

[REDACTED] 02
Billings, Montana
August 1, 1983

Mr. Paul Ernst
Registration Director
National Office - BSA
1325 Walnut Hill Lane
Irving, Texas 75062-1296

Dear Sir,

As per instructions from [REDACTED] Billings, Montana Scout Executive of the Montana Council, Boy Scouts of America, enclosed are letters and copies of documents for your use in reviewing the decision of the BSA to deny my request for registration in Scouting.

In 1976, while an adult leader of Scout Troop [REDACTED], Ashland, KY, of the Tri-State Area Council #672, of Huntington, WV, I was accused by three Scouts of that Troop of misconduct involving one Scout, the other two Scouts having observed my alleged actions. Parents, then Troop and, ultimately, Council officials were made aware of the allegations which resulted in an indepth investigation of myself. The accusing Scouts' names were never made known to me nor was I suspended from Scouting activities during the time of the investigation.

On August 25, 1976, I was officially notified by the Tri-State Area Council that it was their decision that the allegations and accusations were without merit, not true, and I was invited to continue in Scouting. (See enclosure #1).

The entire incident was in no way confidential. Having held positions in many local, council, as well as regional levels, this story was passed around and retold many times and I, personally, had many direct inquiries relative to it. The investigation process had aroused questions in many minds and the incident was discussed amongst Scouts as well as the Scout leaders. However, when Tri-State Area Council reached its decision clearing me of the allegations, the decision was low-keyed and not made as well known as the accusations. Stories continued to be told and questions asked, all in ignorance of the actions and decision of the Council.

For me, the incident was personally embarrassing, humiliating and had an emotional impact on myself as well as my family. I attempted to continue in Scouting, as well as its related activities such as the Order of the Arrow, but was constantly finding myself in situations in which remarks were being made. Seemingly, no explanation would suffice, such that in June, 1977, I was asked to leave my "staff advisor assignments" within the OA Lodge. (See enclosure #2).

Shortly after, due to my reluctance to step aside from those positions for the reason given, I was removed from the Troop [REDACTED] (See enclosure #3). I immediately replied. (See enclosure #4) and at that time or thereabouts, became active with Scout Troop [REDACTED] Ashland, KY, in an unofficial capacity.

The Scoutmaster of Troop [REDACTED] knew of my difficulties and the circumstances surrounding them and he and [REDACTED] those friends, had a gentleman's agreement that I would be permitted to remain active in the role of Assistant Scoutmaster until any problems developed by way of [REDACTED] accusations, parental disagreement, etc. I remained active with [REDACTED] until nearly June, 1980, when I moved away from Kentucky. To my knowledge, other than pressure being placed on the Scoutmaster by Tri-State Area Council due to my presence, no problems arose from my being

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associated with the Troop. During that time, however, Tri-State Area Council continued to persecute me and, in September, 1978, discharged me from the Scout Council and its related activities. (See enclosure #5).

Having reached the end of my ability to cope with the entire situation, finding the whole affair both emotionally and psychologically exhausting as well as being a full time, self supporting college student in the medical profession, I elected to pursue the matter no further and declined to reply.

It was clearly spelled out, as seen in #5, that the "reasons for it will be maintained as confidential". Neither then, nor at any time before or after the #5 communication was there any indication to me that the matter had progressed past the local council level such as to a regional or national office.

Living in Billings, Montana from June, 1980, through June, 1981, I became active in Scout Troop 394 and served as Assistant Scoutmaster. Registration was never attempted as I saw that a move back to Kentucky would be forthcoming. During my time with the Troop, no difficulties were encountered nor accusations made.

Returning to Kentucky and staying until October, 1982, to assist in my family owned business, no attempts were made by myself to become active in Scouting. I was approached on several occasions by past Scouting acquaintances who inquired as to my status with Tri-State Area Council, the resolution of the earlier investigation, etc. Seemingly, the story had never died out, six years after the alleged incident in which I was supposed to have taken part.

Upon my father's retirement and selling of his business, I returned to Billings, Montana, in October, 1982. I resumed my position in the field of professional emergency care and also resumed my position as Assistant Scoutmaster and Committee member of Troop 394, becoming quite active in the planning and operation of the 25 Scout member unit. I have attended meetings, counseled Scouts, driven Scouts to activities and participated in overnight camping trips with the Scouts. Since October, I have developed a good working relationship with both the Scouts as well as the leaders of Scout Troop 394 who included my name in their re-registration process in February, 1983.

In February, 1983, I began the application process and was interviewed as a potential participant in the "Big Brother" program of Billings. In this, less fortunate youth are matched with proper and suitable adults who serve as role models for the youngster. A minimum of four hours per week of a mostly 1-to-1 relationship is required. In March, I was officially "matched" with a 13 year old boy who, as it has turned out, has developed a rather solid friendship with me much to the pleasure of his single parent.

On May 2, 1983, I was requested by [REDACTED] Scoutmaster to see Mr. Dan Ferguson in the Billings Scout office and appointment was made for May 5. On May 3, I was contacted by the Executive Director of Big Brothers, Billings office, for a conference on May 6.

On May 5, [REDACTED] Ferguson, Scout Executive of the Billings office of the Montana Council of the Boy Scouts of America, informed me he had been instructed, in writing, by the national office of the BSA to refuse my request for membership in the BSA, that he had previously informed the 4 key leaders of [REDACTED] the directive and that none of them were aware of any reason for it. He refused my request then, and at a later date, for my review of the written directive. This

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was the first indication to me that the 1976 incident had been carried further than the Tri-State Area Council.

Later that evening, after a [REDACTED] committee meeting, I informed the 4 key leaders of the unit of the circumstances surrounding the directive. They were shocked, to say the least. It was decided as a group that their support would be offered me in my decision to officially challenge the attitude of the BSA based on the 1976 incident. On May 6, my request for the initiation of the review process was mailed and was received on May 10, 1983. The 4 key leaders of [REDACTED] those men whose sons I have direct contact with, followed up with their letter of support on May 16, 1983. (See enclosure #6). To this day, I have yet to hear directly from the BSA but, rather, have been given replies "second hand" via Billings Area Exec [REDACTED].

The following day, after the meeting with [REDACTED] on May 6, the Executive Director of the Big Brothers organization and several of the Exec. Board members informed me they had been contacted by a representative of the Boy Scouts of America relative to my being denied registration. explained they felt it to have a direct relationship to my being a participant in their youth oriented program and requested an explanation. Subsequently, I was placed on probation with that program and have had the match of myself and my "Little" suspended, visitations being prohibited, until this Scouting issue is resolved. Mr. Dan Ferguson admitted to notifying the Big Brother office and this was confirmed by a representative of that organization.

Mr. Ernst, let us put a few things in perspective:

- 1) In 1976, it was decided after an extensive investigation by Tri-State Area Council, that the allegations against me were without merit and untrue.
- 2) Immediately after the initial accusations, action was taken by Tri-State Area Council in response to the specific alleged misconduct. demonstrating they can, and do, act promptly and appropriately when given a specific complaint. However, for two more years, I was badgered by the Council in an attempt to have me quit the BSA. There not being any actions by myself to warrant another immediate response or dismissal, it was obviously decided to make my Scouting experience tumultuous in an attempt to remove me from Tri-State Area Council.
- 3) At no time was I informed not to register in the Boy Scouts of America, except in the Tri-State Area Council.
- 4) It was never indicated to me that the details or any information relative to the incident were passed to a regional and/or national office of the BSA.
- 5) It was indicated to me, however, that the incident and reasons for the decision dismissing me from Tri-State Area Council would be maintained as confidential.
- 6) Tri-State Area Council, over a period of 25 months, verbally and in writing, abused me emotionally, psychologically and personally as a Scouter as well as an individual.
- 7) A representative of the Boy Scouts of America contacted the office of Big Brothers relative to the denial of BSA membership and the implications thereof, with that organization suspending me from their program based on information received as a direct result of that Scouting representative contact. No accusations,

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insinuations or allegations from the youth or his family had been offered, rather, a solid friendship had been established, only to be suddenly suspended.

8) The Boy Scouts of America continue to persecute me even in the face of personal, Scout, Scouter and Troop leader support that has been offered on my behalf in the past as well as the present, seven years from the time of the alleged incident.

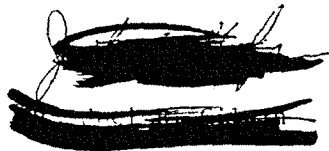
9) Please refer to the personal letter enclosed. This letter is sent from an individual that has known me for many years and is more aware of my personal character than anyone else. He is concerned that this matter be justly resolved and a decision be made in my favor.

10) The Scoutmaster in Ashland, KY, with whom I had the agreement to assist in the face of the ongoing controversy, has recently indicated to me that he will confirm the facts, if contacted, that there were no difficulties in my participating in Scouting with the youths in his Troop and that Tri-State Area Council did, indeed, place tremendous pressure upon him for allowing me to participate in the Troop. I'll provide name and address upon request.

I trust, Mr. Ernst, that these documents will be carefully reviewed, that the implications and insinuations will be analysed and the legal ramifications studied. It is not my desire to involve the BSA in litigation concerning the matter. I am simply wanting to offer my skills and talents, expertise and experience to Scouting. It has been proven of late date that I am capable of offering these, as well as a positive image, to youths and that those adults who are associated with me in Scouting at present are in support of me, being aware of this matter at hand. What more can I present you?!

Need I say more? Let these facts speak for themselves in order that the file concerning the 1976 incident in which I was involved be forever closed and registration be offered me now in the Boy Scouts of America.

Sincerely,

A handwritten signature and name, which has been heavily obscured by thick black ink strokes, making the text illegible.

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