

APPENDIX A

CONFIDENTIAL RECORD SHEET

REGISTRATION SERVICE
BOY SCOUTS OF AMERICA

Date 7/1/88

Social Security Number _____

Full name MICHAEL J. ERWIN

Address _____

CARVER State MA ZIP 02330

Date of birth 4/3/49 (This is important and should be exact.)

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

Religion _____ Nationality _____

Occupation COMPUTER SYSTEMS ANALYST

Education _____

Weight 180? Height 5'10"? Race W

Color of hair RED-BROWN Color of eyes BLUE

Outstanding characteristics or interests _____

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

Spouse's name: _____

Scouting connections:

Unit No.	City	State	Position	Date registered	Date resigned
<u>7</u>	<u>TAUNTON, MA</u>	<u>MA</u>	<u>MC</u>	<u>1/88</u>	

Special Recognition _____

Suspended or denied registration for following reasons: SUSPICION OF SEXUAL ABUSE

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

Signed [Signature]
Scout Executive

NO. 1. E. D. Council ANNAPOLIS #225

CONFIDENTIAL

JUL 12 1988

OCT 26 '88

7

F. STARON

JOSEPH L. ANGLIM

October 27, 1988

Mr. Frederick R. Govain
Scout Executive
Annawon Council, No. 225

PERSONAL AND CONFIDENTIAL

SUBJECT: Michael J. Erwin

Dear Fred:

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: Northeast Region

READY TO FILE
OCT 27 1988
ERIN O'RILEY

CONF021684

July 7, 1988

Mr. Frederick R. Govain
Scout Executive
Annawon Council, No. 225

PERSONAL AND CONFIDENTIAL

SUBJECT: MICHAEL ERWIN

Dear Fred:

Thank you for the material which you recently sent us concerning the registration of Mr. Erwin. We believe you have sent us all the information which we requested. This will enable us to set up a file which will lead to refusal of future registration attempts.

If any other material becomes available to you that would further substantiate this refusal, please don't hesitate to send it.

We would like to know whether or not the Troop 7 chartered organization refused Mr. Erwin registration. Did they send him a letter or did they remove him in some other way?

Thanks again for your help in protecting the youth of America.

Sincerely,

Paul Ernst, Director
Registration Service

pan

cc: Northeast Region

*Larry MacMullen
July 8, 1988
Ready for file*

CONF021685

MEMO



From the desk of . . .

Frederick R. Govain

7/1/88

*Will be removed on
our next transmittal*

#880-60#

ANNAWON COUNCIL, INC.
BOY SCOUTS OF AMERICA

TAUNTON, MA 02780

CONF021686



Annawon Council, Inc. 225 Boy Scouts of America

219 WINTHROP STREET

TAUNTON • MASSACHUSETTS 02780

TELEPHONE [REDACTED]

FREDERICK R. GOVAIN
Council Executive

THOMAS W. JOHNSTON
Senior District Executive

THADDEUS M. FIGLOCK
District Executive

COPY
[Handwritten mark]

June 20, 1988

Mr. Michael Erwin
[REDACTED]
Carver, MA 02330

Dear Mr. Erwin:

After careful review, we have decided that your registration with the Boy Scouts of America should be suspended. We are therefore compelled to request that you sever any relations that you may have with the Boy Scouts of America. A 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 suspend registration whenever there is a concern that an individual may not meet the high standards of membership which the BSA seeks to provide for American youth.

If you wish to have this decision reviewed by a council review committee, 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 reinstated. The procedures for a review of this decision are attached.

Sincerely yours,

Victor G. Vaughan, Jr.
Victor G. Vaughan, Jr.
Council President

Deleted registration
7/11/88
cm

Delivered
7/11/88
F. R. Govain
S.E.



Annawon Council, Inc. 225 Boy Scouts of America

219 WINTHROP STREET

TAUNTON • MASSACHUSETTS 02780



FREDERICK R. GOVAIN
Council Executive

THOMAS W. JOHNSTON
Senior District Executive

THADDEUS M. FIGLOCK
District Executive

June 15, 1988

Mr. Rudy Flythe
Regional Director
Northeast Region
Boy Scouts of America
P.O. Box 350
Dayton, N.J. 08810

CONFIDENTIAL

Dear Mr. Flythe:

Your letter from Mrs. Buttermore of Taunton, MA dated May 13, 1988 was delivered to me by Area Director Harry Spanier on June 7, 1988 following our return from the National Meeting in San Diego. On June 9, 1988, I met with Harry Spanier to discuss the same and advised him that I would reply to you directly.

May I state that our council and I, as a Scouting professional with 39 years service, consider any alleged incident of sexual abuse as a matter of extremely serious concern and as intolerable.

There has been, however, a misinterpretation of the facts and an apparent lack of communication in this particular case.

The alleged incident reported to you occurred on a private trip outside of Scouting almost five years ago and only recently divulged. While the individuals involved were registered in Scouting and traveled to the 1983 World Jamboree in Canada, the trip was not sponsored by the council or by a chartered unit.

We do not propose, at this writing, to answer every question raised or to speak to every paragraph written but to merely give you a summary of the facts and the action taken.

Each parent of the boy met independently with me. [REDACTED], the father, initially related the story and added that Mr. Erwin had been a close family friend. We advised him to keep the allegation strictly confidential from fellow scouters. We also advised him that his proposed confrontation with Mr. Erwin was his prerogative.

We immediately began gathering the facts in a confidential manner. In so much as five years had passed since the alleged incident and the trip was not an official Scout function, time was needed for research and reflection.

Several days after [REDACTED] visit, his wife, [REDACTED], came to the Council Office and repeated the story. Every courtesy was extended to her along with sympathetic understanding and genuine concern. She was advised to send the council a letter in her capacity as troop chairman asking that Mr. Erwin be removed from her troop charter. This action would meet the responsibility of the chartered partner for its own leadership selection. She was assured that the matter of registration, if any, would be properly handled by the Boy Scouts of America.

Following her visit, she sent me a brief letter summarizing her story but not in the detail of the letter to your office.

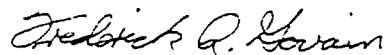
As a family prerogative, and without council knowledge, [REDACTED] consulted a rape crisis center which notified the Department of Social Service and subsequently the local District Attorney's office. The District Attorney's office notified the council that the matter was under investigation and stated that the council would be further advised of any action.

A comprehensive attempt to gather all pertinent and available facts was made for consultation with the Council President. Since a question arose about whether the incident properly falls under Scouting or under the family jurisdiction, a decision was made to seek advice of legal counsel before following procedures for the suspension of registration.

We have spoken with legal counsel who reviewed the matter in complete detail. He has advised, in his opinion, that we have proceeded properly. He further states that if a crime did occur it took place outside our jurisdiction. He has further advised that it would be appropriate to forward a letter suspending the registration of Mr. Erwin and that this suspension will be accomplished forthwith.

Our primary concern has been for the well-being of [REDACTED] and we stand ready to offer our full support in the proper disposition of this matter.

Sincerely,



Frederick R. Govain
Council Executive

FRG/dc

CONF021689

Recd Certified Mail 5/17/88
hw

[REDACTED]
Taunton, MA 02780
May 13, 1988

Rudy Flythe
Regional Director
Northeast Region
Boy Scouts of America
P.O. Box 350
Dayton, New Jersey 08810

COPY 

Dear Mr. Flythe,

I am writing to express my dissatisfaction with the response my husband and I received recently from the Scout Executive, Mr. Frederick Govain, when we reported a case of sexual abuse to him. We do not feel he followed the Youth Protection Guidelines of the Boy Scouts of America.

To begin with, on April 14, 1988 my son [REDACTED] confided in me that while on a trip to the 1983 World Scout Jamboree held in Alberta, Calgary, Canada he had been sexually molested by Michael Erwin, then Scoutmaster of Troop 48, Carver, Massachusetts. Mike, [REDACTED] (age 12), and another boy, [REDACTED] (age 17) were travelling in a camper Mike had rented. This camper had two beds. When [REDACTED] went to go to bed, [REDACTED] was already asleep and sprawled across the bed. Mike told [REDACTED] to sleep with him. Being twelve and trusting, [REDACTED] did. The next morning [REDACTED] woke up with Mike rubbing his back. That night, Mike again told [REDACTED] to sleep with him. The next morning Mike began rubbing [REDACTED] back, then his buttocks, and then began fondling his genitalia. [REDACTED] became frightened and pretended to be asleep. [REDACTED] was able to get to a phone, and tried to call us, but was unable to get through. He tried to avoid Mike as much as possible for the rest of the trip. [REDACTED] had no knowledge of what had taken place.

Mr. Erwin is no longer Scoutmaster of Troop 48, but up until this time has been involved with my husband's Troop, Troop 7.

CONF021690

COPY 


and sleep in Mike's sleeping bag. She felt this to be inappropriate behavior and confronted Mike. He explained his behavior as a means of preventing hypothermia; the only problem, according to [REDACTED] was that [REDACTED] had not complained of the cold, his younger brother [REDACTED] had complained of being cold. Mike had [REDACTED] sleep in two sleeping bags, his own and [REDACTED]

Mr. Govain advised my husband at this time to not discuss the sexual abuse incident, as we would not want to be charged with slander, and that he had every right as a parent and troop leader to confront Mike with the charge.

On April 16, 1988 my husband went to Mr. Erwin's home and confronted him with what [REDACTED] had told us. He denied it ever happened. My husband told him to never come near our children, to stay away from our home, and to not involve himself with Troop 7.

This was the only action taken, and I was very dissatisfied with Mr. Govain's response. I felt he was not addressing the issue seriously enough. He made no attempt to contact and interview either Mr. Erwin or [REDACTED]. He also did not report the abuse to the proper authorities.

I went to see Mr. Govain on April 20, 1988. At this meeting I requested to know specifically what was being done in response to our complaint. Mr. Govain wanted to know why [REDACTED] had waited five years to come forward with reporting this "thing", and he wanted to know about my conversation with [REDACTED]. I answered both his questions. I wanted to be assured that Mr. Erwin would not be in a situation again in which he would be dealing with boys. I asked if there were a list that his name could be put on to prevent him from joining another Scout group. Mr. Govain said that such a list used to exist, but one had to be charged and convicted to be put on it, so it has been done away with. He then got up and told me to put this thing behind us and "look to happier times, like [REDACTED] receiving his Eagle Scout Award next week." At this point I again asked what he intended to do [REDACTED]

COPY 

did Mike become angry as "he has a bad temper you know." At this point I realized that the Council and/or Mr. Govain should have been the one to confront Mr. Ervin. Not only was my husband in physical danger had the meeting not gone well, but if a scuffle had taken place our charge would have appeared retaliatory. At this time I left the Scout office.

I contacted a rape crisis center this same day seeking advise. I left my name and was contacted the next day. I reported that my son had been sexually abused in 1983 by a youth group leader, and I wanted some advise on how to handle the situation. I also was not sure what my legal obligations were, in view of the fact that this incident happened out of State. Finally, I requested counseling for my son. The center advised me to go to the local police. My husband was reluctant to do this. Meanwhile, the center again contacted me and informed that they found they were required by law to report the case to the state Department of Social Services. They then took all the information I had.

We were interviewed by William Brennan of Social Service on May 2, 1988. He is now preparing to talk to Mr. Erwin, Has already interviewed [REDACTED] and will present his findings to the District Attorney. Mr. Brennan also felt as I do that Mr. Govain did not respond properly to this situation. He is not at liberty, however, to approach Mr. Govain on his performance.

Please know that we are a Scouting family, and believe in the merits of Scouting. We recognize that Mr. Erwin and Mr. Govain are not reflective of Scouting leaders as a whole. We have been involved with Scouting for ten years, and the good by far outweighs the bad.

Thank you for your attention in this matter, I look forward to hearing from you.

Sincerely Yours,
[REDACTED]

COPY

Taunton, Mass, 02780
April 20, 1988

Mr. Frederick Govain
Scout Executive
Boys scouts of America
Annawon Council
Taunton, Mass. 02780

Dear Mr. Govain

This is a follow up letter of our conversation of this date in your office. I want to be sure you are informed of the facts in this case, and a summary of same follows.

On April 14, 1988 my son [redacted] related to me that he has been sexually molested by Michael Erwin while on their trip to the Calgary Canada, scouting jamboree of 1983. [redacted] stated that Michael had [redacted] sleep with him; being twelve years old and trusting [redacted] did. In the morning Mike began rubbing [redacted] back, then his buttocks, and then his genitals. [redacted] became frightened, and pretended to be asleep, as he stated he did not know how to handle the situation. He then tried to call us during the day, but was unable to.

I am aware that this is a delicate matter, but it can not be minimized. I trust you will follow Boy Scout procedure in handling the above situation.

Sincerely Yours,

[redacted signature block]

COPY

Taunton, Ma. 02780
April 20, 1988

Mr. Frederick Govain

Taunton, Ma. 02780

Dear Fred,

As committee chairman of troop seven, I am formally requesting that you remove Michael Erwin from the troop roster.

Sincerely Yours

COPY

Check	Credit Account	Receipt noted by comptroller
Cash		

(National office use)



APPLICATION FOR

19th Scottish International Patrol Jamboree

(Enter name of tour here.)



SCOUTING FRIENDSHIP TOUR—INTERNATIONAL

ERWIN		MICHAEL	J	<input checked="" type="checkbox"/> Leader	<input type="checkbox"/> Scout	<input type="checkbox"/> Explorer
Last Name		First Name				

[Redacted]									
Your Address—Number and Street									

WEST	WAREHAM	MASS	02576
City and State			ZIP Code



[Redacted]	040249		48
Home Telephone No.	Mo.	Day	Year
	Birthday		Local Council Troop No.

- Enclosed herein is the \$50 deposit with this application.
- In consideration of the benefits to be derived from the applicant's participation in the Scouting Friendship Tour, any and all claims against the Boy Scouts of America or its local council, or any of the officers, employees, agents or other representatives of the aforementioned, or any other persons working under the direction or engaged in the conduct of their affairs, arising out of any accident, illness, injury, damage, or other loss or harm incurred or suffered by the applicant, named above, or to his or her property in connection with or incidental to the Scouting Friendship Tour, including preliminary training and travel, are hereby expressly waived.
- It is agreed that the applicant will meet the health and physical fitness requirements for the Scouting Friendship Tour which includes examination by a physician licensed to practice medicine (who will use the form provided by the Boy Scouts of America for this purpose). It is understood that the applicant must be physically capable of the vigorous and strenuous activities that are scheduled during the specific event and that the applicant must be capable of speaking clearly and directly.
- It is understood that the Scouting Friendship Tour may be covered by news media and moviemaking or broadcasting companies, and I consent to the use of the applicant's voice, picture, and written or verbal statements in the news coverage, moviemaking, or similar projects approved by the Boy Scouts of America.

Signature of Applicant: Michael Erwin
(Personal signature required)

Date: Jan 5 1983

Signature of Parent/Guardian: _____

Date: _____

Signature of Parent/Guardian: _____

Date: _____
(Both parents or guardians to sign)

In case of emergency notify:

Mr./Mrs./Ms. CHARLES ERWIN

Address: [Redacted]

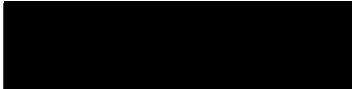
West

© 1982 Boy Scouts of America



BOY SCOUTS OF AMERICA

Northeast Region



Rudy Flythe
Regional Director

June 24, 1988

Mr. Frederick R. Govain, SE
ANNAWON COUNCIL, BSA

[Redacted]
Taunton, MA 02780

Dear Fred:

Thank you for your June 15 letter regarding the [Redacted] family complaint.

In order to ~~close~~ our file I will need a copy of the letter delivered to Mr. Erwin suspending his registration.

As a matter of record, don't forget to forward copies of all materials and correspondence to Paul Ernst in Dallas.

Look forward to seeing you at Top Hands.

Sincerely,

Co 225 30007 ID # 007316

RUDY FLYTHE
Regional Director

hw

cc: Harry Spanier
Paul Ernst (w/attachments)

*Added to CF file.
Have not deleted registration
pinning work from Co.*



Annawon Council, Inc. 225
Boy Scouts of America

219 WINTHROP STREET

TAUNTON • MASSACHUSETTS 02780

TELEPHONE [REDACTED]

FREDERICK R. GOVAIN
Council Executive

THOMAS W. JOHNSTON
Senior District Executive

THADDEUS M. FIGLOCK
District Executive

June 15, 1988

Mr. Rudy Flythe
Regional Director
Northeast Region
Boy Scouts of America

[REDACTED]
Dayton, N.J. 08810

NORTHEAST REGION
BOY SCOUTS OF AMERICA

JUN 22 1988

DAYTON, NEW JERSEY 08810

Dear Mr. Flythe:

Your letter from [REDACTED] of Taunton, MA dated May 13, 1988 was delivered to me by Area Director Harry Spanier on June 7, 1988 following our return from the National Meeting in San Diego. On June 9, 1988, I met with Harry Spanier to discuss the same and advised him that I would reply to you directly.

May I state that our council and I, as a Scouting professional with 39 years service, consider any alleged incident of sexual abuse as a matter of extremely serious concern and as intolerable.

There has been, however, a misinterpretation of the facts and an apparent lack of communication in this particular case.

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We do not propose, at this writing, to answer every question raised or to speak to every paragraph written but to merely give you a summary of the facts and the action taken.

Each parent of the boy met independently with me. [REDACTED] the father, initially related the story and added that Mr. Erwin had been a close family friend. We advised him to keep the allegation strictly confidential from fellow scouters. We also advised him that his proposed confrontation with Mr. Erwin was his prerogative.



CONF021697

We immediately began gathering the facts in a confidential manner. In so much as five years had passed since the alleged incident and the trip was not an official Scout function, time was needed for research and reflection.

Several days after [REDACTED]'s visit, his wife, [REDACTED] came to the Council Office and repeated the story. Every courtesy was extended to her along with sympathetic understanding and genuine concern. She was advised to send the council a letter in her capacity as troop chairman asking that Mr. Erwin be removed from her troop charter. This action would meet the responsibility of the chartered partner for its own leadership selection. She was assured that the matter of registration, if any, would be properly handled by the Boy Scouts of America.

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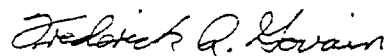
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We have spoken with legal counsel who reviewed the matter in complete detail. He has advised, in his opinion, that we have proceeded properly. He further states that if a crime did occur it took place outside our jurisdiction. He has further advised that it would be appropriate to forward a letter suspending the registration of Mr. Erwin and that this suspension will be accomplished forthwith.

Our primary concern has been for the well-being of [REDACTED] and we stand ready to offer our full support in the proper disposition of this matter.

Sincerely,



Frederick R. Govain
Council Executive

FRG/dc

CONF021698

May 31, 1988

[REDACTED]
Taunton, MA 02780

Dear [REDACTED]:

I've just returned to my office following an extended trip. Your letter of May 13 is very much appreciated, and please be reassured that follow up action will take place.

Thank you for your involvement and support of Scouting.

Sincerely,

RUDY FLYTHE
Regional Director

hw

CONF021699



Northeast Region
Boy Scouts of America

May 18, 1988

TO: HARRY SPANIER

I am forwarding a copy of
this complaint to you which
we received by certified mail
on May 17, 1988.

Mr. Flythe will be in touch
with you after you both return
from the San Diego meeting.

Helen

Enc.

Recd Certified Mail 5/17/88
hw

██████████
Taunton, MA 02780
May 13, 1988

Rudy Flythe
Regional Director
Northeast Region
Boy Scouts of America
P.O. Box 350
Dayton, New Jersey 08810

Dear Mr. Flythe,

I am writing to express my dissatisfaction with the response my husband and I received recently from the Scout Executive, Mr. Frederick Govain, when we reported a case of sexual abuse to him. We do not feel he followed the Youth Protection Guidelines of the Boy Scouts of America.

To begin with, on April 14, 1988 my son ██████████ confided in me that while on a trip to the 1983 World Scout Jamboree held in Alberta, Calgary, Canada he had been sexually molested by Michael Erwin, then Scoutmaster of Troop 48, Carver, Massachusetts. Mike, ██████████ (age 12), and another boy, ██████████ (age 17) were travelling in a camper Mike had rented. This camper had two beds. When ██████████ went to go to bed, ██████████ was already asleep and sprawled across the bed. Mike told ██████████ to sleep with him. Being twelve and trusting, ██████████ did. The next morning ██████████ woke up with Mike rubbing his back. That night, Mike again told ██████████ to sleep with him. The next morning Mike began rubbing ██████████ back, then his buttocks, and then began fondling his genitalia. ██████████ became frightened and pretended to be asleep. ██████████ was able to get to a phone, and tried to call us, but was unable to get through. He tried to avoid Mike as much as possible for the rest of the trip. ██████████ had no knowledge of what had taken place.

Mr. Erwin is no longer Scoutmaster of Troop 48, but up until this time has been involved with my husband's Troop, Troop 7.

On April 15, 1988 my husband met with Mr. Frederick Govain and reported this abuse case to him. During this interview, my husband also related to Mr. Govain a conversation I had had in the past with ██████████. ██████████ had asked me if I had noticed anything about Mike which would seem odd. She went on to express her concern over an incident in which Mike had had her son ██████████ undress

and sleep in Mike's sleeping bag. She felt this to be inappropriate behavior and confronted Mike. He explained his behavior as a means of preventing hypothermia; the only problem, according to [REDACTED] was that [REDACTED] had not complained of the cold, his younger brother [REDACTED] had complained of being cold. Mike had [REDACTED] sleep in two sleeping bags, his own and [REDACTED]

Mr. Govain advised my husband at this time to not discuss the sexual abuse incident, as we would not want to be charged with slander, and that he had every right as a parent and troop leader to confront Mike with the charge.

On April 16, 1988 my husband went to Mr. Erwin's home and confronted him with what [REDACTED] had told us. He denied it ever happened. My husband told him to never come near our children, to stay away from our home, and to not involve himself with Troop 7.

This was the only action taken, and I was very dissatisfied with Mr. Govain's response. I felt he was not addressing the issue seriously enough. He made no attempt to contact and interview either Mr. Erwin or [REDACTED]. He also did not report the abuse to the proper authorities.

I went to see Mr. Govain on April 20, 1988. At this meeting I requested to know specifically what was being done in response to our complaint. Mr. Govain wanted to know why [REDACTED] had waited five years to come forward with reporting this "thing", and he wanted to know about my conversation with [REDACTED]. I answered both his questions. I wanted to be assured that Mr. Erwin would not be in a situation again in which he would be dealing with boys. I asked if there were a list that his name could be put on to prevent him from joining another Scout group. Mr. Govain said that such a list used to exist, but one had to be charged and convicted to be put on it, so it has been done away with. He then got up and told me to put this thing behind us and "look to happier times, like [REDACTED] receiving his Eagle Scout Award next week." At this point I again asked what he intended to do about Mr. Erwin. He said "if Mike applies for another position in Scouting, we will scrutinize his application." He then requested that I, as Committee Chairman of Troop 7, send him a letter requesting that Mike's name be removed from the Troop's roster. He said this letter would be put in the "back" file, not up front.

In the course of this same meeting, I informed Mr. Govain of my husband's meeting with Mike. He asked how that went and

did Mike become angry as "he has a bad temper you know." At this point I realized that the Council and/or Mr. Govain should have been the one to confront Mr. Ervin. Not only was my husband in physical danger had the meeting not gone well, but if a scuffle had taken place our charge would have appeared retaliatory. At this time I left the Scout office.

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Thank you for your attention in this matter, I look forward to hearing from you.

Sincerely Yours,
[REDACTED]