	
POST OFFICE and STREET ADDRESS: SANTA ROSA, CA 95401			
PLAINTIFF/PETITIONER: [REDACTED]			
DEFENDANT/RESPONDENT: PAUL SMITH, ET AL.,			

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name): CUSTODIAN OF RECORDS:
BIG BROTHERS AND BIG SISTERS / BOY SCOUTS OF AMERICA COUNCIL OFFICE

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3 as follows:

Deposition Officer (name): J. L. Frank
Date: 11-23-87 Time: 10:00AM
Address: [REDACTED] Santa Rosa, Ca. 95404

- a. by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
 - b. by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
 - c. by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later. Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows:

RECORDS OF: PAUL SMITH, AKA PAUL G. SMITH, AKA PAUL GILBERT SMITH
 DOB: _____
 SS#: _____


ANY AND ALL REFERENCES TO MR. SMITH, INCLUDING CORRESPONDENCE, NOTES, TELEPHONE MESSAGES, FILES, ETC.

Continued on attachment 3.

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: 10-13-87

[REDACTED]
(TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON ISSUING SUBPENA)
 ATTORNEY FOR DEFENDANT
 (TITLE)

(See reverse for proof of service)

PROOF OF SERVICE BY MAIL

I am a resident of the State of California, County of Sonoma, I am over the age of eighteen years and not a party to the within-entitled action. My business address is 1612 Fourth Street, Santa Rosa, California 95404.

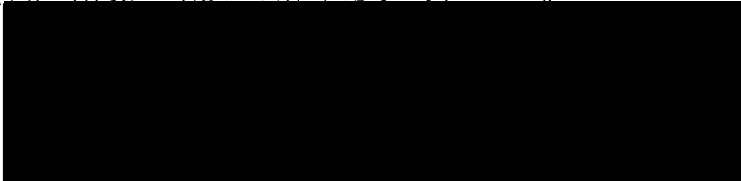
On the date set forth below, I served the Deposition Subpena For Production of Business Records, Proof of Service by Mail and the Notice to Consumer, per requirements of CCP 1985.3 (b) (1), on all appearing parties and upon any consumer not represented by counsel regarding whom records are being sought, by placing true copies thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Santa Rosa, California, addressed as follows:



SANTA ROSA, CA 95401
D, CA 94612

I declare under penalty of perjury that the foregoing is true and correct. Executed at Santa Rosa, California.

On 10-13-87




CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF CCP 1985.3 (b) (1)

Certification is hereby given of full compliance with CCP (b) (1). The Notice and Proof of Service by Mail constitute valid proof of compliance with the above-stated California statute.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Santa Rosa, California.

On 10-13-87

By 

For NANCY A. NUGENT, ESQ.
Subpenaing Attorney

NOTICE TO CONSUMER

(PURSUANT TO CCP SECTION 1985.3)

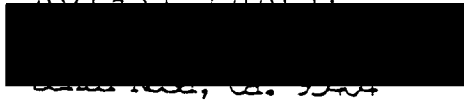
YOUR PERSONAL RECORDS ARE BEING SOUGHT AS INDICATED ON THE ATTACHED PAPERS.

Those entities or witnesses shown on the Deposition Subpena are to produce your personal records.

If you object to the witness or entities furnishing the described records, as indicated on the attached papers, you must file papers with the court within ten (10) days from the receipt of the subpoena.

If the party who is seeking the records will not agree in writing to cancel or limit the subpoena, you should consult an attorney about your interest in protecting your right of privacy.

REDWOOD EMPIRE ATTORNEY'S AIDS
NOTARY PUBLIC



DECLARATION OF CUSTODIAN OF RECORDS

REGARDING PAUL SMITH, AKA PAUL GILBERT SMITH 11.23.03.

LOCATION BOY SCOUTS OF AMERICA COUNCIL OFFICE

I, the undersigned, being the duly authorized Custodian of Records and having authority to certify the records declare the following:

CERTIFICATION OF RECORDS COPIED:

The records were prepared by the personnel of the business in the ordinary course of business at or near the time of the act, condition, or event.

The copy is a true copy of all the records described in the subpoena duces tecum or:

Pursuant to Evidence Code Section 1560(e), the original records described in the subpoena duces tecum were delivered to the attorney or the attorney's representative for copying at the witness' place of business.

CERTIFICATION OF NO RECORDS:

A. That, a thorough search of our files, carried out under my direction and control revealed no documents, records or other things called for in the subpoena duces tecum presented to me.

B. That, it is understood that such records could exist under another spelling, name or classification, but that with the information furnished our office, and to the best of our knowledge, no such records exist in our files.

I DECLARE UNDER THE PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on Nov. 13, 1987 at, Petaluma, California.

SIGNATURE Thomas C. Powell
Thomas C. Powell Scout Executive
CUSTODIAN OF RECORDS

I am the attorney or the attorney's representative and I state that I made true copies of all the original records delivered to me by the Custodian of Records of the above indicated location.

I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on _____ at, Santa Rosa, California.

SIGNATURE _____
Redwood Empire Attorney's Aids

Pursuant to Business and Professions Code Section 22452, I will maintain the integrity and confidentiality of information obtained under the applicable codes and distributed the records copied by Redwood Empire Attorney's Aids to the authorized person or persons.

By [Signature]
Janet [Signature] Redwood Empire Attorney's Aids

Registered Photocopier, Sonoma County #PH-1E Pursuant to Business & Professions Code Sec. 22450

Tom:

8/27/87

I had a call yesterday from Mark Barnett
[REDACTED] of Insurance Consulting Associates.
He said he was working for the County of
Sonoma.

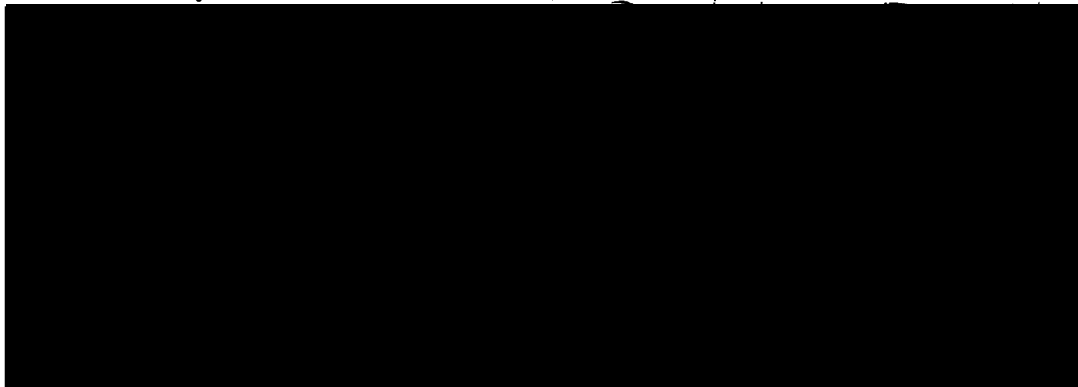
He was working on a case concerning Paul Smith
who has been accused of child molestation by
a group of parents. He said he had information
that Mr. Smith had also done volunteer work
for BSA and he wanted some information as
to where and when he had done volunteer work.

I asked John Marshall about this and he said
to refer it to you as you had knowledge of
this problem.

Mr. Barnett would like a call back.

Thanks,

kathy



9/12 - Paul became SAC at T125 on 5/74
was SAC + SA prior to that time
Approx 1967.

December 10, 1986

Paul Ernst, Director
Registration, Subscription &
Statistical Service

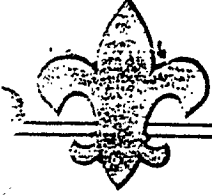
PE/ore

cc: Western Region

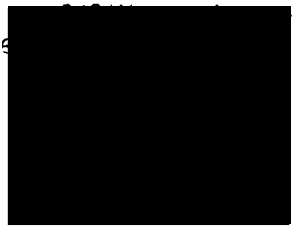
DEC 10 1986

BRIDGE, WA 98

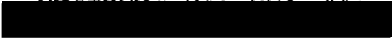
CONF024023



Pe



September 19. 1986

Paul Ernst
Registration, Subscription
& Statistical Service
National Office, BSA


Irving, TX 75038 - 3096

Dear Paul:

The enclosed form is a mess! But, maybe retyped it will give you enough information on Paul Smith for your files.

Do apologize for the length of time it took to gather information.

Do appreciate your great work in the home office!

Sincerely,

Thomas C. Powell
Scout Executive

TCP:al

Enclosure

Wanted from England

DATE Jan 11 1974

FULL NAME Paul Gilbert Smith SOCIAL SECURITY NUMBER (No initials if you can possibly get full name)

ADDRESS [Redacted] Santa Rosa 95404

CITY Santa Rosa 10th 1951 STATE California ZIP CODE 95404

DATE OF BIRTH Presumably 4/7/34 (This is important and should be exact)

APPROXIMATE AGE 39 (To be used ONLY when date of birth is not known)

RELIGION Presbyterian NATIONALITY Caucasian

OCCUPATION Safety officer for State

EDUCATION

WEIGHT Approx 200 lbs HEIGHT 6' to 6'1" HAIR Black

COLOR OF HAIR [Redacted] COLOR OF EYES [Redacted]

OUTSTANDING CHARACTERISTICS OR INTERESTS

MARRIED OR SINGLE Married CHILDREN

NAME OF SPOUSE

SCOUTING CONNECTIONS:

UNIT # Forward City STATE UNIT # Troop 125

SPECIAL RECOGNITION Became SM at T125 on 5/74, was SA prior to that time and MC

SUSPENDED OR DENIED REGISTRATION FOR FOLLOWING REASONS:

Retired from Air Force as a Sergeant - was stationed at Beale.

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):

Station

Signed [Signature] SCOUT EXECUTIVE

Council Santa Rosa, Mendocino

8/15/87

"It's my understanding that Paul Smith was a registered scout from approximately 1969 through 1974." P

Statement given by Pham to Mark Barnett by Tom Powell concerning the registration of Paul Smith in Scouting.

Prior to making the statement, Powell suggested to Mark about a middle name. Mark gave the middle name as Gilbert.

No other information was transmitted.

P

July 7, 1996

Mr. Thomas C. Powell
Scout Executive
Sonoma-Mendocino Area Council, No. 41

PERSONAL & CONFIDENTIAL

SUBJECT: Paul Gilbert Smith

Dear Tom:

In April, I had written to you concerning the above named individual. We have enough information to refuse registration, but I really need more personal information for identification purposes.

Can you not give me his weight and height, as well as his race, color of eyes, occupation and marital status? All of these items will help to identify him should he try to register in some other location. We really need this information if we are to close this case and make certain we refuse the right individual should a registration attempt reach us.

Thanks for your help.

Sincerely,

Paul Ernst, Director
Registration, Subscription &
Statistical Service

cre

cc: Western Region

CONF024027

April 17, 1966

Mr. Thomas J. Powell
Scout Executive
Sonoma-Hendocino Area Council, No. 41

PERSONAL & CONFIDENTIAL

SUBJECT: Paul Gilbert Smith

Dear Tom:

Earlier this year, we had communication concerning the above-named individual. At that time, you had a newspaper article indicating he was sentenced to prison for six years because of sexual molestation of young boys.

I really would like more information concerning this individual's personal characteristics. If you could give us information concerning his weight, height, race, and color of eyes, this will certainly help us in identifying him should he try to register somewhere else.

I will appreciate any help you can give me so we may close this case and protect the youth of America.

Sincerely,

Paul Ernst, Director
Registration, Subscription &
Statistical Service

esk

cc: Western Region

READY FOR FILE

APR 15 1966

SHIRLEY MEYER

CONF024028

February 11, 1986

Mr. Thomas C. Powell
Scout Executive
Seneca-Bendocino Area Council, No. 41

PERSONAL & CONFIDENTIAL

SUBJECT: Paul Gilbert Smith

Dear Tom:

Thank you for your letter of February 12, 1986 concerning Paul Gilbert Smith. This information is most helpful to us and will enable us to refuse registration at a later time.

If you have any other personal information which would help us to identify Mr. Smith we would certainly like to have it. It is going to be very difficult to identify him should he try to register from some other location since we do not know his race, height, weight, or color of eyes. If anyone in your council can help you in giving us this information we would much appreciate it.

Sincerely,

Paul Ernst, Director
Registration, Subscription &
Statistical Service

spm

cc: Western Region

HENRY FUR FEE
FEB 24 1986
WINE-NETT WILSON

CONF024029

BOY SCOUTS OF AMERICA

DATE Jan 11, 1986

FULL NAME Paul Gilbert Smith SOCIAL SECURITY NUMBER _____
(No initials if you can possibly get full name)

ADDRESS _____

CITY Santa Rosa STATE California ZIP CODE _____

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

APPROXIMATE AGE 54 (To be used ONLY when date of birth is not known)

RELIGION _____ NATIONALITY _____

OCCUPATION _____

EDUCATION _____

WEIGHT _____ HEIGHT _____ FACE _____

COLOR OF HAIR _____ COLOR OF EYES _____

OUTSTANDING CHARACTERISTICS OR INTERESTS _____

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

NAME OF SPOUSE _____

SCOUTING CONNECTIONS:

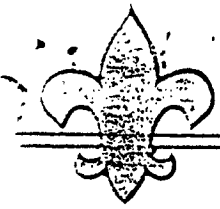
<u>UNIT #</u>	<u>CITY</u>	<u>STATE</u>	<u>POSITION</u>	<u>DATE REGISTERED</u>	<u>DATE RESIGNED</u>
<u>Family of Troop 125</u>	<u>Santa Rosa</u>				

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):

Signed Tom Powell
SCOUT EXECUTIVE #4
Council Southern Mendocino Area



February 12, 1986

Paul Ernst
Registration, Subscription &
Statistical Service
Boy Scouts of America
1325 Walnut Hill Lane
Irving, Texas 75062 - 1296

Dear Paul:

Enclosed is a name that should be placed in the files in case of future possible involvement with the Boy Scouts of America.

While I don't have much information on the individual, I thought I'd better pass on the article from the paper as a start.

Sincerely,

Thomas C. Powell
Scout Executive

TCP:al

Enclosure

PERSONAL AND CONFIDENTIAL

SR man sentenced for molesting child

A 54-year-old former Boy Scout leader who became a home tutor for two boys through the Sonoma County Social Services Department's "Tutor Companion Program" has been sentenced to six years in prison for molesting a young Santa Rosa boy in 1984.

Paul Gilbert Smith, of Santa Rosa, had pleaded no contest to one felony count of lewd and lascivious conduct involving a child under the age of 14 and additional charges of sexual misconduct were dismissed.

At Smith's pre-sentencing hearing Friday, Sebastopol psychologist Dr. John Podboy said that after interviewing the victims and their families he had changed his recommendation that the defendant be placed on probation. He urged instead that Smith be sentenced to state prison.

Smith had been accused of molesting both the boys he tutored, and Podboy said both victims were extremely vulnerable. They came from single-parent homes, and their mothers were

looking for the help of an adult male to provide a positive role model for the boys.

During his evaluation of Smith, Podboy said he also became aware of additional facts that led him to conclude the case was much more complex than he had originally suspected.

The psychologist said Smith's adopted son had committed suicide in 1979 and that Smith had discussed with at least one of his victims his similarity with Smith's dead son, "and how he reminded

the defendant of his dead son." "I wasn't sure what the motivation of this was," Podboy said.

While his initial impression was that Smith's behavior involved an isolated incident, Podboy said he later changed his opinion and recommended prison.

Judge L.G. Antolini rejected the option of sending Smith to a state medical facility for a 90-day psychiatric evaluation and ordered him to serve six years in state prison beginning Jan. 3.