

REGISTRATION AND SUBSCRIPTION SERVICE

BOY SCOUTS OF AMERICA

DATE 6-15-88

FULL NAME Paul F. Hernandez (No initials if you can possibly get full name)

ADDRESS [Redacted]

CITY Santa Ana STATE CA ZIP CODE 92707

DATE OF BIRTH 9-17-56 (This is important and should be exact)

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

RELIGION Catholic NATIONALITY

OCCUPATION School teacher - elementary

EDUCATION Masters in Education

WEIGHT 156 COLOR Hispanic HEIGHT 5' 8"

COLOR OF HAIR Black COLOR OF EYES Brown

OUTSTANDING CHARACTERISTICS OR INTERESTS Member of the YMCA - bilingual - active member of Catholic church - long time Scout in a pack and a troop.

MARRIED OR SINGLE Single CHILDREN None (Number, ages, and names, if possible)

WIFE'S NAME

SCOUTING CONNECTIONS:

Table with columns: UNIT #, CITY, STATE, OFFICE, DATE REGISTERED, DATE RESIGNED. Rows: Pack 203, Troop 28.

SPECIAL RECOGNITION [Redacted]

RECOMMENDED FOR CONFIDENTIAL FILE FOR FOLLOWING REASONS:

- CONVICTION OF CRIMINAL CONDUCT, OFFICIAL CHARGES OF CRIMINAL CONDUCT (REVIEW), SUBSTANTIATED REPORTS, UNSUBSTANTIATED REPORTS

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND INDIVIDUAL FOR CONFIDENTIAL FILE AND LIST SUPPORTING DOCUMENTS:

See Attached

NOTED

SEP 27 1989

JOSEPH L. ANGLIM

CONFIDENTIAL JUN 21 1988 F. ST...

Signed [Signature] SCOUT EXECUTIVE

Council Orange County Council, #39



Western Region • Boy Scouts of America

185 North Wolfe Road • P.O. Box 3464 • Sunnyvale, California 94088-3464

November 21, 1989

Mr. Paul Hernandez
[REDACTED]

Santa Ana, CA 92707

Dear Mr. Hernandez:

Enclosed is the Memorandum of Decision concerning your registration with the Boy Scouts of America.

Sincerely,

A handwritten signature in cursive script that reads "Richard E. Parker".

Richard E. Parker
Assistant Regional Director

/lj
Encl.

c.c. Buford Hill
Paul Ernst
Richard Harrington

CONF020813



Western Region • Boy Scouts of America

185 North Wolfe Road • P.O. Box 3464 • Sunnyvale, California 94088-3464

MEMORANDUM OF DECISION

IN THE MATTER OF PAUL F. HERNANDEZ

The Regional Review Committee, having reviewed matters related to the registration of Paul F. Hernandez, hereby affirms the decision suspending Mr. Hernandez's registration in the Boy Scouts of America. We find that this action is appropriate, supported by the record before it and fully consistent with BSA standards of leadership.

Procedure dictates that, should an appeal be desired, a written request for appeal be directed to the National Council, to: Chief Scout Executive, Boy Scouts of America, 1325 Walnut Hill Lane, P. O. Box 152079, Irving, Texas 75015-2079. Application for a national review must be made in writing within thirty (30) days of receipt of this Memorandum and should explain why the applicant believes this decision to be in error.

November 21, 1989

A handwritten signature in cursive script, appearing to read "Richard H. Breithaupt, Jr.".

RICHARD H. BREITHAUPT, JR.
Chairman

A handwritten signature in cursive script, appearing to read "Alan L. Rosen".

ALAN L. ROSEN

CONF020814

September 29, 1989

READY FOR FILE

SEP 23 1989

Mr. A. Buford Hill
Scout Executive
Orange County Council, No. 09

JULIE EATON

PERSONAL AND CONFIDENTIAL

SUBJECT: PAUL HERNANDEZ

Dear Buford:

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.

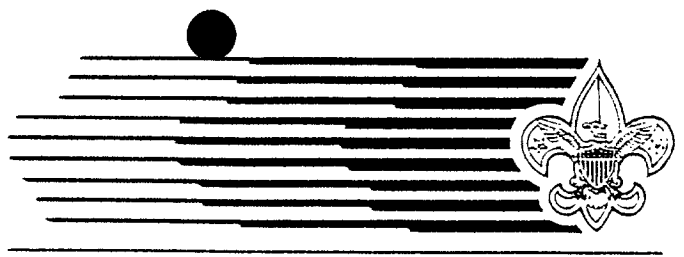
Sincerely,

Paul Ernst, Director
Registration Service

jE

cc: Western Region

CONF020815



September 22, 1989

BOY SCOUTS OF AMERICA
ORANGE COUNTY COUNCIL, INC.
3590 Harbor Gateway North
Costa Mesa, California 92626-1425

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

Dear Paul:

I am enclosing a copy of my letter to Paul Hernandez along with a news article.

Please let me know if there is anything more I should do.

Sincerely,

W. Robert Booker
Director of Field Service

WRB:gh

Enclosures

Teacher denied in bid for factual innocence

Judge's ruling follows acquittal on charges

By Carroll Lachnit
The Register

A Santa Ana schoolteacher who was acquitted in June of molesting four male students failed Thursday to get the judge in his case to declare him factually innocent.

Orange County Superior Court Judge Dennis Choate said he could not "in good conscience" make such a finding for Paul Hernandez, said Deputy District Attorney Ariadne Symons, the prosecutor in the case.

Choate agreed with the prosecution that to rule Hernandez factually innocent, he would have to find that the police had no reasonable cause to believe that he had committed the crimes when they arrested him, said Hernandez's attorney, Paul Wallin.

"(Choate) thought the cops did have a reasonable suspicion," Wallin said.

Hernandez, 32, was found innocent of 16 felony and misdemeanor charges after a six-week jury trial.

His teaching credential was suspended when he was arrested and restored when he was acquitted, Wallin said. The Santa Ana Unified School District reinstated Hernandez and he is teaching now, Wallin

said.

Hernandez had been charged with fondling one of his fifth-grade students on five occasions in a sauna at the Santa Ana YMCA and touching the genitals of other nude boys as he lifted them onto a scale there.

Jurors deliberated for less than two hours and later said they were troubled by inconsistencies in the testimony of the boy Hernandez allegedly fondled in the sauna.

When a finding of factual innocence is made, the defendant's police record is sealed for three years, then destroyed. Unlike a criminal trial, the defendant must prove he is innocent in such hearings, attorneys said. In a trial, the prosecution must prove the defendant is guilty.

Unlike a trial, however, attorneys can introduce hearsay and testimony that was barred from the trial.

Hearings for a finding of factual innocence are unusual, attorneys said.

In June, a Newport Beach teacher acquitted of fondling female students won a finding of factual innocence from Harbor Municipal Court Judge Russell Bostrom.

Bostrom told teacher Frank Tozzolina Jr. that he was sorry for not dismissing all the charges during the trial, as Tozzolina's attorney had asked.



September 22, 1989

BOY SCOUTS OF AMERICA
ORANGE COUNTY COUNCIL, INC.
3590 Harbor Gateway North
Costa Mesa, California 92626-1425

Mr. Paul Hernandez
[REDACTED]

Santa Ana, CA 92707

Dear Mr. Hernandez:

I received your September 5th letter asking for reinstatement in the Boy Scouts of America.

On the basis of the court decision on September 21, we do not feel we should reinstate you in the Boy Scouts of America. Because the court did not prove that there is not reasonable suspicion we can not reinstate you.

If you still desire to make an appeal let me know and we will meet with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Robert Booker".

W. Robert Booker
Director of Field Service

WRB:gh

CONF020818

COPIES FOR FILE

August 30, 1989

1079

A. CRAVES

Mr. W. Robert Booker
Director of Field Service
Orange County Council, No. 39

PERSONAL AND CONFIDENTIAL

SUBJECT: Paul F. Hernandez

Dear Bob,

I know some cases drag on forever, but you indicated to me in May that the trial was starting the next week. I wonder if this had been completed. We really need the outcome of the legal action for our file.

Thanks for your help in protecting the youth of America.

Sincerely,

Paul Ernst, Director
Registration Service

aj

cc: Western Region
A. Buford Hill, Council No. 39

CONF020819

READY FOR FILE

10/1/89

A. GRAVES

August 30, 1989

Mr. Scott B. Clabaugh
Scout Executive
Toledo Area Council, No. 460

PERSONAL AND CONFIDENTIAL

SUBJECT: Phillip Harris

Dear Scott:

I really appreciated the Confidential Record Sheet concerning the above named individual. This is most helpful to us in identifying him at a later time.

We would like more information concerning the molestation of two eleven year old Scouts. We need statements from the parents or Scouts. This or a statement from the leader of the troop would be most helpful to us in strengthening our file for the future. If Mr. Harris tries to register with us ten years from now, probably, you and I will not be on our present jobs and it will be most difficult to substantiate this if we did not have more information.

Thanks for your help in building this file to completion.

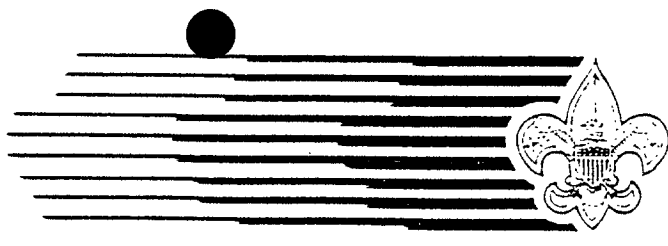
Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: East Central Region

CONF020820



May 9, 1989

BOY SCOUTS OF AMERICA
ORANGE COUNTY COUNCIL, INC.
3590 Harbor Gateway North
Costa Mesa, California 92626-1425

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

PERSONAL AND CONFIDENTIAL

SUBJECT: Paul F. Hernandez

Dear Paul:

I have checked with the District Attorney's office and the trial for Paul Hernandez starts on Monday.

I will keep you informed.

Sincerely,

W. Robert Booker
Director of Field Service

WRB:gh

May 4, 1989

Mr. A. Buford Hill
Scout Executive
Orange County Council, No. 39

PERSONAL AND CONFIDENTIAL

SUBJECT: Paul F. Hernandez

Dear Bob:

This is just a follow-up to our previous communication. I wondered if the legal action has now been completed, since it was to start in late January.

Thanks for any material which you can give us, so that we may close this file.

Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: Western Region

READY TO FILE
MAY 05 1989
ERIN O'RILEY

CONF020822

February 8, 1982

Mr. W. Robert Bookar
Director of Field Service
Orange County Council, No. 39

PERSONAL AND CONFIDENTIAL

SUBJECT: PAUL F. REMARKS

Dear Bob:

Thanks so much for your letter of January 17. This was helpful to determine that he had been suspended as a teacher, since this certainly strengthens our file.

We will appreciate the outcome of the legal action which you indicate should have started in late January.

Thanks for your help in completing this file.

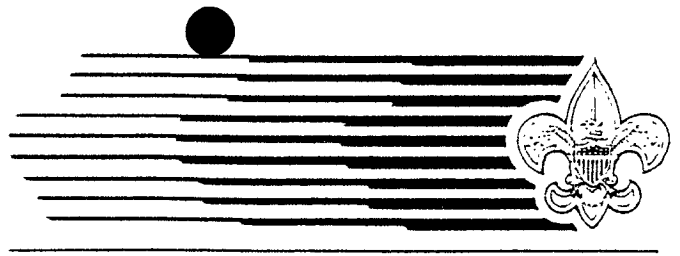
Sincerely,

Paul Ernst, Director
Registration Service

je

cc: Western Region
A. St. John Hill, Scout Executive, Council No. 39

CONF020823



January 17, 1989

BOY SCOUTS OF AMERICA
ORANGE COUNTY COUNCIL, INC.
3590 Harbor Gateway North
Costa Mesa, California 92626-1425

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

Dear Paul:

Sorry to take so long to answer your letter about Paul Hernandez. He has been suspended as Scout leader and his teaching credentials have been cancelled in the State of California.

The court date is now set for January 31, 1989. He has been arrested on charges of child molestation.

That's all I have at this time.

Sincerely,


W. Robert Booker
Director of Field Service

WRB:gh

CONF020824

December 20, 1988

Mr. W Robert Booker
Director of Field Service
Orange County Council, No. 39

PERSONAL AND CONFIDENTIAL

SUBJECT: Paul F. Hernandez

Dear Bob:

I do not like to keep bothering you, but I really need to know the outcome of the legal action related to the above name individual. It was indicated earlier in the year that he had been arrested and accused of molesting youth. Since this happened several months ago, we wondered if the legal action has been completed and if he has been convicted or acquitted. We would also like the sentencing if this was imposed.

Thanks for your help in completing this file.

Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: Western Region

READY TO FILE
DEC 20 1988
ERIN O'RILEY

CONF020825

September 21, 1988

Mr. W. Robert Booker
Director of Field Service
Orange County Council, No. 39

PERSONAL AND CONFIDENTIAL

SUBJECT: Paul F. Hernandez

Dear Bob,

This is just a follow-up concerning the above named individual. We wondered if any more legal action had taken place. Please send us the material, if this case has developed further.

Thanks for your help in protecting the youth of America.

Sincerely,

Paul Ernst, Director
Registration Service

ag

cc: Western Region

READY TO FILE
SEP 21 1988
ERIN O'RILEY

CONF020826

PACK C-3203 CHARTER RENEWAL SANTA ANA CA

NUMBER 06 SUB-DIST NAME & NUMBER SANTIAGO 1 COUNTY ORANGE LOCAL UNIT NO. 203 STATUS R TERM (MONTHS) 12 RENEWAL DATE 5/30/88

ZATION NAME & ADDRESS

Tony School

CODE 133

INSTITUTIONAL HEAD NAME, ADDRESS, PHONE
PAUL F. HERNANDEZ

COUNCIL CERTIFICATION:

NAT UNIT AWARD EARNED

REREGISTERING ON TIME

TOP LEADER TRAINED?

100% BOYS LIFE?

CA 92703

SANTA ANA

CA 92707

AND DAY
ST FRI

BOYS' LIFE: TERM BEGINS ENDS
12 9/87 9/88

SIGNATURES:

REGISTRATION INFORMATION QTY FEE

INSTITUTIONAL HEAD CERTIFICATION SIGNATURE

Paul F. Hernandez

UNIT CHARTER FEE \$ 20.00

PD YOUTH 11 \$ 44.00

COUNCIL REPRESENTATIVE SIGNATURE

Ron Nichols

MULTIPLE YOUTH XXXXXXXX

PD YOUTH B/L SUBS \$

SC *Harold Garrett* CC *Marie A. Catrilla*

PD ADULTS 5 \$ 25.00

MC *Faith Bracamonte* *M. Dehner*

MULTIPLE ADULTS XXXXXXXX

PD ADULT B/L SUBS \$

UNIT LEADER'S CERTIFICATION

Paul F. Hernandez

TOTAL FEES SUBMITTED \$ 89.00

30 MONTHS COMPLETED TENURE

PACK

ON BASIC BUDGET PLAN?

HANDICAPPED

#9879 Pack 6/30/87 \$89.00

ADULT MEMBER LISTING

LDR NO. POS BL ST NAME ADDRESS CITY & STATE ZIP DATE OF BIRTH SEX PHONE

~~025946 BL R MARK L ANDERSON~~

025942 BL R HAROLD M. GARRETT

025943 SC R HAROLD M. GARRETT

063733 BL R CARMEN L GUARDADO

025947 CM R PAUL F. HERNANDEZ

Unit 7120
7/12/87
7/12/87
7/12/87

July 5, 1988

Mr. W. Robert Booker
Director of Field Service
Orange County Council, No. 39

PERSONAL AND CONFIDENTIAL

SUBJECT: PAUL F HERNANDEZ

Dear Bob:

Thank you for the material which you recently sent concerning the above named individual. This is most helpful as we start a file which will lead to refusal of future registration attempts.

We would like a paper with Mr. Hernandez' signature, if you have this available. This aids in the identification of this individual anywhere in the country he might attempt registration.

We would also like to have the outcome of the legal action once this is completed. The verdict and any sentencing will strengthen our file, so that we may refuse registration more easily.

Let us know if we may be of any help to you. Thanks for your material which helped to protect the youth of America.

Sincerely,

Paul Brisco, Director
Registration Service

pam

cc: Western Region

READY TO FILE
JUL 6 1988
ERIN O'RILEY

CONF020828

1. FIRST-MIDDLE	PAUL F		
2. LAST NAME	HERNANDEZ		
3. LEADER NO.	025947		
4. UNIT NO.	C-3203		
5. ADDRESS	[REDACTED]		
6. CITY	SANTA ANA	19. SEX	M
7. STATE	CA CALIFORNIA	20. HANDICAP	
8. ZIP CODE	92707	STATUS	N
9. HOME PHONE	[REDACTED]		
10. WORK PHONE			
11. DATE OF BIRTH	09/17/56		
12. REG. DATE	01/85		
13. TRAINED	N		
14. POSITION	CM	SUBMASTER	
15. OCCUPATION	EA	EDUCATOR/ADMINISTRATOR	
16. EMPLOYER	000	NOT DEFINED	
17. BOYS LIFE	N	BL 1ST ISSUE	
18. STATUS	R		

1. FIRST-MIDDLE	PAUL F		
2. LAST NAME	HERNANDEZ		
3. LEADER NO.	093682		
4. UNIT NO.	S-0028		
5. ADDRESS	[REDACTED]		
6. CITY	SANTA ANA	19. SEX	M
7. STATE	CA CALIFORNIA	20. HANDICAP	
8. ZIP CODE	92707	STATUS	N
9. HOME PHONE	[REDACTED]		
10. WORK PHONE	[REDACTED]		
11. DATE OF BIRTH	09/17/56		
12. REG. DATE	04/87		
13. TRAINED	Y		
14. POSITION	SA ASSISTANT SCOUTMASTER		
15. OCCUPATION	TE EDUCATOR / TEACHER		
16. EMPLOYER	NOT DEFINED		
17. BOYS LIFE	N BL 1ST ISSUE		
18. STATUS	R		

Teacher accused of molesting boys pleads innocent

By Donna Wares
The Register

At a hearing packed with family, friends and colleagues, a Santa Ana elementary school teacher pleaded innocent Wednesday to charges that he molested four boys during swimming trips to a YMCA.

Paul Hernandez, 32, was arrested Tuesday at the Santa Ana home he shares with his parents. He has been charged with five felony and 12 misdemeanor molestation counts.

Hernandez allegedly molested the 10- and 11-year-old boys between December and February, according to a complaint filed in Central Orange County Municipal Court.

The boys are in Hernandez's class or members of a Boy Scout troop he leads, county Deputy District Attorney Bob Gannon said. He would not discuss the specifics of the case.

Hernandez, a fifth-grade teacher, has worked at Fremont Elementary School in Santa Ana for 10 years. He was suspended after his arrest.

The teacher participates in bilingual programs for Spanish-speaking students, volunteers as a Boy Scout leader and is an active member of St. Joseph's Catholic Church in Santa Ana, said his attorney, Paul Wallin of Tustin.

Wallin arrived in court Wednesday with more than 20 supporters and a stack of letters praising the teacher.

"Paul is an excellent teacher and a good friend," wrote Richard Baughman, a Santa Ana resident. "We can always count on Paul to be at his best on all occasions."

"Mr Hernandez always demonstrated his dependability and dedication in everything he does," wrote Marie Calvillo, an instruc-

Please see TEACHER/7

TEACHER: Supporters pack hearing

FROM 1

tional aide at Fremont, who said Hernandez taught two of her sons.

Wallin asked Judge Gary P. Ryan to release the teacher on his own recognizance.

But Gannon asked that bail be set at \$25,000. He said he was "particularly concerned about the threat to the community."

"His free, spare-time activities all revolve around minor children," Gannon told the judge.

Ryan set Hernandez's bail at \$10,000 and scheduled a preliminary hearing July 25. Wallin said after the hearing that Ryan hoped to bail out about midnight Wednesday.

Santa Ana police spokeswoman Maureen Thomas said police began investigating the case after an adult, whom she described as an "uninvolved third party" called police to report Hernandez.

Gannon declined to discuss the informant. But Wallin said the complainant was a bystander who had seen the teacher sitting on a bench with a boy at the YMCA in Santa Ana. The observer thought something was wrong and called the police, he said.

Wallin said his client often took his students and other boys to the YMCA to go swimming. Hernandez allegedly molested one of the boys in in the hot tub there, he said.

School officials declined to comment Wednesday on the allegations and referred inquiries to the Santa Ana Unified School District.

Register staff Writer David Greenwald contributed to this report.