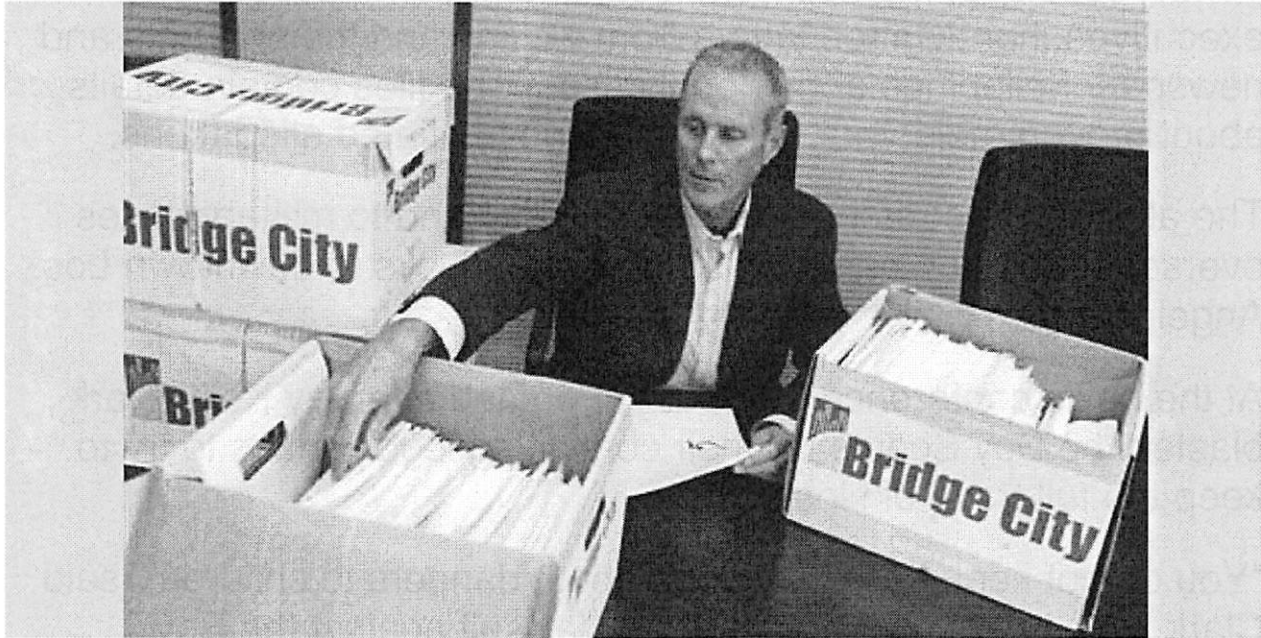


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Scouts Shielded Abusers, Files Say



Portland attorney Kelly Clark examines Oct. 16, 2012, some of the 14,500 pages of previously confidential documents created by the Boy Scouts of America concerning child sexual abuse within the organization, in preparation for releasing the documents Thursday, Oct. 18, as he stands in his office in Portland, Ore. / GREG WAHL-STEPHENS/AP

By NIGEL DUARA

Associated Press

PORTLAND, Ore. — Again and again, decade after decade, an array of authorities — police chiefs, prosecutors, pastors and local Boy Scout leaders among them — quietly shielded scoutmasters and others accused of molesting children, a newly opened trove of confidential papers shows.

At the time, those authorities justified their actions as necessary to protect the good name and good works of Scouting, a pillar of 20th-Century America. But as detailed in 14,500 pages of secret "perversion files" released Thursday by order of the Oregon Supreme Court, their maneuvers allowed sexual predators to go free while victims suffered in silence.

The files are a window on a much larger collection of documents the Boy Scouts of America began collecting soon after their founding in 1910. The files, kept at Boy Scout headquarters in Texas, consist of memos from local and national Scout executives, handwritten letters from victims and their parents and newspaper clippings about legal cases. The files contain details about proven molesters, but also unsubstantiated allegations.

The allegations stretch across the country and to military bases overseas, from a small town in the Adirondacks to downtown Los Angeles.

At the news conference Thursday, Portland attorney Kelly Clark blasted the Boy Scouts for their continuing legal battles to try to keep the full trove of files secret.

"You do not keep secrets hidden about dangers to children," said Clark, who in 2010 won a landmark lawsuit against the Boy Scouts on behalf of a plaintiff who was molested by an assistant scoutmaster in the 1980s.

Clark's colleague, Paul Mones, said the files in the Portland case represent "the pain and anguish of thousands of Scouts" who were abused by Scout leaders.

The two attorneys were releasing all 14,500 documents used in the Portland case at their website: kellyclarkattorney.com.

The Associated Press obtained copies of the files weeks in advance of Thursday's release and conducted an extensive review of them.

The files were shown to a jury in a 2010 Oregon civil suit that the Scouts lost, and the Oregon Supreme Court ruled the files should be made public. After months of objections and redactions, the Scouts and Clark released them.

In many instances — more than a third, according to the Scouts' own count — police weren't told about the reports of abuse. And even when they were, sometimes local law enforcement still did nothing, seeking to protect the name of Scouting over their victims.

Victims like three brothers, growing up in northeast Louisiana.

On the afternoon of Aug. 10, 1965, their distraught mother walked into the third floor of the Ouachita Parish Sheriff's Office. A 31-year-old scoutmaster, she told the chief criminal deputy, had raped one of her sons and molested two others.

Six days later, the scoutmaster, an unemployed airplane mechanic, sat down in front of a microphone in the same station, said he understood his rights and confessed: He had sexually abused the woman's sons more than once.

"I don't know how to tell it," the man told a sheriff's deputy. "They just occurred — I don't know an explanation, why we done it or I done it or wanted to do it or anything else it just — an impulse I guess or something.

"As far as an explanation I just couldn't dig one up."

He wouldn't have to. Seven days later, the decision was made not to pursue charges against the scoutmaster.

The last sliver of hope for justice for the abuse of two teenagers and an 11-year-old boy slipped away in a confidential letter from a Louisiana Scouts executive to the organization's national personnel division in New Jersey.

"This subject and Scouts were not prosecuted," the executive wrote, "to save the name of Scouting."

An Associated Press review of the files found that the story of these brothers and their scoutmaster, however horrendous, was not unique.

The files released Thursday were collected between 1959 and 1985, with a handful of others from later years. Some have been released previously, but others — those from prior to 1971, including the story of the three scouts in Ouachita Parish — have been made public for the first time.

The documents reveal that on many occasions the files succeeded in keeping pedophiles out of Scouting leadership positions — the reason why they were collected in the first place. But the files are also littered with horrific accounts of alleged pedophiles who were able to continue in Scouting because of pressure from community leaders and local Scouts officials.

The files also document other troubling patterns. There is little mention in the files of concern for the welfare of Scouts who were abused by their leaders, or what was done for the victims. But there are numerous documents showing compassion for alleged abusers, who were often times sent to psychiatrists or pastors to get help.

In 1972, a local Scouting executive beseeched national headquarters to drop the case against a suspected abuser because he was undergoing professional treatment and was personally taking steps to solve his problem. "If it don't stink, don't stir it," the local executive wrote.

Scouting's efforts to keep abusers out were often disorganized. There's at least one memo from a local Scouting executive pleading for better guidance on how to handle abuse allegations. Sometimes the pleading went the other way, with national headquarters begging local leaders for information on suspected abusers, and the locals dragging their feet.

In numerous instances, alleged abusers are kicked out of Scouting but show up in jobs where they are once again in authority positions dealing with youths.

The files also show Scouting volunteers serving in the military overseas, molesting American children living abroad and sometimes continuing to molest after returning to the states.

But one of the most startling revelations to come from the files is the frequency with which attempts to protect Scouts from molesters collapsed at the local level, at times in collusion with community leaders.

It happened when a local district attorney declined to prosecute two confessed offenders; when a three-judge panel included two men on the local Scouting executive board; when law enforcement sought to protect the name of Scouting and let an admitted child molester go free.

Their actions represent a stark betrayal, says Clark, who won the case that opened the files to public view. "It's kind of a deal. The deal is, our society will give you incredible status and respect, Norman Rockwell will paint pictures of you, and in exchange for that, you take care of our kids," Clark said. "That's the deal, incredible respect and privilege. But there was a worm in the apple."

The Louisiana case certainly contained all the essentials for a police investigation and, perhaps, a conviction: The scoutmaster admitted to raping a 17-year-old boy on a camping trip and otherwise sexually molesting two other boys; the victims corroborated his confession. But evidently, no charges were ever filed.

The man was let off with a warning that should he be found with young men in the future, he was subject to immediate incarceration at the state prison.

The man "was asked to leave the parish, and if he was caught around or near any boy or youth organization, he would be sent to state prison immediately," a Scouting executive wrote to national headquarters. "We are indeed sorry that Scouting was involved."

With the deadline to disclose the files looming, the Scouts in late September made public an internal review of the files and said they would look into past cases to see whether there were times when men they suspected of sex abuse should have been reported to police.

The files showed a "very low" incidence of abuse among Scout leaders, said psychiatrist Dr. Jennifer Warren, who conducted the review with a team of graduate students and served as an expert witness for the Scouts in the 2010 case that made the files public. Her review of the files didn't take into account the number of files destroyed on abusers who turned 75 years old or died, something she said would not have significantly affected the rate of abuse or her conclusions.

The rate of abuse among Scouts is the not the focus of their critics — it is, rather, their response to allegations of abuse. In the case of the files from 1965 to 1985, most salient is the complicity of local officials in concealing the abuse by Scouts leaders.

Warren told the AP such complicity "was simply quite a natural desire to want to be somewhat protective over" the BSA.

Certain cases, well-detailed by the Scouts, illustrate how it happened.

In Newton, Kan., in 1961, the county attorney had what he needed for a prosecution: Two men were arrested and admitted that they had molested Scouts in their care.

One of the men said he held an all-night party at his house, during which he brought 10 boys, one by one, into a room where he

committed, in his words, "immoral acts." The same man said he had molested Scouts on an outing two weeks prior to the interrogation.

But neither man was prosecuted. Once again, a powerful local official sought to preserve the name of Scouting.

The entire investigation, the county attorney wrote, was brought about with the cooperation of a local district Scouts executive, who was kept apprised of the investigation's progress into the men, who had affiliations with both the Scouts and the local YMCA.

"I came to the decision that to openly prosecute would cause great harm to the reputations of two organizations which we have involved here — the Boy Scouts of America and the local YMCA," he wrote in a letter to a Kansas Scouting executive.

He went on to say that the community would have to pay too great a price for the punishment of the two men. "The damage thusly done to these organizations would be serious and lasting," he wrote.

When cases against Scouts volunteers or executives went forward, locals often tried and sometimes managed to keep the organization's name out of court documents and the media, protecting a valuable brand.

In Johnstown, Pa., in August 1962, a married 25-year-old steel mill worker with a high school education pleaded guilty to "serious morals" violations involving Scouts.

The Scouting executive who served as both mayor and police chief made sure of one thing: The Scouting name was never brought up. It went beyond the mayor to the members of a three-judge panel, who also deemed it important to keep the Scouts' names out of the press.

"No mention of Scouting was involved in the case in as much as two of the three judges who pronounced sentence are members of our Executive Board," the Scouts executive wrote to the national personnel division.

In Rutland, Vt., in 1964, William J. Moreau pleaded guilty to "having lewd relations" with an 11-year-old Scout, according to a contemporary newspaper account. According to the files, the 11-year-old was one of a dozen Scouts who stayed overnight at Vermont's Camp Sunrise. The Scouts, as is demonstrated repeatedly in the files, talked to the parents about their concern for "the name of the Scouting movement" if charges were brought, but were rebuffed — the parents were insistent on filing charges.

Moreau, a 27-year-old insurance adjuster and assistant Scoutmaster, resigned his position, but a local prosecutor and the police department made sure the Scouting name was never publicly associated with the crime, despite the fact that the abuse was conducted by a Scoutmaster on Scouts at a Scout camp.

"The States Attorney with whom I talked late last night and the local police assure me they will do everything in their power to keep Scouting's name and Camp Sunrise out of this," a local Scouts executive wrote in a letter to the national council headquarters.

In newspaper clippings attached to the files detailing Moreau's charges and his plea, no mention of the Scouts is ever made.

Over the years, the mandatory reporting of suspicions of child abuse by certain professionals would take hold nationally. Each state had its own law, and the federal Child Abuse Prevention and Treatment Act passed in 1974.

The Scouts, however, wouldn't institute mandatory reporting for suspected child abuse until 2010. They did incorporate other measures, such as a "two-deep" requirement that children be

accompanied by at least two adults at all times, and made strides in their efforts to combat pedophilia within their ranks.

According to an analysis of the Scouts' confidential files by Patrick Boyle, a journalist who was the first to expose about efforts by the BSA to hide the extent of sex abuse among Boy Scout leaders, the Scouts documented internally less than 50 cases per year of Scout abuse by adults until 1983, when the reports began to climb, peaking at nearly 200 in 1989.

Attitudes on child sex abuse began to change after the 1974 law, said University of Houston professor Monit Cheung, a former social worker who has authored a book on child sex abuse.

"Before 1974, you could talk to a social worker who could (then) talk to a molester and that could maybe stop abuse," Cheung said, noting that most abuse happens within families.

But mandatory reporting made the failure to report suspected abuse a crime.

"That's the change, that you're no longer hiding the facts of abuse," Cheung said.

The case of Timothy Bagshaw in State College, Pa., is illustrative of the changing national attitude to mandatory reporting. Bagshaw, a Scouts leader, was convicted of two counts of corruption of minors in 1985. But he wasn't the only one to face charges.

The Scouts learned of the abuse months before it was reported, and forced Bagshaw to resign at a meeting, but he wasn't reported to police. That failure was costly for Juanita Valley Council director Roger W. Rauch, who was charged with failure to notify authorities of suspected child abuse.

"I didn't know I was supposed to contact anyone. I felt it was the parents' responsibility," Rauch told the Centre Daily Times in 1984. "We acted very responsibly.

"I'm concerned that this not get blown out of proportion."

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