

# APPENDIX B

## CONFIDENTIAL RECORD SHEET REGISTRATION SERVICE BOY SCOUTS OF AMERICA

Council No. 608 Date March 14, 1988

Full name Duane J. Sinclair  
(no initials if you can possibly get full name)

Social Security Number \_\_\_\_\_

Address \_\_\_\_\_

City Ketchikan State ALASKA ZIP Code 99901

Date of Birth 6-16-42 (This is important and should be exact.)

Approximate age 45 (To be used ONLY when date of birth is not known.)

Religion \_\_\_\_\_ Nationality AMERICAN

Occupation Job Placement officer for Job Service

Education \_\_\_\_\_

Weight 140 Height 5' 8" Race W - CAU -

Color of hair BROWN Color of eyes BROWN

Outstanding characteristics or interests Wears Glasses

Married or single SINGLE Children 0  
(Number, ages, and names, if possible)

Spouse's name \_\_\_\_\_

Scouting connections:

Chartered organization Presbyterian Church

Unit No. S-0014 City Ketchikan State ALASKA Position S.M Date registered 25 yrs. ASU Date resigned \_\_\_\_\_

Special recognition 25 yr. VET. SILVER BEAVER IN 1973

Suspended or denied registration for following reasons: SEXUAL CHILD ABUSE

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND DENIAL OF REGISTRATION, INCLUDING HOW THE INFORMATION CAME TO THE COUNCIL'S ATTENTION, AND LIST ATTACHED SUPPORTING DOCUMENTS (STATE ONLY KNOWN FACTS, NOT RUMOR, CONJECTURE, OR SPECULATION):

Signed John G. Rooney  
SCOUT EXECUTIVE

Council Southeast ALASKA Area

CONFIDENTIAL

INDEXED

MAR 23 1988

OCT 26 '88

E. STARON

JOSEPH L. ANGLIM

ANCHORAGE OFFICE

THE ENSERCH CENTER  
550 WEST SEVENTH AVENUE, SUITE 1200  
ANCHORAGE, ALASKA 99501  
PHONE (907) 277-6893  
FACSIMILE (907) 279-1959

\*ROBERT B. BAKER  
LEROY J. BARKER  
\*L.G. BERRY  
HAROLD E. SNOW, JR  
SUSAN M. WEST  
\*JULIA B. BOCKMON  
JOSEPH D. DARNELL  
GREGORY G. SILVEY  
CHARLES T. HUGUELET

WASHINGTON, D.C. AND VIRGINIA OFFICE

ARLINGTON COURTHOUSE PLAZA II  
2300 CLARENDON BOULEVARD, SUITE 1010  
ARLINGTON, VIRGINIA 22201  
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\*\*MICHAEL T THOMAS  
\*STEVEN W SILVER  
\*CARL W WINNER  
\*BRADLEY D. GILMAN

ROBERTSON, MONAGLE & EASTAUGH

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW  
JUNEAU, ALASKA 99802

December 3, 1991

JUNEAU OFFICE

COURT PLAZA BUILDING, SUITE 800  
240 MAIN STREET  
PO. BOX 21211  
JUNEAU, ALASKA 99802  
PHONE (907) 586-3340  
FACSIMILE (907) 586-6813

ROYAL ARCH GUNNISON (1873-1918)  
R E ROBERTSON (1885-1961)  
M E. MONAGLE (1902-1985)

FO EASTAUGH (RETIRED)

JAMES F CLARK  
PAUL M HOFFMAN  
D ELIZABETH CUADRA  
MARY A NORDALE  
ROBERT P BLASCO  
TERRY L THURBON

ADMITTED IN WASHINGTON DC  
AND ALASKA

ADMITTED IN VIRGINIA  
WASHINGTON DC AND ALASKA

ALL OTHERS ADMITTED  
IN ALASKA

Mr. Paul Ernst  
Boy Scouts of America, Inc.  
P.O. Box 152079  
Irving, TX 75015-2079

*Blasco* *Ernst*

Dear Paul:

The case of Ciarochi v. Boy Scouts of America, Inc. has been resolved. There will be no need for a trial.

We appreciate your cooperation throughout this case. The resolution will be confidential by Court order. However, if you have other questions, do not hesitate to call.

Sincerely,

*RB*

Robert P. Blasco

RPB:blh

# I W I V I M W I I W I V I I W I V I I W V V I

## Sinclair posts property bond; suspended from Boy Scouts

A judge Thursday arraigned Ketchikan Boy Scout leader Duane Sinclair in a sexual abuse case involving a 10-year-old boy.

Sinclair, 45, was to be released on \$50,000 bail using a property bond as collateral. His release was pending notarization of the bond Thursday afternoon.

He did not enter a plea Thursday before Judge George Gucker. A preliminary hearing has been set for 3 p.m. March 29.

Sinclair, who has been active in Ketchikan's Boy Scout program for many years, has been accused of engaging in sexual penetration and sexual contact with the boy, according to a criminal complaint filed by police in Ketchikan Superior Court.

Police arrested and charged him Wednesday with two counts of sexual abuse of a minor.

Three people claim to have witnessed the acts in Sinclair's truck in the 800 block of Water Street on the evening of March 3.

Sinclair was scoutmaster for Troop No. 14, said John Rooney, council executive for the Southeast Alaska Area Council in Juneau. Rooney came to Ketchikan Thursday in connection with the case and said Sinclair's registration with the Boy Scouts has been suspended.

"We understand that criminal charges have been brought against him and the matter is in the hands of the authorities," Rooney said Thursday. "Under the circumstances, any comment on the case by the council at this time would be inappropriate."

If convicted, Sinclair would face a maximum sentence of 30 years in jail and up to a \$75,000 fine for the first-degree sexual abuse charge. The second count, second-degree sexual abuse, carries a maximum sentence of 10 years in jail and up to a \$50,000 fine.

This is the second time Sinclair has been charged in a case related

## Judy Arteaga librarian of year

Judy Arteaga, librarian at Schoenbar Junior High School, was chosen 1988 School Librarian of the Year by the Alaska Association of School Librarians.

The award came as a surprise to Arteaga at the library association's conference Sunday in Fairbanks.

"I'm very, very grateful to the staff for nominating me," Arteaga said. She emphasized that it's the Schoenbar staff that makes her work possible.

"I work with absolutely the greatest staff," she said.

Arteaga has been Schoenbar's librarian for eight years and librarian at Valley Park Elementary School prior to that. She received her master's degree in school librarianship from the University of Oregon in 1976.

Arteaga worked as a library aide at Main School when she first moved to Ketchikan some 20 years ago. Her interest piqued, she took time off to pursue a bachelor's degree and later her master's.

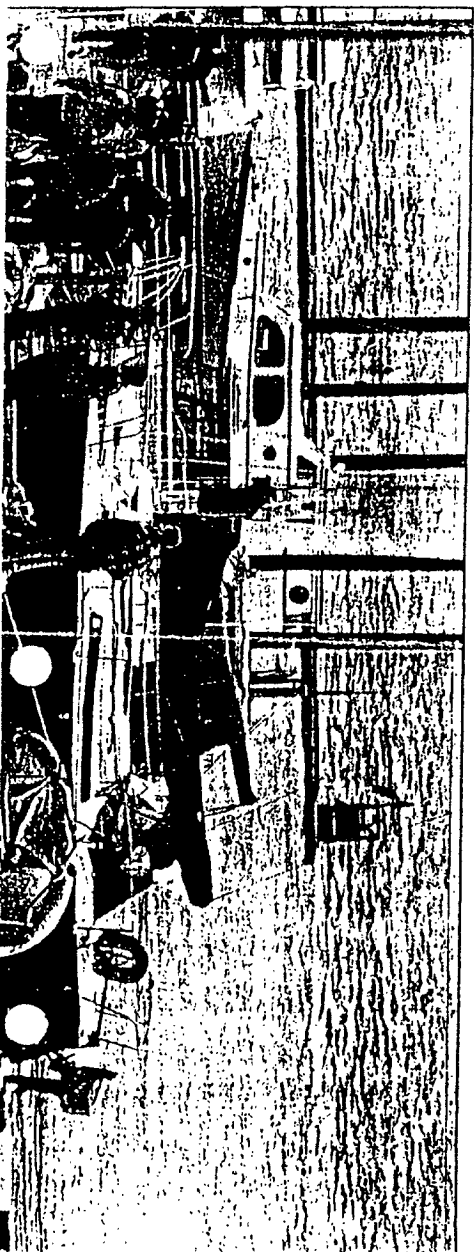
Arteaga is commended for her work to put Ketchikan school librarians on the Western Library Network. Arteaga requested a grant for \$17,000 to begin the program.

The grant paid for an aide to input titles of books available in the district. Schools will be linked by computer, so each school can find out what is available in the other schools. The public library is also linked to the program.

Arranging for authors to visit the schools is another project Arteaga has taken on. Author Bruce Brooks arrives in town Monday, courtesy of Arteaga. Funds for his visit come from magazine sales, a book fair, and left-over money from the previous year's fund-raisers.

Arteaga feels the author visits help promote reading and writing visits "really have a last she said.

She also organizes the Books competition at Schoenbar. Arteaga is chairwoman Governor's Advisory Commission, a coordinating academic, public and school in the state and for 20 years. They have an son, Christopher.



New Life  
for old mine?

See page 8

WORLD  
FAO foresees  
food crisis

See page 12



WAVEMAKER  
Nussbaum  
question

See page

Vol. 53 No. 291 (USPS 293-940) 12 Pages

Ketchikan, Alaska, Tuesday, December 20, 1988

# Ketchikan Daily News

## Sinclair sentence includes restitution

By JERILESSARD  
Daily News Staff Writer

Duane J. Sinclair has been sentenced to 15 years in prison, 6 years, 7 months suspended, on six counts of sexual abuse of a minor. He also has been ordered to pay restitution to the 11-year-old victim and his family for an amount tentatively set at \$346,900.

The sentence was pronounced Monday afternoon by Judge Thomas Schultz in a crowded Ketchikan Superior Court. Sinclair, formerly a Boy Scout leader and employed at Ketchikan Job Service, earlier pleaded no contest to all six counts.

Schulz went along with a plea agreement reached between attorneys, which he deemed "reasonable." The restitution figure is dependent upon a more detailed report of Sinclair's assets, which Woodrell is expected to submit to the judge Thursday. Attorney Mark Ellis said a

revised restitution figure, if any, would only come back to court if there are objections. He noted the state made it clear in its agreement with the defendant that restitution of at least \$200,000 would be sought.

Among other expenses, the restitution will cover the costs already incurred by the family - relocating to California, loss of income and hospitalization for the child, for example. The boy recently spent two months undergoing intensive therapy and diagnosis as a patient in a California hospital. Restitution in such cases is based on actual losses, Ellis said.

In addition, the victim's mother told the court that professionals recommend an additional 10 years of therapy for both her and the boy. Ellis noted three years of that therapy is considered mandatory. The victim's mother said he has been diagnosed as suffering from post traumatic stress syndrome and

In an educational setting, would be classified as emotionally disabled. He has exhibited suicidal tendencies.

"The things that Duane did make me feel real angry," the boy himself said to the judge. "I was extremely frightened." He referred to threats which the defendant made in order to ensure the victim's silence.

The victim's mother said she once encountered hostility from her son which was encouraged by Sinclair. It was the two of them against "the mean mom," she said.

After the inpatient therapy, the boy said he felt "freer, stronger and happier."

His mother said she wanted to see the victim restored to a normal life. She described Sinclair as "hopelessly sick," but said punishment or revenge is not her goal. Perhaps if Sinclair had undergone therapy when he was 11 years old, she said, "we wouldn't be in court today." Will be sealed by his attorney.

Woodrell, Sinclair revealed little emotion during comments to the court by both the victim and his mother. Woodrell waived cross-examination of the boy but made it clear that the defendant and his counsel did not thereby agree to what the victim or his mother said.

The grand jury indictment which led to Sinclair's sentence includes four counts of first-degree sexual abuse of a minor and two counts of second-degree sexual abuse of a minor.

The indictment charges that Sinclair, 46, engaged in sexual activities with the victim on various occasions from winter 1987 through March 3 of this year.

The maximum sentence for first-degree sexual abuse is 30 years in jail and up to a \$75,000 fine. For second-degree sexual abuse, the maximum sentence is 10 years and up to a \$50,000 fine.

October 27, 1988

Mr. John M. Rooney  
Scout Executive  
Southeast Alaska Council, No. 603

PERSONAL AND CONFIDENTIAL

SUBJECT: Duane J. Sinclair

Dear John:

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

eko

cc: Western Region

READY TO FILE  
OCT 27 1988  
ERIN O'RILEY

CONF027875

Vote today

Stop at shop  
man-ups  
See page 2

Ketchikan, Alaska, Tuesday, October 4, 1988

# Ketchikan Daily News

## Sinclair changes plea to no contest

Duane J. Sinclair has changed his plea on six counts of sexual abuse of a minor to no contest. Previously pleading innocence, he entered the new plea on Monday afternoon before Judge Thomas Schultz in Ketchikan Superior Court.

District Attorney Mark Ellis told the judge that a plea agreement between the state and Sinclair's attorney Will Woodell calls for a total sentence of 15 years, with 6 years and 7 months suspended. Sinclair therefore would serve 8 years and 5 months for all counts.

The agreement also calls for a five-year probation after Sinclair's release, with a treatment program for sexual offenders required as a condition of probation.

Sinclair told the judge he agreed with the terms of this agreement.

Ellis said the state also will seek restitution in excess of \$200,000 for the victim and his family.

Sinclair, a former Boy Scout leader, was indicted by a grand jury on four counts of first-degree sexual abuse and two counts of second-

degree sexual abuse. Before the change of plea, Sinclair had pleaded innocent to all counts. A jury trial had been expected to be scheduled during Monday's court proceedings.

Schultz accepted the new plea. However, he said he will decide whether to accept the agreement after reviewing a presentencing report. If he hands down a stiffer sentence, Sinclair will have an opportunity to change his plea.

A finding of guilty on such a felony typically requires immediate incarceration without bail. However, Schultz allowed a delay as requested in Ellis' report. Sinclair will begin time in jail on Nov. 25, and his sentencing is scheduled Dec. 16.

Ellis indicated the change of plea at this time was in consideration for the victim's need to begin therapy or counseling as soon as possible.

The maximum sentence for first-degree sexual abuse of a minor is 30 years in jail and up to a \$75,000 fine. For second-degree sexual abuse, the maximum sentence is 10 years and a \$50,000 fine.



Duane Sinclair, left, and attorney, Will Woodell, during Monday's court proceedings. Photo by Staff Anderson



# BOY SCOUTS OF AMERICA

SOUTHEAST ALASKA AREA COUNCIL NO. 608

PO BOX 020510 • 586-1785 • JUNEAU, ALASKA 99802



October 6, 1988

Paul Ernst  
National Office  
P.O. Box 152079  
Irving, TX 75015-2079

Dear Paul:

Here is the latest on the Duane Sinclair case. Enclosed is a copy that appeared in the Ketchikan Daily News on October 4, 1988.

By now you should have quite a file on Duane Sinclair. We won't have to worry about him for about 8 years according to this article.

If he should ever get back into Scouting, I know of one Assistant Regional Director and myself that will resign.

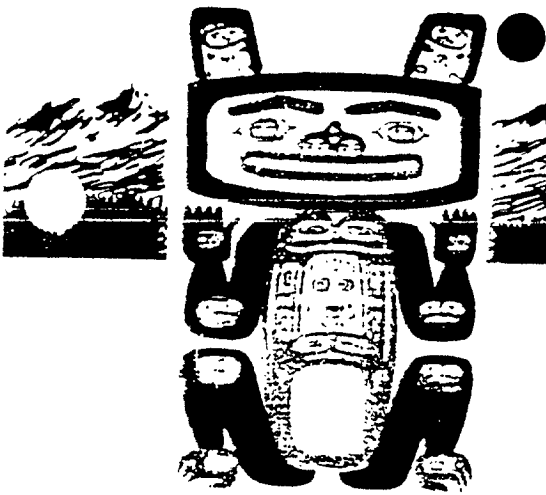
The boy is now in a hospital in California because of Duane Sinclair- this is a very serious case.

Thanks for your help.

Sincerely,

John M. Rooney  
Scout Executive

enc



# BOY SCOUTS OF AMERICA

SOUTHEAST ALASKA AREA COUNCIL NO. 608

PO BOX 020510 • 586-1785 • JUNEAU, ALASKA 99802



March 9, 1988

Paul Ernest  
National Boy Scouts of America  
Registration & Subscription  
P.O. Box 152079  
Irving, Texas 75015-2079

Dear Paul:

This is to let you know that one of our leaders is being charged with child sexual abuse and should be suspended from Scouting subject to investigation.

Duane Sinclair  
Troop S0014  
Council 608

[REDACTED]  
Ketchikan, Alaska 99901  
Member I.D. # 000826

As of March 10, 1988, he will be served with a Suspension Letter. We will keep you informed as the matter develops.

Sincerely,

John Rooney  
Scout Executive



WATS CALL FORM

CALL BACK REQUESTED \_\_\_\_\_

COUNCIL # 608

PHONE NO: \_\_\_\_\_

CALLER: JOHN ROONEY

POSITION: SE

TYPE OF PROBLEM

REGISTRATION \_\_\_\_\_

VETERANS \_\_\_\_\_

EXPLORING \_\_\_\_\_

SCOUTING \_\_\_\_\_

BOYS' LIFE \_\_\_\_\_

UNIT #

DIST. #

EXP. DATE

TRANSMITTAL #

FILM #

SM 50014 2-89 EXP

DUANE SINCLAIR

# 000826

B/4 - 4/44

CHARGES ON CHILD MOLESTATION  
(SCOUTS)

CNCL IS DELIVERING LTR TODAY

*Added from reg  
Added to  
CF file 3/11/88*

NAME Rooney

DATE 3-8-88

TIME \_\_\_\_\_

R/S-433  
3/13/88-TC-567

Ketchikan Alaska  
Council 608

Ketchikan Daily News

September 13, 1988

# Sinclair indicted on six sex counts

Duane J. Sinclair of Ketchikan was indicted Sept. 9 by a Ketchikan grand jury on four counts of first-degree sexual abuse of a minor and two counts of second-degree sexual abuse of a minor. He is expected to be arraigned today in Ketchikan Superior Court at 1:15 p.m.

The charges allege that Sinclair, 46, engaged in sexual penetration or contact with a 10-year-old boy on six different occasions between just before Christmas 1987 and March 3 of this year.

The four first-degree counts stem from allegations that Sinclair placed his penis in the boy's mouth. The

second-degree counts allege Sinclair touched the boy's penis.

Sinclair was arraigned in Ketchikan District Court on March 10 on two counts of sexual abuse but waived his right to a speedy trial.

Two witnesses reported to the Ketchikan Police Department that they observed sexual contact between Sinclair and the boy in Sinclair's pickup truck in the 800 block of Water Street on the evening of March 3.

The two original counts of sexual abuse stemmed from the March 3 incident. By the time of the indictment, the additional four counts were added as a result of the

district attorney's investigation.

District Attorney Mark Ells said a third witness came forward in the subsequent investigation by his office.

Ells explained that Sinclair has a right to a jury trial within 120 days of his arraignment. The arraignment will be Sinclair's first opportunity to enter a plea. A jury trial is typically not scheduled until an omnibus hearing, which usually follows the arraignment.

Sinclair was released on a \$50,000 property bond with several conditions, including a daily curfew.

"It's pretty much been wrapped up," Ells said of the investigation of

Sinclair and the 10-year-old. However, he replied "no comment" when asked if his office was looking into similar situations involving Sinclair and other children.

Sinclair was formerly scoutmaster for Boy Scout Troop No. 14, but his registration with the Scouts was suspended. The 10-year-old was a member of the Boy Scouts. Sinclair is an employee in the Ketchikan Job Service office.

If convicted, first-degree sexual abuse of a minor brings a maximum sentence of 30 years in jail and up to a \$75,000 fine. Second-degree sexual abuse carries a maximum sentence of 10 years and up to a \$50,000 fine.

CONF027880

1 IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
2 FIRST JUDICIAL DISTRICT AT KETCHIKAN  
3

4 STATE OF ALASKA, )  
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FILED	
IN OPEN COURT	
Superior Court	
State of Alaska	
at Ketchikan	
Date	9/9/88
Clerk	
Deputy	

Case No. IKE-S88-240 Cr.

I N D I C T M E N T

COUNT I:  
CHARGE: SEXUAL ABUSE OF A MINOR IN THE FIRST DEGREE  
VIOLATION SECTION: AS 11.41.434(a)(1)

COUNT II:  
CHARGE: SEXUAL ABUSE OF A MINOR IN THE FIRST DEGREE  
VIOLATION SECTION: AS 11.41.434(a)(1)

COUNT III:  
CHARGE: SEXUAL ABUSE OF A MINOR IN THE SECOND DEGREE  
VIOLATION SECTION: AS 11.41.436(a)(2)

COUNT IV:  
CHARGE: SEXUAL ABUSE OF A MINOR IN THE SECOND DEGREE  
VIOLATION SECTION: AS 11.41.436(a)(2)

COUNT V:  
CHARGE: SEXUAL ABUSE OF A MINOR IN THE FIRST DEGREE  
VIOLATION SECTION: AS 11.41.434(a)(1)

COUNT VI:  
CHARGE: SEXUAL ABUSE OF A MINOR IN THE FIRST DEGREE  
VIOLATION SECTION: AS 11.41.434(a)(1)

Office of the District Attorney  
415 Main Street, Room 304  
Ketchikan, Alaska 99901  
(907) 225-6128

1 THE GRAND JURY CHARGES:

2 COUNT I

3 That on or about the winter of 1987, prior to Christ-  
4 mas of 1987, at or near Ketchikan, in the First Judicial Dis-  
5 trict, State of Alaska,

6 DUANE J. SINCLAIR, being 16 years of age or older,  
7 to-wit: approximately 45 years of age, did unlawfully and know-  
8 ingly engage in sexual penetration with [REDACTED], who was under 13  
9 years of age, to-wit: 10 years of age, by putting his penis in  
10 [REDACTED] mouth.

11 All of which is an unclassified felony offense being  
12 contrary to and in violation of AS 11.41.434(a)(1) and against  
13 the peace and dignity of the State of Alaska.

14  
15 COUNT II

16 That on or about the winter of 1987-88, after Christ-  
17 mas of 1987, at or near Ketchikan, in the First Judicial Dis-  
18 trict, State of Alaska,

19 DUANE J. SINCLAIR, being 16 years of age or older,  
20 to-wit: approximately 45 years of age, did unlawfully and know-  
21 ingly engage in sexual penetration with [REDACTED] who was under 13  
22 years of age, to-wit: 10 years of age, by putting his penis in  
23 [REDACTED] mouth.

24 All of which is an unclassified felony offense being  
25 contrary to and in violation of AS 11.41.434(a)(1) and against  
26 the peace and dignity of the State of Alaska.

State of Alaska, Department of Law  
Office of the District Attorney  
415 Main Street, Room 304  
Ketchikan, Alaska 99901  
(907) 225-6128

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COUNT III

That on or about the first ten days of February, 1988, at or near Ketchikan, in the First Judicial District, State of Alaska,

DUANE J. SINCLAIR, being 16 years of age or older, to-wit: approximately 45 years of age, did unlawfully and knowingly engage in sexual contact with [REDACTED] who was under 13 years of age, to-wit: 10 years of age, by touching [REDACTED] penis.

All of which is a class B felony offense being contrary to and in violation of AS 11.41.436(a)(2) and against the peace and dignity of the State of Alaska.

COUNT IV

That on or about the 11th day of February 1988, at or near Ketchikan, in the First Judicial District, State of Alaska,

DUANE J. SINCLAIR, being 16 years of age or older, to-wit: approximately 45 years of age, did unlawfully and knowingly engage in sexual contact with [REDACTED] who was under 13 years of age, to-wit: 10 years of age, by touching [REDACTED] penis.

All of which is a class B felony offense being contrary to and in violation of AS 11.41.436(a)(2) and against the peace and dignity of the State of Alaska.

/////

State of Alaska, Department of Law  
Office of the District Attorney  
415 Main Street, Room 304  
Ketchikan, Alaska 99901  
(907) 225-6128

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COUNT V

That on or about the 25th day of February, 1988, at or near Ketchikan, in the First Judicial District, State of Alaska,

DUANE J. SINCLAIR, being 16 years of age or older, to-wit: approximately 45 years of age, did unlawfully and knowingly engage in sexual penetration with [REDACTED], who was under 13 years of age, to-wit: 10 years of age, by putting his penis in [REDACTED] mouth.

All of which is an unclassified felony offense being contrary to and in violation of AS 11.41.434(a)(1) and against the peace and dignity of the State of Alaska.

COUNT VI

That on or about the 3rd day of March, 1988, at or near Ketchikan, in the First Judicial District, State of Alaska,

DUANE J. SINCLAIR, being 16 years of age or older, to-wit: approximately 45 years of age, did unlawfully and knowingly engage in sexual penetration with [REDACTED], who was under 13 years of age, to-wit: 10 years of age, by putting his penis in [REDACTED] mouth.

All of which is an unclassified felony offense being contrary to and in violation of AS 11.41.434(a)(1) and against the peace and dignity of the State of Alaska.

/////

DATED: September 9, 1988.

A TRUE BILL

Mark L. Ells  
MARK L. ELLS  
DISTRICT ATTORNEY

Kathleen Lawrence  
GRAND JURY FOREPERSON

Witnesses:



Office of the District Attorney  
415 Main Street, Room 304  
Ketchikan, Alaska 99901  
(907) 225-6128

NOTE: The full name of the minor is on file in the District Attorney's Office.

WATS CALL FORM

CALL BACK REQUESTED \_\_\_\_\_

COUNCIL #

PHONE NO:

CALLER: *JOHN ROONEY*

POSITION:

TYPE OF PROBLEM

REGISTRATION \_\_\_\_\_

VETERANS \_\_\_\_\_

EXPLORING \_\_\_\_\_

SCOUTING \_\_\_\_\_

BOYS' LIFE \_\_\_\_\_

UNIT #

DIST. #

EXP. DATE

TRANSMITTAL #

FILM #

*DVANE SIMCLAR*

*STILL NO TRAIL*

*WILL SEND INFO*

NAME *[Signature]*

DATE *3/13/86*

TIME \_\_\_\_\_

R/S-133  
3/13/86-cip-567



May 10, 1988

Mr. John M. Rooney  
Scout Executive  
Southeast Alaska Council, No. 608

PERSONAL AND CONFIDENTIAL

SUBJECT: Duane J. Sinclair

Dear John:

We really appreciate all the information you previously sent us concerning this individual. This helps us in establishing a confidential file which will lead to refusal of future registration attempts.

We would still like to know if the legal action has now been completed. If so, we would like a copy of the court record or newspaper clippings indicating the final outcome of the legal action and any sentencing if this has taken place. This would then complete our file and make certain that we had all the information necessary.

If you have a copy of the suspension letter, we would also like a copy of this for our files. That would then give us what we need and we would close the file.

Sincerely,

Paul Ernst, Director  
Registration Service

eko

cc: Western Region

ERIN ORILEY  
MAY 10 1988  
READY TO FILE

CONF027887



SCOUTING/USA

National Office  
BOY SCOUTS OF AMERICA

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

March 25, 1988

Mr. John M. Rooney  
Scout Executive  
Southeast Alaska Council, No. 608

PERSONAL & CONFIDENTIAL

SUBJECT: Duane J. Sinclair

Dear John:

We appreciate the information which you recently sent us concerning the above-named individual. This is most helpful to us and will enable us to identify him should he attempt registration at any time.

We would like a copy of an application or other paper with Mr. Sinclair's signature. This will be most helpful in the identification process.

We would also like to have the outcome of the legal action as it is completed. Any sentencing will certainly help to give us a complete file.

Thank you again for your help in protecting the youth of America.

Sincerely,

Paul Ernst, Director  
Registration Service

eak

cc: Western Region

*to: Paul Ernest -  
Please find copies of  
Mr. Sinclair's signature*

*Sincerely,  
John Rooney  
Scout Exec.*

PLEASE NOTE NEW MAILING ADDRESS:

Boy Scouts of America, 1325 Walnut Hill Lane, P.O. Box 152079, Irving, Texas 75015-2079

4/21/87

Dear Sir,

Please expedite The badge order on attached Advancement report as it is needed for Eagle Court on 4/30/87.

Also send The following and charge TROOP 14

- 48- 25 yr Boy # 133
- 4- canoeing Merit Badge - replacements
- 1- swimming " " "
- 1- communication " " "
- 1- safety Merit " " "

10 Advancement Forms

Duane Sinclair  
SM TROOP 14

NO. 440J 400M184		ADVANCEMENT REPORT (PACK, TROOP, TEAM, EXPLORER UNIT)		FOR COUNCIL SERVICE CENTER USE ONLY	
BOYS SCOUTS OF AMERICA		REPORT RECEIVED	4/23/87		
<input type="checkbox"/> PACK <input checked="" type="checkbox"/> TROOP <input type="checkbox"/> TEAM <input type="checkbox"/> EXPLORER UNIT	NO. 1A	CERTIFICATES ISSUED	"		
LEADER Duane Sinclair	ADDRESS [REDACTED]	MAILED OR ISSUED TO	Duane Sinclair		
CITY Ketchikan	STATE AK	DATE MAILED			
EXPIRATION DATE OF UNIT 2/58	ZIP 99901	RECORD POSTED			
DATE THIS REPORT FORWARDED TO COUNCIL SERVICE CENTER 2/21/87					

1. Advancement procedures:

**Packs.** After Den Advancement Reports, No. 3847, are received from den leaders, this form is completed for the entire pack.

**Troops/Varsity Teams.** All Boy Scouts or Varsity Scouts ready for advancement must appear personally before a board of review composed of at least three members. An Advancement Report must be sent to the council service center immediately following each board of review. This report must be signed by at least three members of the board of review, including its chairman.

**Explorer Units.** Explorers should give their advancement applications to their Advisor or Skipper, who in turn takes them to the post committee for approval, then prepares, signs, and forwards this Advancement Report to the council service center.

- Only MEMBERS with unexpired membership certificates can be credited with advancement. Awards are not available to members of units whose charters have expired.
- Fill in name and only one advancement award or merit badge on each line, but list all of one member's advancement consecutively.
- List names of Boy Scouts, Varsity Scouts, or Explorers who are applying for Eagle or Sea Explorers applying for Quartermaster and attach applications to this report.
- The pack, troop, or team advancement committee member should interview boys who are not advancing. List these boys on bottom of form.
- No Boy Scout advancement may be earned by female Explorers or by a Boy Scout, Varsity Scout, or male Explorer who has reached the age of 18.
- Sea Explorers may earn Quartermaster through age 20.

To: Council Advancement Committee

I certify that the following record of advancement is correct and meets the standards and requirements of the Boy Scouts of America.

Duane Sinclair SM Gail Nell Marcell Lopatny

SIGNED TITLE

FOR TROOP/TEAM REPORT Two additional signatures are required, plus date board of review was held.

BOARD OF REVIEW DATE 4/24/87

Name	Cub Scout Ranks, Arrow Points Boy Scout Ranks, Merit Badges	Name	Cub Scout Ranks, Arrow Points Boy Scout Ranks, Merit Badges
[REDACTED]	safety		19.
[REDACTED]	Citizen Community		
[REDACTED]	Life		21.
[REDACTED]	Second Class		22.
[REDACTED]	Citizen Community		23.
[REDACTED]	Citizen Community		24.
[REDACTED]	stay		25.
[REDACTED]	stay		26.
[REDACTED]	second class		27.
[REDACTED]	stay		28.
[REDACTED]	Citizen Community		29.
[REDACTED]	ENVY Science		30.
[REDACTED]	Tracking		31.
[REDACTED]	Pathery		32.
[REDACTED]		BOYS INTERVIEWED WHO ARE NOT ADVANCING	
16.	See order on reverse		
17.			
18.			

Total different boys 9 Qualified for 1A awards

FORWARD WHITE AND PINK COPIES TO COUNCIL-KEEP GREEN COPY FOR UNIT FILES  
USE PURCHASE ORDER FOR INSIGNIA ON REVERSE SIDE OF WHITE COPY

March 25, 1988

Mr. John M. Rooney  
Scout Executive  
Southeast Alaska Council, No. 608

PERSONAL & CONFIDENTIAL

SUBJECT: Duane J. Sinclair

Dear John:

We appreciate the information which you recently sent us concerning the above-named individual. This is most helpful to us and will enable us to identify him should he attempt registration at any time.

We would like a copy of an application or other paper with Mr. Sinclair's signature. This will be most helpful in the identification process.

We would also like to have the outcome of the legal action as it is completed. Any sentencing will certainly help to give us a complete file.

Thank you again for your help in protecting the youth of America.

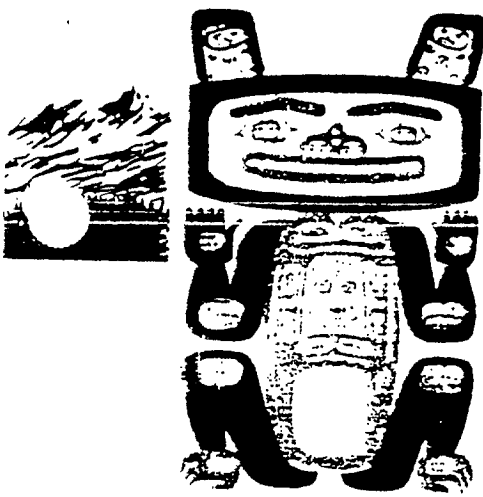
Sincerely,

Paul Ernst, Director  
Registration Service

eak

cc: Western Region

CONF027891



BOY SCOUTS OF AMERICA

SOUTHEAST ALASKA AREA COUNCIL NO. 608  
PO BOX 020510 • 586-1785 • JUNEAU, ALASKA 99802



March 14, 1988

Paul Ernst  
Registration & Subscription  
National Boy Scouts of America  
P.O. Box 152079  
Irving, Texas 75015-2079

Dear Paul:

Regarding the suspension of Mr. Duane Sinclair  
Scoutmaster Troop S0014  
[REDACTED]  
Ketchikan, Alaska 99901

The suspension letter was given to him on March 10, along with a check for his registration and Boys' Life fees.

Enclosed are newspaper clippings and court documents showing his arrest and that he is being charged with sexual child abuse.

We are asking that his name be put on the "Confidential File."

We will keep you informed as matters progress.

Sincerely,

John M. Rooney  
Scout Executive

IN THE DISTRICT COURT OF THE STATE OF ALASKA

JUDICIAL DISTRICT AT \_\_\_\_\_ ALASKA

WARRANT

TO: ANY PEACE OFFICER OR AUTHORIZED PERSON:

THE ATTACHED COMPLAINT, WHICH IS MADE A PART OF THIS WARRANT, HAVING BEEN MADE BEFORE ME, YOU ARE COMMANDED TO ARREST THE WITHIN NAMED DEFENDANT AND TAKE AND SAFELY KEEP HIM AND BRING HIM BEFORE THE NEAREST AVAILABLE JUDGE WITHOUT UNNECESSARY DELAY TO ANSWER SAID COMPLAINT.

DATED THIS 9th DAY OF MARCH 1988

*[Handwritten signature]*  
DISTRICT JUDGE

ENDORSED \$50,000

RETURN OF WARRANT

I CERTIFY THAT I EXECUTED THE ABOVE WARRANT BY

ARRESTING DUANE J. SINCLAIR

AND BY SERVING HIM WITH A

KETCHIKAN JOB SERVICE COPY OF THIS WARRANT AT KETCHIKAN

ALASKA ON THE 9 DAY OF March 1988

AND NOW PRODUCE HIM WITHOUT UNNECESSARY DELAY BEFORE THE NEAREST AVAILABLE JUDGE.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_ AT \_\_\_\_\_ ALASKA.

*[Handwritten signature]*  
SIGNATURE OF OFFICER

SUMMONS

TO: \_\_\_\_\_

THE DEFENDANT NAMED IN THE ATTACHED CRIMINAL COMPLAINT.

YOU ARE SUMMONED TO APPEAR BEFORE THE UNDERSIGNED

DISTRICT JUDGE AT \_\_\_\_\_

ALASKA ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. TO ANSWER THE ATTACHED COMPLAINT. IF YOU FAIL TO APPEAR A WARRANT WILL BE ISSUED FOR YOUR ARREST.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_

*[Handwritten signature]*  
DISTRICT JUDGE

RETURN OF SUMMONS

I CERTIFY THAT I SERVED THE WITHIN SUMMONS AND

COMPLAINT ON \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_

ALASKA BY \_\_\_\_\_

of \_\_\_\_\_ State of Alaska, First District

MAR 10 1988

Clark of the Trial Courts

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_ AT \_\_\_\_\_ ALASKA.

I hereby certify that the attached instrument is a true and correct copy of the original instrument.

*[Handwritten signature]*  
SIGNATURE OF OFFICER

DATE MAR 10 1988

*[Handwritten signature]*  
SIGNATURE OF OFFICER

In the District Court of the State of Alaska

First Judicial District, Ketchikan Alaska

State of Alaska

Plaintiff

vs

DUANE J. SINCLAIR  
M/W AGE: 45  
DOB: 6-16-42  
AID# 0128094

Defendant

FELONY

Criminal Complaint

No. LKE-S88-240 Cr.

- COUNT 1: SEXUAL ABUSE OF A MINOR IN THE FIRST DEGREE AS 11.41.434(a)(1)
- COUNT 2: SEXUAL ABUSE OF A MINOR IN THE SECOND DEGREE AS 11.41.436(a)(2)

Complainant, OFFICER SUSAN PICKRELL, KETCHIKAN POLICE DEPARTMENT

personally appearing before me and being duly sworn, states that on or about the 3rd day of March, 19 88, at or near Ketchikan, in the First Judicial District, State of Alaska, \_\_\_\_\_

COUNT 1

DUANE J. SINCLAIR, being 16 years of age or older, to wit: 45 years of age, did unlawfully engage in sexual penetration with M.C., a minor under the age of 13, to wit: 10 years of age.

All of which is <sup>unclassified</sup> ~~a Class A~~ Felony offense being contrary to and in violation of AS 11.41.434(a)(1) and against the peace and dignity of the State of Alaska.

COUNT 2

DUANE J. SINCLAIR, being 16 years of age or older, to wit: 45 years of age, did unlawfully engage in sexual contact with [REDACTED], a minor under the age of 13, to wit: 10 years of age.

All of which is a Class B Felony offense being contrary to and in violation of AS 11.41.436(a)(2) and against the peace and dignity of the State of Alaska.

I hereby certify that the foregoing is a true and correct copy of the original. Page 1 of 3

DATE MAR 10 1988  
*Jolly & Law*  
COURTS  
STATE OF ALASKA  
AT KETCHIKAN

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

(SIGNATURE OF COMPLAINANT)

DISTRICT JUDGE

(SEAL)



In the District Court of the State of Alaska

Judicial District,

Alaska

State of Alaska

Plaintiff

Criminal Complaint

No. 1KE-888-240 Cr.

DUANE J. SINCLAIR

Defendant

Complainant,

personally appearing before me and being duly sworn, states that on or about the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_\_, at or near \_\_\_\_\_, in the \_\_\_\_\_ Judicial

District, State of Alaska, \_\_\_\_\_

This complaint is based on the statement of [redacted] to Officer Jim Janke, Ketchikan Police Department, providing a description of the defendant and his pickup and license plate, [redacted], later found to be registered to the defendant, and Pacheco's statement that he observed the defendant in a red pickup truck parked in front of [redacted], with the defendant's head in the crotch of [redacted], further that upon going back to look, he saw [redacted] sucking on the defendant's penis, Pacheco further stated that he asked another unidentified man walking on the street to look in the window of the pickup to observe the defendant and [redacted], and upon Pacheco confronting the defendant, was told by the defendant that [redacted] was [redacted] and nothing had happened and asked Pacheco to wait because Pacheco was going to call the police.

This complaint is also based on the statement of Barbara Gurske to Officer Jim Janke, Ketchikan Police Department, that she observed the defendant with his head in the crotch of [redacted]

This complaint is also based on the statement of the defendant to Officer Dave Guzman, Ketchikan Police Department, that he was the person that officers were looking for and that he had given [redacted] a ride home and parked in front of [redacted]'s home for ten minutes; further on the statement of the defendant that a couple of people came by and accused him of having [redacted] molest the defendant.

(SIGNATURE OF COMPLAINANT)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

DISTRICT JUDGE

(SEAL)

In the District Court of the State of Alaska

Judicial District,

Alaska

State of Alaska

Plaintiff

Criminal Complaint

No. 1KE-S88-240 Cr.

DUANE J. SINCLAIR

Defendant

Complainant, \_\_\_\_\_

personally appearing before me and being duly sworn, states that on or about the \_\_\_\_\_ day of

\_\_\_\_\_, 19\_\_\_\_\_, at or near \_\_\_\_\_, in the \_\_\_\_\_ Judicial

District, State of Alaska, \_\_\_\_\_

This is also based on the statement of [redacted] to Officer Sue Pickrell, Ketchikan Police Department, that she observed the defendant at [redacted] at the same time that Mike A. Pacheco came to use her phone to call the police, that she observed the defendant's clothing to be disheveled, his face was red, his hair was messed up and his eyes kind of dazed, further on the statement of Ms. Ciarochi that Duane Sinclair told her in a phone conversation approximately one hour later, that he knew he had to be careful about being alone with boys but he didn't know how else he should talk to them about their homework and that the defendant was asking if the police were there asking questions.

This complaint is also based on the statement of [redacted] <sup>on 3-3-88,</sup> to Officer Sue Pickrell, Ketchikan Police Department that he was in the defendant's pickup truck parked in front of his house and that he had been crouched on the floor to avoid the defendant who was breathing on his face and leaning over him when Mike A. Pacheco knocked on the window accusing the defendant of molesting [redacted] but that nothing happened; further on the statement of [redacted] on 3-9-88 that the defendant made [redacted] touch the defendant's penis and put his penis against [redacted]'s face while he was crouched on the floor of the pickup, while the defendant was holding him with his hands on [redacted]'s shoulder and neck area, further that [redacted] was afraid to tell about this on 3-3-88 because the defendant had threatened to kidnap him and that he would never see his family again if he told, and upon my own personal investigation.

*Susan L Pickrell*

(SIGNATURE OF COMPLAINANT)

Sworn to and subscribed before me this 2<sup>nd</sup> day of March, 1988

*Dennis E. [redacted]*

DISTRICT JUDGE

(SEAL)

In the Superior Court of the State of Alaska  
FIRST Judicial District, KETCHIKAN, Alaska

STATE OF ALASKA

Plaintiff

DUANE SINCLAIR  
DOB: 6/16/42

Defendant(s)

INDICTMENT

FOR

SEXUAL ABUSE OF A MINOR  
Violation Section AS 11.41.440 (a) (2)

No. IKE-882-725C

The Grand Jury Charges:

That on or about the 16th day of April, 1982, at  
or near Ketchikan, in the First Judicial District, State of  
Alaska,

DUANE SINCLAIR, being 16 years of age or older,  
did unlawfully engage in sexual contact with CA\*, a person  
below 13 years of age.

All of which is a class C felony offense being  
contrary to and in violation of AS 11.41.440 (a) (2) and  
against the peace and dignity of the State of Alaska.

DATED: July 16, 1982

A TRUE BILL

  
LOUIS JAMES MENENDEZ  
ASSISTANT DISTRICT ATTORNEY

  
GRAND JURY FOREMAN

Witnesses:

Sgt. David West KPO  
Terry Anderson  
[Redacted]

\* a minor, whose full name is on file with the District  
Attorney's office.



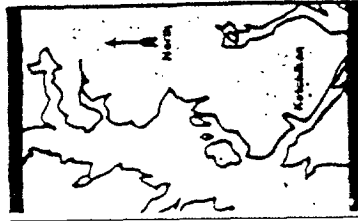
Alaskans to discuss  
 forming Separating  
 with Soviets



**WAVEMAKER**  
 Customers caught  
 between KPU  
 procedures See page 2

# Ketchikan Daily News

Ketchikan, Alaska, Thursday, March 10, 1988 40 Cents



## Scoutmaster held on abuse charges

... case related to sexual abuse of a minor. He was charged in 1982 for sexual abuse of a minor and was found innocent in July 1983. Boy Scout Scoutmaster John Rooney, Boy Scout Council executive in June, declined to comment on the charges. He has been charged with sexual abuse of a minor in the past. He has a maximum sentence of 10 years in jail and up to a \$50,000 fine. This is the second time Rooney has been charged with sexual abuse of a minor. He was charged with sexual abuse of a minor in 1982. He was found innocent in July 1983. He was charged with sexual abuse of a minor in 1982. He was found innocent in July 1983.

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 ch team surveyed



Lunch at Sardi's  
goes to the dogs

See page 12

Company sues woman  
who told state  
the firm owed taxes

See page 3

# Ketchikan Daily

Vol. 53, No. 058 (USPS 293-940), 12 Pages

Ketchikan, Alaska, Friday, Mar

## Sinclair posts property bond; suspended from Boy Scouts

A judge Thursday arraigned Ketchikan Boy Scout leader Duane Sinclair in a sexual abuse case involving a 10-year-old boy.

Sinclair, 45, was to be released on \$50,000 bail using a property bond as collateral. His release was pending notarization of the bond Thursday afternoon.

He did not enter a plea Thursday before Judge George Gucker. A preliminary hearing has been set for 3 p.m. March 29.

Sinclair, who has been active in Ketchikan's Boy Scout program for many years, has been accused of engaging in sexual penetration and sexual contact with the boy, according to a criminal complaint filed by police in Ketchikan Superior Court.

Police arrested and charged him Wednesday with two counts of sexual abuse of a minor.

Three people claim to have witnessed the acts in Sinclair's truck in the 800 block of Water Street on the evening of March 3, court records show.

The 10-year-old was a member of the Boy Scout organization, said District Attorney Mark Ellis.

Sinclair was scoutmaster for Troop No. 14, said John Rooney, council executive for the Southeast Alaska Area Council in Juneau. Rooney came to Ketchikan Thursday in connection with the case and said Sinclair's registration with the Boy Scouts has been suspended.

"We understand that criminal charges have been brought against him and the matter is in the hands of the authorities," Rooney said Thursday. "Under the circumstances, any comment on the case by the council at this time would be inappropriate."

If convicted, Sinclair would face a maximum sentence of 30 years in jail and up to a \$75,000 fine for the first-degree sexual abuse charge. The second count, second-degree sexual abuse, carries a maximum sentence of 10 years in jail and up to a \$50,000 fine.

This is the second time Sinclair has been charged in a case related to sexual abuse of a minor. He was tried in Ketchikan in 1982 on an abuse charge and found innocent in a jury trial.

## Judy Arteaga

Judy Arteaga, librarian at Schoenbar Junior High School, was chosen 1988 School Librarian of the Year by the Alaska Association of School Librarians.

The award came as a surprise to Arteaga at the library association's conference Sunday in Fairbanks.

"I'm very, very grateful to the staff for nominating me," Arteaga said. She emphasized that it's the Schoenbar staff that makes her work possible.

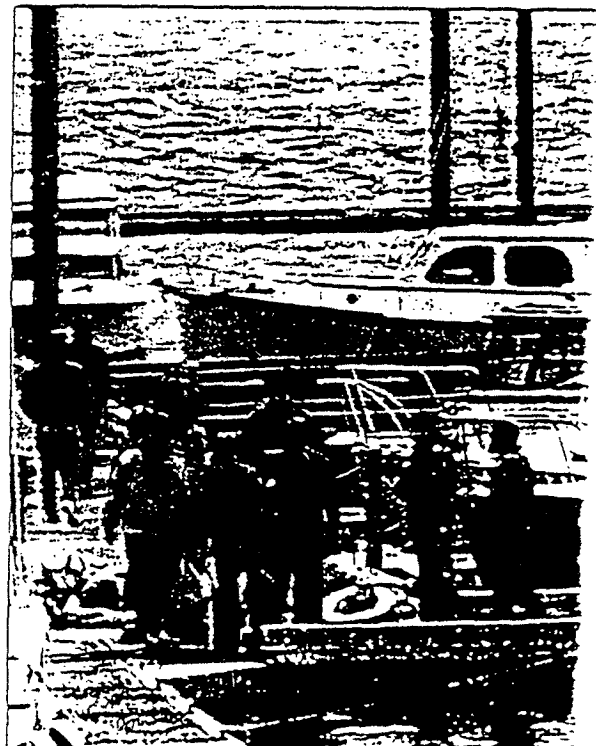
"I work with absolutely the greatest staff," she said.

Arteaga has been Schoenbar's librarian for eight years and librarian

at Valley prior to master's scholarship from Oregon in 1981.

Arteaga works at Main School Ketchikan. She has an interest in pursuing a master's degree in her master's

work at libraries in the network. She was paid \$17,000



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See page 12

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# Ketchikan Daily News

USPS 293-940, 12 Pages

Ketchikan, Alaska, Tuesday, October 4, 1988

## Sinclair changes plea to no contest

Duane J. Sinclair has changed his plea on six counts of sexual abuse of a minor to no contest. Previously pleading innocence, he entered the new plea on Monday afternoon before Judge Thomas Schulz in Ketchikan Superior Court.

District Attorney Mark Eells told the judge that a plea agreement between the state and Sinclair's attorney Will Woodell calls for a total sentence of 15 years, with 6 years and 7 months suspended. Sinclair therefore would serve 8 years and 5 months for all counts.

The agreement also calls for a five-year probation after Sinclair's release, with a treatment program for sexual offenders required as a condition of probation.

Sinclair told the judge he agreed with the terms of this agreement.

Eells said the state also will seek restitution in excess of \$200,000 for the victim and his family.

Sinclair, a former Boy Scout leader, was indicted by a grand jury on four counts of first-degree sexual abuse and two counts of second-

degree sexual abuse. Before the change of plea, Sinclair had pleaded innocent to all counts. A jury trial had been expected to be scheduled during Monday's court proceedings.

Schulz accepted the new plea. However, he said he will decide whether to accept the agreement after reviewing a pre-sentencing report. If he hands down a stiffer sentence, Sinclair will have an opportunity to change his plea.

A finding of guilty on such a felony typically requires immediate incarceration without bail. However, Schulz allowed a delay as requested in Eells' report. Sinclair will begin time in jail on Nov. 25, and his sentencing is scheduled Dec. 16.

Eells indicated the change of plea at this time was in consideration for the victim's need to begin therapy or counseling as soon as possible.

The maximum sentence for first-degree sexual abuse of a minor is 30 years in jail and up to a \$75,000 fine. For second-degree sexual abuse, the maximum sentence is 10 years and a \$50,000 fine.



Duane Sinclair, left, and attorney, Will Woodell, during Monday's court proceedings.

Photo by Nell Anderson