

APPENDIX A

CONFIDENTIAL RECORD SHEET

REGISTRATION SERVICE
BOY SCOUTS OF AMERICA

Date 1-12-88

Social Security Number _____

Full name Alfred ^JSufka
(No initials if you can possibly get full name)

Address _____

City St. Cloud State MN ZIP 56301

Date of birth _____ (This is important and should be exact.)

Approximate age 35-40 (To be used ONLY when date of birth is not known.)

Religion _____ Nationality _____

Occupation _____

Education _____

Weight 185 Height 5'10" Race Caucasian

Color of hair Light Brown Color of eyes _____

Outstanding characteristics or interests _____

Married or single Divorced Children 2 _____
(Number, ages, and names, if possible)

Spouse's name _____

Scouting connections:

Unit No.	City	State	Position	Date registered	Date resigned
P13	St. Cloud	MN	DA		

Special Recognition None

Suspended or denied registration for following reasons: Prior conviction of 4th degree sexual misconduct

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

Signed David Hubbs
Scout Executive

Council Central Minnesota Council
#296

*Show no registration on
National computer
1-20-88
JW.*

CONFIDENTIAL

JAN 22 1988

F. STARON

NOTED

JAN 28 1988

JOSEPH L. ANGLIM

February 2, 1988

Mr. David A. Gibbs
Scout Executive
Central Minnesota Council, No. 296

PERSONAL AND CONFIDENTIAL

SUBJECT: Alfred J. Sufka

Dear David:

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

PE/eko

cc: North Central Region

READY TO FILE
FEB 02 1988
ERIN O'RILEY

CONF027783



SCOUTING/USA

CENTRAL MINNESOTA COUNCIL

BOY SCOUTS OF AMERICA

January 13, 1988

Mr. Alfred Sufka
[REDACTED]

St. Cloud MN 56301

Dear Mr. Sufka,

This is to confirm that the 60 day time period for review of your situation is based on our meeting of January 11, 1988.

Sincerely,

David A. Gibbs
Scout Executive

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A participating agency in the UNITED WAY and UNITED FUNDS.

CONF027784



SCOUTING/USA

CENTRAL MINNESOTA COUNCIL

BOY SCOUTS OF AMERICA

November 12, 1987

Mr. Alfred Sufka

St. Cloud MN 56301

Dear Mr. Sufka,

After careful review, we have decided that your registration with the Boy Scouts of America should not be accepted. We are therefore compelled to request that you sever any relations you may have with the Boy Scouts of America.

You should understand that BSA membership registration is a privilege and is not automatically granted to everyone who applies. We reserve the right to refuse registration whenever there is a concern that an individual may not measure up to the high standards of membership the BSA seeks to provide for American youth.

If you wish to have this decision reviewed, please write to me within 60 days of the date of this letter, explaining your version of the facts supporting your claim that your registration as a BSA member should be granted or reinstated. The procedures for review are attached.

Sincerely yours,

Lee W. Hanson
President

sm



A participating agency in the UNITED WAY and UNITED FUNDS.

CONF027785

Man who harassed baby sitter gets 8-month jail stint

A 32-year-old Sartell man is serving an eight-month jail sentence for sexually harassing a teen-age baby sitter he hired in July.

Alfred Sufka received the sentence Monday from 7th District Judge Frank Hoffman. He is serving it at the Morrison County Jail in Little Falls. The jail term is a condition of up to five years of probation.

Sufka was convicted Dec. 14 of fourth-degree criminal sexual conduct. A 12-member Benton County jury found him guilty of the charge in a trial that lasted one day.

The jury ruled that Sufka made illegal sexual contact with a 15-year-old Benton County girl whom he had hired as a baby sitter in the absence of his wife, who was hospitalized at the time, Benton County Attorney Dick Jensen said.

The girl testified that Sufka hired her as a live-in baby sitter at a rate of \$25 a week. Her duties included cooking, cleaning and watching Sufka's two small children, Jensen said.

During the girl's first week of employment, Sufka made harassing, sexual advances, she testified. She quit after Sufka allegedly grabbed her between the legs and on the breast and she reported the incidents to police, Jensen said.

Sufka never paid the babysitter and Hoffman ordered him Monday to make \$25 in restitution to her, Jensen said.

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*Cases Argued and Determined
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MINNESOTA

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WISCONSIN

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[6, 7] The Minnesota Supreme Court held that Minn.Stat. § 549.21 (1982) codifies the common law rule that attorney's fees are recoverable where the unsuccessful party has acted in bad faith, vexatiously, or for oppressive reasons. *Minnesota-Iowa Television v. Watonswan T.V. Improvement Association*, 294 N.W.2d 297, 311 (Minn.1980). To justify an award under the statute, the party or attorney must have acted in bad faith as to an issue during litigation. *Id.* The court distinguished between bad faith in the litigation and bad faith in the underlying act which is the basis of the suit. *Id.* Although Stern admitted not making efforts to maintain the secrecy of the files, bringing suit under those conditions is not equivalent to bad faith or oppressive motives under the law. There was no court error in refusing to award attorney's fees.

DECISION

Affirmed.



STATE of Minnesota, Respondent,

v.

Alfred J. SUFKA, Appellant.

No. C9-84-698.

Court of Appeals of Minnesota.

Oct. 23, 1984.

Defendant was convicted before the District Court, Benton County, Paul Hoffman, J., of criminal sexual conduct in the fourth degree, and he appealed. The Court of Appeals, Huspeni, J., held that testimony of complainant and other State's witnesses was sufficient to convict defendant.

Affirmed.

Assault and Battery ←92(5)

Testimony of complainant and other State's witnesses was sufficient to convict defendant of criminal sexual conduct in the fourth degree. M.S.A. § 609.345(b).

Syllabus by the Court

The evidence was sufficient to convict the defendant of criminal sexual conduct in the fourth degree.

Hubert H. Humphrey, III, Atty. Gen., Paul R. Kempainen, Sp. Asst. Atty. Gen., Rebecca H. Hamblin, Law Clerk, St. Paul, Richard T. Jessen, Benton County Atty., Foley, for respondent.

C. Paul Jones, State Public Defender, Mark F. Anderson, Asst. Public Defender, Minneapolis, for appellant.

Considered and decided by POPOVICH, C.J., and HUSPENI and FORSBERG, JJ., with oral argument waived.

SUMMARY OPINION

HUSPENI, Judge.

FACTS

Alfred and [redacted] Sufka hired a 15-year old girl on June 30, 1983, as a live-in babysitter and housekeeper for the summer. According to the testimony of the babysitter, appellant Alfred Sufka began touching her by pinching and slapping her on her behind. This type of harassment continued throughout the week that she stayed at the Sufkas' home. The complainant testified that on July 5, 1983, Sufka grabbed her between the legs, and she had to hit him with a book to make him stop. Later that evening, Sufka grabbed her breast, and told her he wanted to carry her to bed.

On July 8, 1983, Sufka told complainant he wanted to see her breasts. Complainant testified this was the second or third time he had made such a request. Later that day, complainant called her brother-in-law and told him of the incidents at the Sufka residence. The brother-in-law told her not

to return to the home. Complainant went to a girlfriend's house for the night. She told her parents that weekend that Sufka was making passes at her.

Jerry O'Driscoll, Chief of Police of the Sartell Police Department, investigated the charges the complainant made against Sufka. He described Sufka as "very defensive" about the charges. When O'Driscoll first told Sufka that he would like to talk to him about his babysitter, Sufka immediately said, "She can't pin anything on me; I wasn't there when it happened."

At trial, the complainant, her brother-in-law, a Sartell police officer, and Officer O'Driscoll testified. Sufka and his wife testified on Sufka's behalf. He denied all of the allegations of any wrongdoing. The jury convicted Sufka of criminal sexual conduct in the fourth degree in violation of Minn.Stat. § 609.345(b) (Supp.1983).

DECISION

Sufka contends the evidence was insufficient to sustain his conviction. This argument is meritless. The testimony of the complainant and other State's witnesses was sufficient to convict appellant of criminal sexual conduct in the fourth degree.

Affirmed.



Judith A. BARTH (now "Lindberg"),
Respondent,

v.

John B. BARTH, Appellant.

No. C3-84-390.

Court of Appeals of Minnesota.

Oct. 23, 1984.

Father appealed from orders of the District Court, Ramsey County, Roland J.

Farcy, Jr., J., which entered judgment on father's arrearages in child support obligations from two marriages and found father in contempt of court for failure to pay child support to first wife. The Court of Appeals, Huspeni, J., held that: (1) father was entitled to hearing on his claim of indigency and appointment of counsel if he qualified before contempt order was entered, since incarceration was a "real possibility"; (2) referees' recommendations that judgment be entered on arrearages for father's support obligations from two marriages and that father be held in contempt as to obligation arising from one marriage were not in conflict, and thus, trial court did not err in failing to treat motions for contempt and judgment in the alternative, although it could have elected to do so; and (3) father, who failed to apply for reduction in payments on child support obligation, could not then argue his inability to pay as defense to contempt.

Affirmed in part, reversed in part, and remanded.

1. Parent and Child ⇨3.3(9)

At such time as court deems incarceration a "real possibility," parent charged with civil contempt for failure to pay child support is entitled to court-appointed counsel, if court determines he is indigent.

2. Divorce ⇨311(2)

Father charged with civil contempt for failure to pay child support was entitled to hearing on his claim of indigency and appointment of counsel if father qualified before contempt order was entered, since fact that trial judge subsequently ordered that father be incarcerated demonstrated that incarceration was a "real possibility" for father.

3. Parent and Child ⇨3.3(9)

Contempt requires showing that child support obligor had ability to pay.

4. Parent and Child ⇨3.3(9)

Judgment on a child support obligation may be had whether or not obligor had ability to pay.