

Plaintiff's Exhibit 55 Page 1 of 39

## CONFIDENTIAL RECORD SHEET. REGISTRATION, SUBSCRIPTION, and STATISTICAL SERVICE BOY SCOUTS OF AMERICA

CURFL

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## BOY SCOUTS OF AMERICA

National Office 1325 Walnut Hill Lane P.O. Box 152079, Irving, Texas 75015-2079 214-580-2000

January 30, 1950

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Lr. Craig Harkinson 1695-25tr Avenue San Francisco, CA 94122

Dear Mr. Markinson:

On January 29, 1990 a review committee comprised of volunteer members of the Executive Spars of the National Council of the Bay Scouts of America concucted a review of the reviel of your registration in the Soy Scouts of Aterica.

Ficade be advised that it was the decision of this mavies committee to continue the certal of your registration in the Day South of Adomical

Contially,

Sep H. Lowe Chief Societ Executive

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# RÉCEIVED

1695 25th Ave. SAN FRANCISCO, CA. 94122 415-564-3376 415-731-1695 DEC 6 1989

DAVID K. PARK

David Park Attorney Boy Scouts of America 1325 Walnut Hill Lane Irving Texas 75062 1 December 1989

RE: Markinson, Craig Suspended registration

Dear Mr. Park:

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As stated in my previous letters, Before the National Review Committee makes a final decision, I would like to have the opportunity to answer any questions they may have--be it by phone or if necessary in person. Understandibly, I feel that having a free exchange in a dicussion, any and all questions that could arise could be answered. Concommitantly, I would like a status report along with all letters, correspondence, and all information pertaining to any allegations out of my files so I can address them prperly. Thank You for your cooperation in the matter.

Sincerely: Markinson



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CAM/s

Mr. & Mrs. Craig Markinson 1695 25th Ave. San Francisco, CA 94122



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Plaintiff's Exhibit 55 Page 4 of 39 25th Avenue cisco, CA 94122

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SEP 1 9 1989

12 Septembe DAVIDOK. PARK

Boy'Scouts of theres 1325 Valnut Hill Lane Irving, Texas 75062

RE: MARKINSON, RESistration

Dear Mr. Park:

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Before a final decision is made by the National Review Committee in regards to my registration, I would like the opportunity to answer any questions they may have -- be it by phone or if necessary in person. Understandibly, I feel that having a free exchange in a discussion, any and all questions that could arise could be answered.

CRAIG MARHINGON 1695 25th Avenue

Concommitantly, I would like copies of <u>all</u> letters, correspondence and all information pertaining to any allegations cut of my files so I may address them properly.

Thank you for your cooperation in this matter.

Sincerely, CRALE MARHINSON 1695 25th AVENUE TORNIG A. MARTINGON SAN FRANCISCO, CA 94122 RETURN REGI ъсс FIRST PLASS CAN:s # # F | # | # # 5-4 800 174 \*\*\*

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Plaintiff's Exhibit 55 Page 5 of 39



Craig Markinson 1695 25th Ave. San Francisco, CA 94122 415-731-1695

August 7,1989 Mr. David Park Boy Scouts of America Attorney 1325 Walnut Hill Lane Irving, Texas 75062

RECEIVED AUG 15 1989 DAMD K. PARK

Dear Mr. Park:

As per our telephone conversation I am requesting a review by the national office in reference to the suspending of my registration with the BSA. Since I was never contacted by the regional review committee to ask me any questions concerning my file, I feel there are some things you should know. 1. I was reviewed originally in 1982 by my local council, I was put on probation for two years. At the end of the two years the review committee met by telephone and released me of my probation, I do not think any final report was put into the file, as I never received a copy for my files. 2. I also understand that a letter is in my file about Jim Savard of Grants Pass, Oregon. Having known him by working on BSA conferences I sent a charactor letter on his behalf stating that I knew of no misdoings by him. I understand his registration was suspended for reasons unbeknown to me. Now mine is being questioned. This seems to be quilty by association , and should not be reason for suspending registration. My record has been clean, and I have served the probation set by my local council without a problem. If you have any questions PLEASE check with the following people. Mr. Ron Walsh Scout Executive for Silverado Council (staff advisor for the review committee) 707-257-0277 Mr. Tom Klitgard V.P. General Consul Tandum Computers ( he was head of review committee) 408-865-4600 Er, Richard Pohli Invest In America (member of committee) 415-781-3282 Thank You in advance for a quick and speedy review of this situation.

Sincerely:

د. درها ماند استرو سال

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185 Nonn Wolfe Road + P.O. Box 3464

Sunnyvale, California 94088-3464 (408) 735-1201

July 25, 1989

David Park Legal Counsel S400

David:

For your information.

These people may appeal the decision.

/lj Encl.

Richard Harrington

CONF000707



Western Region • Boy Scouts of America 185 North Wolfe Road • P.O. Box 3464 • Sunnyvale, California 94088-3464 (408) 735-1201

## MEMORANDUM OF DECISION

## IN THE MATTER OF CRAIG A. MARKINSON

The Regional Review Committee, having reviewed matters related to the registration of Craig A. Markinson, hereby affirms the decision suspending Mr. Markinson'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: Director, Personnel Division, Boy Scouts of America, 1325 Walnut Hill Lane, P. O. Box 152079, Irving, Texas 75015-2079, within thirty days of receipt of this Memorandum.

July 21, 1989

Richard H. Breithaupt, J

RICHARD H. BREITHAUPT, JR. Chairman

ALAN L. ROSEN

CONF000708

Monday DKP-Caller Craig 3376 64-R: registrated PATI 9-AM ODE nn Ri non 4 564-3374 EXT. M E S DATE 30 12:45 AM  $\varphi_{a}$ Trai NO. 1415) 564-3376 ( , М E S S M E M O A G E 1 0 SIGN Ç URGENT PHONED BACK WASIN Gråig Markinson 4/5-564-3376 Call Tim

Please NOW!

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## BOY SCOUTS OF AMERICA

National Office 1325 Walnut Hill Lane P.O. Box 152079, Irving, Texas 75015-2079 214-580-2000

June 21, 1989

Mr. Craig Markinson 1595 25th Avenue San Francisco, CA 94122

Dear Mr. Markinson:

You have requested a review of the suspension of your registration in the Boy Scouts of America.

Under the circumstances, it would appear appropriate for the matter to be reviewed by the BSA Western Region.

By separate copy of this letter, I am requesting the Western Region to appoint a review committee and they will contact you soon as to the procedures for the review.

Very truly yours,

David K. Park National Legal Counsel

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bcc: Dick Harrington, Western Region Nick Stamos, SE ---- Paul Ernst

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Craig Markinson 415-564 - 3376

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Plaintiff's Exhibit 55 Page 11 of 39

# BOY SCOUTS OF AMERICA SAN FRANCISCO BAY AREA COUNCIL #28

IL OFFICERS С

Conrad W, Hewitt unui Past President Chauncey E. Schmidt Jonn 8. Jackson, Jr. M.D. C. Earl Corkett Americant Treasure Angus A. MacNaughton John M. Richards Ales Presidents J. David Billeter C. Lee Emerson, Jr. Alian D. Fiener John E. Huise Bruce R. James Jerome W. Kintne Bichard G. Landa Donald P McCullum D.E. Mundell Reymond F. O'Brien Roy J. Scola Charles M. Stockholm James A. Vons C.R. Weever Steven V. White Scout Executive Nick W. Stamos Executive Board Stephen T. Bow William R. Californi Gay Plas Cobe John W. Dewes Willard N. Orown Paul D. Ebrat Thomas W. Field, Jr. Edgar Flowers, Jr. Alfred R. Funk Ian C. Furth - Purch - H. Glaze - Peser Gleichenn JL Goodspeed John P. Greene Richard J. Guggen Lorenzo N. Hoopes Robert M. Hubbard Herbert A. Jensen James Earl Jewell Michael A. Jordan Hichael A. Jorda Robert M. Joses Michael L. Xanna Michael L. Xanninen Thomas J. Klitgaard Jinna Javne Kovand Ellis B. Langley David W. Lasier Watter R. McLaar Thomas K. McManus Wayne R. Moon Walter E. Ousterman, Jr Richard W. Palfreyman Robert T. Parry James S. Paaman, Jr. Robert B. Philipp Capt, Richard R. Pohli Jack L. Richardson Hon, Ronald M. Sabraw Edward J. Schneider W. Bruce Seaton Dollie Shaw Gorgon L. Soitau Bruce W Spaulang Frank J. Straface Michael E. Strain Kurk Linner in Marshall I, Wais Ray W. Ward Michael S. Wasacz A. B. Whittemore Jonn H Wimberly Ivisory Council Donald R Arnok John F. Bonner James A Feichlin -) E. Harlan S. Hatch S. Haten i U. Hudson .ie W. Hult Richard O. Laist Masud R. Meisran Mervin C. Morris Henn \_ Ponnocri Forter Sestor Surror W. Shackerton Emmett G. Solomon Meivir M. Swig Eugene E. Treathen ut

April 12, 1989

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

Dear Paul:

As per your instructions, Craig Markinson has been deleted from our registration, and a letter with refund was personally delivered to him. The letter instructed him to cease all activity with the Boy Scouts of America and specifically the San Francisco Bay Area Council.

Enclosed with this letter is Mr. Markinson's file, which we are forwarding to you.

If you have any further instructions pertaining to this case, please let me know at your earliest convenience.

Sincerely.

DN

Kenneth W. Allen, II Asst. to the Scout Executive

KWA:pb Enc.

cc: Richard R. Harrington Grant Robinson Conrad W. Hewitt Nick W. Stamos

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5450 ENTERPRISE WAY

OAKLAND, CALIFORNIA 94621 124 BEALE ST., SUITE 402 · SAN FRANCISCO, CALIFORNIA 94105 ·

(415) 638-3600 (415) 543-8780



A United Wey Member Agency

CONF000712



11 April 1989 1695 25th Avenue Can Trencisco . C. 94122

Nick V. Stamos Scout Executive 8460 Interprise Way Oakland, CA 94621

Dear Mr. Stamos:

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I am seeking a review of the decision to have my registration in Boy Scouts of America suspended. I am hereby requesting the council board to be convened as soon as possible to deal with this matter.

Since (April '32) sanctions were adhered to and probation ended July of 1984, I have held various leadership positions --unit, district, regional and national levels-- in a conscientious and exemplary manner. Therefore, I feel my dismissal from the Scouting program is an inappropriate action.

I have served the Boy Scouts of America for the past eighteen (18) years. I wish to have this matter attended to as soon as conveniently possible so that I may get on with my Scouting, professional and most importantly, my personal life.

I am also requesting, formally, a copy of the memorandum which summarizes the discussion at the final review of my probation--which was to be sent to me at the time. Please ask Mr. I.J. Elitzuard to send it to me at his earliest convenience.

Sincerely, Craig A: Markinson

CONF000713



COUNCIL OFFICERS Conrad W. Hewitt Chauncel Past Presides Chauncey E. Schmidt all Carr John & Jackson, Jr. M.D. ----C. Earl Gorsen nistant Treasurer Angus A. MacNaughton John M. Richards Ace Presidents J. David Billeter C. Les Emerans. Jr. Allan D. Fisher John E. Huise Bruce R. James Jerome W Kintner Richard G. Landie Hon. Donald P. McCullum D.E. Mundell word F O'Brien Roy J. Scola Charles M. Stockholm Charles M. Stoc. James A. Vohs C.R. Weaver Steven V. White Scout Executive Nick W. Stamor Executive Board Stephen T. Bow Gay Plan Cobb John W. Dewes Willard N. Drown Paul D. Ehret Thomas W. Field, Jr. Edgar Flowers, Jr. Alfred R. Funk C. Furits n H. Giaza D. Peter Gleichenhaus Richard L. Goodapeed John P. Greene Richard J. Gugganhime Lorenzo N. Hooper Robert M. Hubbard Herbert A. Jansen . Inmes Fart Jewel Hichael A. Jordan Robert M. Joses Michael L. Kenning/ Thomas I Khinaard Jinna Jayne Kovandi Ellis B. LANDRY David W. Laner Watter A. McLean Thomas K. McManus Wayne R. Moon Wayna R. Moon Waiter E. Ousterman, Jr. Richard W. Pelfreyman Robert T. Perry James S. Pasman, Jr. Robert B. Philipp Cast Richard R. Pohli Juna I. Brasscond Jack L. Richardson Hon, Ronald M. Sabraw Edward J. Schneider W Bruce Seaton Oolus Shaw Gordon L. Soitau Bruce W. Spaulding Fram J. Stratace Michael E. Strain Kirk Usher, Jr Marsnall E. Wais Ray W Ward Michael S. Wasaca A.R. Whittemore John H. Wamberly Advisory Council Donaid R. Arnold John F. Bonner Ismes A. Feichlin IE Hartan i E, Harian vin S Hatch villam U, Hudson Jerome W Huß Richard C Laist Masud R Menran Mervin G Morris Papador Porter Sesnan Berton W Sheckefford Emmetr G Saluman

Malum M. Swig Eugene E. Treterhen Ur April 13, 1989

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Mr. Craig Markinson 1695 25th Avenue San Francisco, CA. 94122

Dear Craig:

Your letter dated April 11, 1989, arrived at this office today. This is to acknowledge receipt of same and to respond to your requests.

I am forwarding your letter to Mr. Paul I. Ernst, Director, Registration Service, National Office, Boy Scouts of America, 1325 Walnut Hill Lane, P. O. Box 152079, Irving, TX 75015-2079, (214) 580-2516. The National Council has refused your registration. They have any material related to you - since the National Council is the point at which registration was denied.

With this letter I am asking the National Office to expedite answers to your requests and questions.

Sincerely,

Nick W. Stamos Scout Executive

NWS:pb Enc. cc: Paul I. Ernst / Richard R. Harrington Grant Robinson Conrad W. Hewitt

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8480 ENTERPRISE WAY

(415) 638-3600 (415) 5438780



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OAKLAND, CALIFORNIA 94621

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JIL OFFICERS r Cowad W. Hewitt nal Pest Presiden Chauncey E. Schmidt John B. Jackson, Jr. M.D C. Farl Corbett Aminters Treasure Annue A. MacNeumion Jonn M. Richards Sce Presidente J. David Billeter C. Lee Emerson, Jr. Alian D. Fisher John E Huine Bruce R. James Jerome W. Kimmer Bethard G. Lande Donald P. McCullum D.E. Mundel Raymond F. O'Brwn hoy J. Scola Charles M. Stockhol James & Vons C 8 Wasse Steven V. White ut Executive Nick W. Stamor Executive Board Stephen T. Bow William R. Caldwell Gay Plair Cobb John W. Dewas Willard N. Drown Paul D. Elvet Thomas W. Field, Jr. Edgar Flowers, Jr. "fred R. Funk 1 C. Furth H. Glaze Peter Gleicheni d L. Goodspeed John P. Greene Richard J. Gugge Lorenzo N. Hoopes Robert M. Hubbard Herbert A. Jense James Eari Jeweil Micheel A. Jordan Robert M, Joses Michael L, Xannini Thomas J. Kinsaard lunna Javne Kovanda Ellis 8. Langley David W. Lasier Walter R. McLean Thomas K. McManus Wayne R. Moon Waiter E. Ousterman, Jr. Richard W Peltreymer Nichard W. Perrayma Robert T. Parry James S. Paaman, Jr. Robert B. Philipp Cant. Richard R. Pohis Jacs L. Aichardson Hon. Ronald M. Sabraw Edward J. Schoede ice Seaton Dollie Shaw Gorgen L. Soltau Bruce W Spaukany Frank J. Stratace Michael E. Strain Kirk Unher, Jr. Marshati I. Weis

April 4, 1989

Mr. Craig Markinson~ 1695 25th Avenue San Francisco, CA. 94122

Dear Craig:

After careful review, the National Council has decided that your registration with the Boy Scouts of America should be suspended. We are therefore compelled to request that you sever any relations you may have with the Boy Scouts of America. refund of your registration fee is enclosed.

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,

Nick W. Stamos Scout Executive

Attachments: Refund Check Procedures for Review

cc: Richard R. Harrington, Regional Director

Conrad W. Hewitt, Council President

Grant Robinson, Area 3 Director

Ray W Ward Michael S. Wasacz A R Whittemore John H. Wenberty Idvisory Council Donald R. Arnold John F Bonner · E. Harian S Hatch n U, Hudsof ume W. Hull Renard O Laist Masud R Marian Marvin G Morris Henry L Pohndor Porter Sesnon Morter Seanon Barton W. Snackeiturd Emmeit G. Solomon Maisin M. Sang Eugene E. Tratathen Jr

5480 ENTERPRISE WAY . OAKLAND, CALIFORNIA 94621 124 BEALE ST., SUITE 402 · SAN FRANCISCO, CALIFORNIA 94105 ·

(415) 635-3600 (415) 543-8750



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## Plaintiff's Exhibit 55 Page 15 of 39

Paul I. Ernst, Director, National Registration Service

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February 24, 1989

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Mr. Kenneth W. Allen Assistant Scout Executive San Francisco Bay Area Council, No. 28

PERSONAL AND CONFIDENTIAL

SUEJECT: CRAIG MARKINSON

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Dear Ken:

This is to confirm our telephone conversation related to the above named individual. This individual was placed on the confidential file because he displayed very poor judgment in his leadership and also was accused of some things that would preclude his registration with the Boy Scouts of America.

We will not register Mr. Markinson because of the information which is in our files. He should be deleted from your computer and all other records. At the present time we show him on your records in Troop SO084. Flease delete his registration so that he does not appear on any registration records or mailing lists.

Thank you for helping us to protect the youth of America.

Sincerely,

Paul Erust, Director Registration Service READY TO FILE FEE 2 19-19 ERIN C'RILEY

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cc: Western Region

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WATS CALL FORM

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CONF000722

Plaintiff's Exhibit 55 Page 22 of 39

January 3, 1987 Mr. Nick W. Stamos Scout Executive

San Francisco Bay Area Council, No. 28

PERSONAL AND CONFIDENTIAL

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Dear Nick:

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.

SUBJECT: Craig Markinson

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Sincerely,

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Paul Brust, Director

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Registration Service

cc: Western Region

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Plaintiff's Exhibit 55 Page 23 of 39



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## BOY SCOUTS OF AMERICA

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National Office 1325 Walnut Hill Lane P.O. Box 152079 Irving, Texas 75015-2079

C. Tree

David K. Park 214-580-2005 S400

CONF000724

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December 15, 1988

Mr. Kenneth W. Allan Assistant Scout Executive San Francisco Bay Area Council, No. 23

PERSONAL AND CONFIDENTIAL

SUBJECT: CRAIG MARKINSON

READY FOR FILE

Dear Ken:

We appreciate the material which was recently sent to us concerning the above named individual. This has now been reviewed by our corporate attorney.

Mr. Park feels that Mr. Markinson should be placed on the confidential file and registration refused in the future. We, therefore, have set up a file with the material you sent and will refuse registration should it come to us in the future.

If you have any questions please do not hesitate to contact us.

Sincerely,

Paul Ernst, Director Registration Service j: cc: Western Region Mr. Mick W. Stamos, Scout Executive, Council No. 28

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Sec. Sec.

DATE TIME 11:30 CAM TO ⊐ĸ́p r, PM FROM 209 HONUMEN NO. 522-5534 EXT. MESS 1 AGE L ζ. SIGNED į, -WANTS TO WILL CALL HONED ſ URGENT ٦ WASIN



CONF000726

October 17, 1988

Hr. Kenneth W. Allen Assistant Scout Executive San Francisco Bay Area Council, No. 28

#### PERSONAL AND CONFIDENTIAL

#### SUBJECT: CRAIG MARKINSON

Dear Ken:

We have carefully reviewed the material on Mr. Craig Marxinson. This material is periodically reviewed as new information comes to our attention.

At the present time based on the conditions which now exist and the previous actions, we feel that Mr. Markinson's registration should be terminated with the Boy Scouts of America. I hope you will carry through in this matter of termination, since some of his actions in the past certainly were not in keeping with the recommendations of the Boy Scouts of America for leadership roles.

I am enclosing a Confidential Record Sheet, which I would like for you to complete with as much information as you have presently on Mr. Markinson. This will help to identify him should be attempt to register in the future.

A letter should be sent to Mr. Markinson, indicating that his registration is being terminated with the Boy Scouts of America. He, of course, should be offered the option of a review and told how to accomplish this.

If you have any questions concerning this watter please do not hesitate  $t \rightarrow t$ contact us. Please make certain he is deleted from all registered positions is your council.

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Sincerely,

مين المراجع ال مراجع المراجع ال Paul Ernst, Director Registration Service بدر المراجعة المراجع والمراجع

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#### Enclosure

1 Sec. CCI Western Region Mr. Nick W. Stamos, Scout Executive, Council No. 28 

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Plaintiff's Exhibit 55 Page 27 of 39

FROM THE DESK OF --...

KEN ALLEN

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this copy to you for your renew. After you have had a chance to read the letter he would like you to call he

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CONF000728

A program for Cup Scouts, Boy Scouts, and explorers



National Office BOY SCOUTS OF AMERICA

1325 Walnut Hill Lane, Irving, Texas 75038-3096 Telephone: 214-580-2000

September 9, 1988

Kenneth W. Allen Assistant Scout Executive San Francisco Bay Area Council, No. 28

#### PERSONAL AND CONFIDENTIAL

#### SUBJECT: CRAIG MARKINSON

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Dear Ken:

I recently received material related to Mr. Markinson and have now had time to review this entire file of information. Based on our procedures today I feel that Mr. Markinson should have his registration terminated.

It seems that things which he did and admits to doing, plus things which he was accused of, gives us a strong enough case for refusal of registration anywhere in the country.

Please complete the enclosed Confidential Record Sheet, so that we have all the necessary information for identifying Mr. Markinson. Give us as much information as you have available when completing this file.

A letter should be sent to Mr. Markinson indicating that his registration is being suspended and terminated with the Boys Scouts of America. He, of course, can ask for a review, if he desires.

Please do not hesitate to contact me, if we should discuss this further.

Sincerely,

Paul Ernst, Director Registration Service

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cc: Western Region

PLEASE NOTE NEW MAILING ADDRESS: Boy Scouts of America, 1325 Walnut Hill Lane, P.O. Box 152079, Irving, Texas 75015-2079

CONF000729

<u>M E M O R A N D U M</u>

#### CONFIDENTIAL

September 24, 1983

#### PROBATION REVIEW - CRAIG MARKINSON

On Tuesday, September 13, 1983, a Committee consisting of Messrs. Walsh, Pohli and Klitgaard (chairman) met with Craig Markinson to review the probation established at the meeting on June 28, 1982. The review was held at the office of Tom Klitgaard, 225 Bush Street, Room 2057, San Francisco, and lasted approximately an hour.

#### 1. Procedure:

The Committee heard a report from Mr. Markinson and Mr. Walsh concerning Mr. Markinson's activities in connection with the Boy Scouts during the period June 28, 1982, to date. There were a number of questions asked concerning Mr. Markinson's activities. Mr. Markinson excused himself from the meeting, and the Committee discussed what should be done with the probation. After the discussion, the Committee had a further meeting with Mr. Markinson and informed him of its decision.

2. Decision:

The Committee concluded that the terms of the probation should be continued as is for the second year. The Committee did not find any wrongful conduct by Mr. Markinson during the past year and in addition found that he had complied fully with the terms of his probation. The Committee considered (a) terminating the probation entirely except as to Troop 369 (the Troop from which the complaints arose), or (b) terminating the probation except as to Troop 369 and actions in a primary leadership capacity, leaving Mr. Markinson free to have contacts with members of other Boy Scout Troops in a secondary leadership capacity for the second year of the probation. The Committee also considered completely lifting the probation.

#### 3. Basis for Decision:

Mr. Walsh informed the Committee that Mr. Markinson's conduct during the past year has been in full compliance with the terms of his probation, and that he has acted in a conscientious manner in carrying out the probation. Mr. Walsh further informed the Committee that there have been two other cases involving misconduct between scouters and scouts, which resulted in resignation or dismissal of the scouter from the scouting program. The Committee was also informed that the individuals connected with the accusations directed at Mr. Markinson are still involved in the scouting program.

The Committee believed that there were no new circumstances of significance which would warrant changing the probation one way or another. The Committee decided that in order to protect the scouting program and Mr. Markinson's interests, the probation should continue in effect for the additional year.

At the end of June, 1984, the Committee will hold further discussions to determine whether the probation has been complied with during the second year, and if there has been compliance the probation will be terminated.

#### 4. Notice to Mr. Markinson:

The Committee informed Mr. Markinson that it would inform him in July 1984 of its conclusions on termination of probation, following discussions next year with Mr. Walsh and other members of the Committee. We advised Mr. Markinson that if in the meantime he had any questions whether particular activities were inside or outside of the terms of the probation, he should contact Ron Walsh.

#### 5. Confidentiality

We also informed Mr. Markinson that the subject matters that were discussed at our meeting, as well as this memorandum, would be treated as confidential by the Boy Scouts with access only being given other persons on a need to know basis. We told Mr. Markinson that we would send him a copy of this memorandum for his files.

iJK Thomas J. Klitgaard

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LONGON 105 VICTORIA STREET LONGON SWIE 6 OU TELEPHONE DI-828-4521

CABLE ADORESS"EVANS" TELEX 14743 TELECOPIER (415) 398-2096

WRITER'S DIRECT DIAL NUMBER

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LAN OFFICES OF PILLSBURY, MADISON & SUTRO 225 BUSH STREET POST OFFICE BOX 7880 SAN FRANCISCO, CALIFORNIA 94120 TELEPHONE (416) 983-1000

July 22, 1982

WASHINGTON, D. C. 1050 SEVENTEENTH STREET, N.W. WASHINGTON, D. C. 20036 TELEPHONE (202) 887-0300

LOS ANGELES 700 SOUTH PLOWER STREET LOS ANGELES, CALIFORNIA 90017 TELEPHONE (213) 829-9500

SAN JOSE 101 PARK CENTER PLAZA SAN JOSE, CALIFORNIA 95113 TELEPHONE (408) 857-823

PERSONAL

Mr. Ronald G. Walsh, Field Director San Francisco Bay Area Council Boy Scouts of America 12 Geary Street Suite 507 San Francisco, CA 94108

Dear Ron:

Enclosed please find a memorandum dated July 9, 1982, concerning our meeting with Mr. Markinson. The memorandum has been approved by Lee Peake, Dick Pohli, and me, and sets forth our determination concerning the charges made against Mr. Markinson. If the report is satisfactory to you, we should send a copy to Mr. Markinson for his files.

If you have any questions concerning the enclosed report, or wish to suggest any changes, please let me know.

Cordially,

İŚ Thomas J. Klitgaard

Enc.

CONF000735



#### June 30, 1982

#### REVIEW COMMITTEE - CRAIG MARKINSON

On Monday, June 28, 1982, a review committee consisting of Messrs. Ron Walsh, Lee Peake, Dick Pohli, and Tom Klitgaard (chairman) met with Craig Markinson to discuss the charges that had been reported to him in a letter of June 3, 1982, from Ron Walsh. The meeting was held at the offices of Tom Klitgaard, 225 Bush Street, Room 2057, San Francisco, and lasted for approximately an hour and a half.

1. Procedure:

The review committee discussed the charges that had been made and Mr. Markinson's response as set forth in his June 6 letter. The committee then heard from Mr. Markinson concerning the allegations and his admission of showing the pornographic movie to one Scout. We then recessed the proceeding and discussed the evidence and the additional information provided by Mr. Markinson. Finally, the committee informed Mr. Markinson of its determination of this matter.

2. Conclusion and recommendations:

After extensive deliberation, the committee reached the following determination on the allegations that have been made and on Mr. Markinson's own admissions of wrongdoing:

a. The review committee could find no clear evidence of the truth in the charges set forth in paragraphs 1, 3, 4, and 5 of the June 3 letter based upon the evidence available to the committee, and recommends those charges be considered unfounded;

b. The committee found that the showing of a pornographic movie to one Scout, as admitted by Mr. Markinson, was a grievous error in judgment and is unacceptable conduct for a Scoutmaster, whose conduct in all instances should be above reproach;

CONF000736

c. The committee recommended that the suspension of Mr. Markinson's registration imposed by local council should be withdrawn. However, the committee recommended that Mr. Markinson be put on probation on the following terms and conditions:

i. Mr. Markinson is not to have any contact with members of any Boy Scout troop in a leadership capacity for a period of two years; this probation will be subject to a review after one year. Mr. Markinson will not be prohibited from associating with members of troops in a non-leadership capacity, as where he may be participating in a camporee or some similar event;

ii. Mr. Markinson will be permitted to retain his registration as a Scouter and to participate in activities of the Scouts as a member at large of the Serra District, confining his work to projects involving adults such as adult training, audio-visual work, and planning the various Scout events.

#### 3. Basis for determination:

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The decision not to recommend termination of Mr. Markinson's registration in the Boy Scouts was based upon the fact that he has served over 18 years in the Boy Scouts with exemplary conduct and at no time in the past has been charged with any wrongdoing; that he had been a Scout leader of troop 369 for over six years without any previous charge of wrongdoing being made against him; that there was some evidence that the mother of the two boys may have had some antagonism towards Mr. Markinson which may have had some impact upon the boys; and finally on the ground that one of the charges was very old, covering events that allegedly took place more than a year ago.

#### 4. Notice to Mr. Markinson:

The review committee informed Mr. Markinson of its recommendation, and Mr. Markinson said that he would accept the recommendation of the review committee and would abide by the terms of his probation. He said that he did not intend to seek any further review.

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We informed Mr. Markinson that the letter of June 3 from Ron Walsh, and the other matters relating to this case, would be treated as confidential by the Boy Scouts, with access only being given to other persons on a need-to-know basis. We told him that if he were to transfer to another council, it might be necessary to disclose this information to the council at the time of the proposed transfer. Finally, we told Mr. Markinson that we would send him a copy of this report for his files.

Thomas J. Klitgaard

CONF000738

2	June	6,	1982
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Mr. Ron Walsh 8480 Enterprise Way Oakland, Calif. 94021

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In response to your letter of June 3, 1982 I am responding to the accusations made toward me as follows:

1. While at Disneyland, I pulled one of the Scouts around the pool by his penis. (dec.1981)

2. While on a trip to Disneyland, I pantsed one of the Scouts. (Dec .198

3. While at Royaneh I dragged one of the Scouts around the pool by his penis. (july 1981)

4. While asking a Scout to try on an indiam costume, I felt his

penis with my hands. (Jan-Mar 1982) The Scouts a pornographic movie. (Feb-Mar 1982) Let me take each of these accusations one at a time.

- 1. In regard to the aledged accusation made concerning the trip to Disneyland Dec.1981. I took 3 Scouts to Disnayland, all with parental approval. No swimming occured on the trip at all. The weather was to cold for swimming so we decided to go to Knotts Berry Farm instead.
- 2. In regard to the second accusation which supposidly took place on the same trip to Disneyland. At no time was anybody pantsed. The subject did come up among the Scouts conversations as a joking matter, but remained just a conversation.
- 3. The third accusation which supposidly occured at Camp Royaneh during last years stay at summer camp with the troop, the fact of the matter is that during free swim in which about 100 people adults and scouts were playing in the pool under the staff. supervision. There was plenty of grab ass playing in the pool by all. Horseplay like puching, pulling, kicking, pinching, and grabbing was going on all the time. But at no time did I  $_{\pm\pm}$ reach down and pull anybody around the pool by his penis.
- 4. In regard to the fourth accusation of touching the Scouts penis with my hand, while he was trying on an indian costume is also untrue. While the Scout was over at my apartment for a period of two hours he was working on some advancement for a one and a half hours of that time. After the advancement I asked him to try on an indaian costume to which he was going to use at an upcomung camporee. The costume included a breech cloth. I instructed him in how to put it on. He then striped and put it on himself. I again at no time touched the boy as I was half way across the room.

I have a hard time understanding where the above accusations would originate and would challenge their credibility. I am really hurt by the unfounded accusations and find it very difficult to know to answer them, except to say that they are untrue.

5. In regard to the last accusation of showing a pornographic movie, Yes it is true and was a error injudgement. Why ? it was the human error of wanting to be one of the boys. I had rented some movies and they were left by my TV and were found by the scout, and I gave in to his pressure and showed it to him.

cont.

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After careful evaluation the situation would indicate that one error in judgement does not constitute full suspention of registration in the Boy Scouts of America. Any Scoutmaster, Teacher, or Coach who works with children could find himself in this situation through no fault of his own.

I would hope that your evaluation would weigh my many years of service to Scouting, which include: Cubmaster, Scoutmaster, Explorer Advisor, OA advisor, President and advisor the Eagle Scout Assoc. Production of all the Council meetings and activities, as well as some regional meetings. On a National Level <sup>1</sup> abve given service to many Councils around the country, as well as National Jamborees and National Eagle Scout Association and most National Explorer activities. I have voluntarily resigned from the position of Scoutmaster of Troop 369, I feel that is adequet action for my error in judgemnet. -E-would spects of the case, you will find in my favor in allowing me to retain my registration in the Boy Scouts of America.

Sincerely/yours, Markinson

#### CONF000740

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Plaintiff's Exhibit 55 Page 37 of 39



SAN FRANCISCO BAY AREA\_COUNCIL . NO. 28

Cub Scout, Scout, and Exper Programs SERVICE CENTERS

8480 ENTERPRISE WAY CAKLAND, CA 94621 (415) 838-3800

12 GEARY STREET SAN FRANCISCO, CA 94108 (415) 398-0905

June 3, 1982

Mr. Craig Markinson 101 Eastmoor Avenue #211 Daly City, CA 94015

I am responding to your request for a review of the decision to suspend your registration with the Boy Scouts of America. I am enclosing "Appendix A" from the National Procedures for Maintaining Standards of Leadership which details procedures for the review process.

In accordance with paragraph 1, I will outline the accusations that have been made toward you. You will then need to submit, in writing, to me your version of these accusations. This information will then go to the review committee for their decision. You may, if you so desire, request a face-toface meeting with the review committee. This should be included in your letter to me.

The accusations made toward you are from two members of your Scout Troop 369 and are as follows:

- 1. While asking a Scout to try on an indian costume, you felt his penis with your hands. (Jan.-Mar. 1982)
- 2. You showed one of your Scouts a pornographic movie. (Feb.-Mar. 1982)
- 3. While at Royaneh you dragged one of your Scouts around the pool by his penis. (Jul. 1981)
- 4. While on a trip to Disneyland, you pantsed one of your Scouts. (Dec. 1981)
- 5. While at Disneyland, you pulled one of the Scouts around the pool by his penis. (Dec. 1981)

When you have responded in writing to these accusations we will establish the review committee and follow the procedures as outlined in the enclosed Appendix.

Please do not hesitate to call me if you have any questions or need further information.

Sincerely yours,

Ronald G. Walsh Field Director

cc: Nick W. Stamos Thomas J. Klitgaard Terry F. Trout \_\_\_\_ Stanley R. Larsen A United Way Member Agency

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CONFIDENTIAL

#### SUMMARY OF MEETING WITH MR. CRAIG MARKINSON

Meeting held on Thursday, April 15, 1982, at 5:00 p.m. (P.D.T.) at the San Francisco Bay Area Council's San Francisco Service Center, 12 Geary St., Suite 507.

PRESENT WERE:

- Ronald G. Walsh, Field Director
- Terry F. Trout Director of Field Service
- Lt. Gen. Stanley R. Larsen, Council Commissioner
- Thomas J. Klitgaard, Attorney at Law & Executive Board Member

- Craig Markinson, Troop 369, Scoutmaster

Mr. Walsh informed Mr. Markinson that the reason he was asked to come in was that there were serious allegations made about his conduct with members of his troop.

General Larsen verbally informed him that we were suspending his registration because the Council had evidence to convince us that his moral life does not meet our standards. General Larsen then handed Mr. Markinson a letter and asked him to read it. After reading it, Mr. Markinson asked what evidence we had. General Larsen responded that the evidence indicated he had shown pornographic movies to Scouts and that he had physically abused Scouts. Mr. Markinson asked who had made the accusations. General Larsen replied that that information was confidential and that if he wished to seek a review of the matter, he was entitled to do so. General Larsen then explained the review procedure to Mr. Markinson.

Mr. Markinson asked who would take over his troop. Mr. Trout replied that the District Executive would work with the Troop Committee to secure a replacement. Mr. Markinson asked about his involvement in Council, Regional, and National activities. Mr. Trout informed him the suspension of his registration was for all Scouting activities of any type at any level.

Mr. Markinson asked what excuse he should give and General Larsen and Mr. Klitgaard stated that he would have to make that decision himself, but suggested that business pressures and personal reasons might be appropriate.

Mr. Walsh then re-stated the review procedure and stated that if Mr. Markinson felt that part of the allegations were untrue, he should immediately seek a review of the matter.

The meeting adjourned at 5:30 p.m.

Submitted by,

Ronald G. Walsh

Field Director San Francisco Bay Area Council

RGW:pb cc: Terry Trout

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