

CONFIDENTIAL RECORD SHEET
REGISTRATION SERVICE
BOY SCOUTS OF AMERICA

DATE: 8/17/89

FULL NAME Scott M. Winner
(No initials if you can possibly get full name)

S.S. NO [REDACTED]

ADDRESS [REDACTED]

CITY Norwich STATE New York ZIP CODE 13815

DATE OF BIRTH 3/31/70 (This is important and should be exact)

APPROXIMATE AGE _____ (To be used ONLY when date of birth is not known)

RELIGION Protestant NATIONALITY (Citizen of) USA

OCCUPATION Student SUNY at Cortland (will be a sophomore)

EDUCATION _____

WEIGHT 150 HEIGHT 5'10" approximately RACE White

COLOR OF HAIR Light brown COLOR OF EYES _____

ANY DISTINGUISHING PHYSICAL CHARACTERISTICS _____

HOBBIES OR SPECIAL INTERESTS Plays violin/viola

MARRIED SINGLE NAME OF SPOUSE _____

CHILDREN _____
(Name, number, ages, if possible)

SCOUTING CONNECTIONS:

UNIT #	CITY	STATE	POSITION	DATE REGISTERED	DATE RESIGNED
S150	N. Syracuse	NY	ASM	1/89 trans. from youth status on unit rechar	
S150	N. Syracuse	NY	Scout	1/27/87 trans from Susquenango Council	
Chartered Organization					

SPECIAL RECOGNITION Life Scout, National Jamboree (1985), Philmont (1988) OA

INCIDENT: TYPE 1 DATE OF INCIDENT 7/28/89 RESOLUTION 5,2,3 Confessed/Convicted
Type Resolution

- 1=Scout Related
- 2=Non-scout related
- 3=homosexual (not specifically with youth)
- 1. Internal (only Scouts Know)
- 2. Criminal action
- 3. Court action
- 4. Probationary status
- 5. Reported to state agency

Check off list of attached documentation

- 1. Description of incident **NOTED**
- 2. Victim(s) statement
- 3. media reports **AUG 30 1989**
- 4. Legal proceedings
- 5. Offender's statement **JOSEPH L. ANGLIM**
- 6. Official notification of termination
- 7. Found guilty/innocent by court

Council Hiawatha #373

Signed _____

SCOUT EXECUTIVE

CONFIDENTIAL
28 1989
STARON



BOY SCOUTS OF AMERICA

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

8-17-89 -
I HAVE WRITTEN
TO THE REQUESTOR
ON STREET.
Paul

David K. Park

S400

RECEIVED

AUG 17 1989

DAVID K. PARK



HIAWATHA COUNCIL, INC.

BOY SCOUTS OF AMERICA

600 WEST GENESEE STREET
SYRACUSE, NEW YORK 13204-2380

July 31, 1989

TO: ESIS
BSA RISK MANAGEMENT

FROM: DONALD F. BLACKER *[Signature]*
SCOUT EXECUTIVE

RE: SEXUAL ABUSE INCIDENT AT SABATTIS SCOUT RESERVATION
(PRELIMINARY REPORT BASED ON PHONE CONVERSATION WITH CAMP DIRECTOR
- TO BE SUBSTANTIATED WITH RECEIPT OF OFFICIAL REPORTS, DEPOSITIONS,
ETC.)

On Saturday morning, July 29, 1989 I received a call from our Director at Sabattis Scout Reservation (Michael Surbaugh) indicating that the Scoutmaster of Troop 81 [REDACTED] reported to him that one of his Scouts ([REDACTED], age 13) had been sexually abused during the night by staff member (Scott Winner, age 19), and that the incident had been witnessed by 12 year old Scout [REDACTED].

Mike Surbaugh and I agreed that he would:

- Call the NYS Health Department officer as required by law and follow his direction re: police, etc.
- Interview the Scouts and get statements
- Interview and restrict the staff member

I spoke to Mike an hour later. The Health Dept. Officer (Vic Pisasni) advised Mike to call the New York State Police, which he did and they were on their way in to camp.

The Police (Investigator Edwin L. Dyer and a Trooper) interviewed the Scouts and took depositions. They spoke with the staff member (Scott Winner), received a confession, arrested him and took him away.

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The Scoutmaster, John Kendrick, drove Scouts [redacted] and [redacted] home from camp. He, Larry Bystran, Assistant Scout Executive, and I met with the parents of [redacted] to share with them the facts, offer our support, answer any questions, etc. Their concern was for the future emotional stability of their son. We suggested they commend their son as he stopped the incident before it became serious (see incident description). I suggested that they might wish to have their son see a professional (for counseling) and that the Council would pay the fee.

They seemed satisfied with the way the incident was handled and were hopeful their son would not have to undergo further investigation or testify in court.

Upon review of all of the facts and actions taken, the Health Officer, Vic Pasini, informed [redacted] that he performed properly throughout the incident.

On Sunday morning, July 30th, [redacted] spoke with the State Police to learn that Scott Winner confessed before the Judge and was sentenced to 60 days in jail. He is currently serving 8 days in Lake Pleasant jail. The balance to be served on weekends.

Mike would attempt to call and talk with Scott to indicate his employment was terminated and that he was to sever all relationships with Scouting. I indicated that we would follow up with the standard letter from the Council President.

When I receive copies of statements, notes, depositions, etc. from the Camp Director, I will forward them.

Mike Surbaugh, Camp Director, can provide further information if needed and can be reached at [redacted].

THE INCIDENT: (Per phone conversations with Camp Director). We will forward copies of formal statements when received from camp.

Scouts [redacted] and [redacted] were in bed for the evening in a shelter they had built for Wilderness Survival Merit Badge (in the woods adjacent to the Troop's campsite). Sometime between 11:00pm and midnight on July 28th, Camp Commissioner Scott Winner came to check on the Scouts and asked if they would like to go swimming. Scout [redacted] said "yes", Scout [redacted] remained at the shelter.

When nearing the waterfront area, they noticed staff members there still putting things away from the Campwide Campfire Program held earlier that evening. They went back to the shelter. Scott Winner invited both Scouts to come to his tent in the Commissioner area. When they got to his tent they played poker which eventually led to strip poker. The result was Scott Winner and Scout [REDACTED] having their clothing removed. Scout [REDACTED] clothing was not totally removed. Scott Winner and Scout [REDACTED] put their underwear back on. Scott suggested they go to bed for the night. Scott climbed into the sleeping bag with [REDACTED]. According to [REDACTED] Scott Winner touched his buttocks (which [REDACTED] thought was an accident). Then Winner touched [REDACTED] in the genital area. [REDACTED] said "no" and ended the incident. They, however, remained in the tent the balance of the night. Scout [REDACTED] later told his Dad that because of bears in the area, he was afraid to go back to his campsite. (Our Camp Director and the Scoutmaster feel he might have been afraid to go back because he broke the rules by leaving in the first place.)

In the morning the Scouts returned to their campsite and immediately told their Scoutmaster about the incident.

I personally reviewed the incident with legal counsel this morning, and over the phone with Area Director, Harry Pokorny.

August 1, 1989

Received a call from [REDACTED] (about 9:00 a.m.) asking about status of Scott Winner. I shared what I knew unofficially regarding disposition of the case and sentencing, but could not confirm until receiving official notice.

He expressed his continued concern that this could happen and indicated he had talked with counsel. He said he has no plan to pursue any legal action (at this time).

He expressed concern that Scott Winner might have hurt other boys and wanted to know if the Council would do anything to find out if so. I indicated that we would discreetly be doing exactly that, and that we would also prohibit Scott from any relationship with the Boy Scouts of America.

[REDACTED] suggested we should alert our units, that this incident happened, publicly embarrass Scott, and show what happens to people who commit such an act.

I discussed with [REDACTED] our Youth Protection Programs etc. and indicated that this was probably a better approach than a public disclosure.

He has a lot of respect for the BSA and what it does for youth and will probably not pursue this publicly as long as we keep him informed of the status.

dfb/mz

Attachments: Copy of Incident Report from Camp Director
Copies of Depositions taken by Police

SABATTIS SCOUT Reservation

Report of Incident

Saturday July 29, 1989 7:34 a.m.

John Kendrick, Scoutmaster T. 81 staying in Tanglebush Campsite, informed me of a child abuse allegation involving two boys in his camp site and one of the Camps Commissioners Scott Winner. I asked Mr. Kendrick to bring both boys to the Camp office at 8:45 a.m. so we could conduct the interviews and determine that misconduct had in fact taken place. I then asked Lamont Hahn, Program Director to check out troops assigned to Scott Winner and isolated Scott.

~~Interviews were~~

A call was placed to the Scout Executive at home. Steven Blacker answered and informed me that the scout Exec was not at home. He agreed to relay the message to Mr. Blacker. Blacker returned call at 8:41 a.m. Upon informing him of the situation, Mr. Blacker agreed to call back at 10:00 a.m. and get an update.

Interviews were conducted with both boys in the presence of Brian Wheeler, John Kendrick, and Mike Surbaugh. The actual interviews were conducted separately
(over)

and were identical to the deposition statements attached. At 9:10 a.m. I called the Health Dept. permit issuing official Victor Pisan. Mr. Pisan instructed me to call the State Police and indicated that although it was a police matter he wished to remain in contact and possibly conduct an on-site interview.

Ed Oyer
Troop "B"
Raybrook, NY

Upon calling the state police in Saranac Lake, NY, I spoke to Edwin Oyer, Investigator. Mr. Oyer said he would meet a Trooper and be on site within one hour. Upon recommendation of the state police I instructed Kendrick and the two boys [redacted] and [redacted] to remain in camp.

I then confronted Scott Winner with the accusation and asked him to respond. He said "I'm going to be sick" and became very ill to his stomach. After a few minutes he returned from the bathroom and requested to be taken to the infirmary. I said no, and took him back into my office. I repeated the accusation and once again asked him to respond. He at this point denied the accusation and said that upon checking on the boys they were cold

and he invited them to sleep in his tent. I asked several specific questions relating to the alleged incident which he denied. At this point I told him he would have an opportunity to discuss the matter with the State Police. Upon isolating him again in the Business office, I instructed the Camp Ranger to remain with him until the police arrived. Greg Andrews and Brian Wheeler maintained observation of Winner until police arrived.

Investigator Dyer arrived approx. 11:15 a.m. and conducted along with trooper Scott Rogers deposition statements. I was present during both depositions and they matched the notes I took from both boys. Inv. Dyer indicated an arrest would be made and confronted Winner who then confessed. Winner was read his rights, arrested and handcuffed. Inv. Dyer indicated I would be the complainant and it was necessary for me to press charges. I agreed. Winner was then taken to Tupper Lake station and Kendrick took both boys home. (see: Scout Exec. notes on parental visit) Numerous calls were made to both the SE, ASE and Vic Pisan keeping them abreast of developments. (over)

The state police called throughout the evening gathering further info, and keeping me updated. Victor Pisan and Ward Remington - arrived at 2:00 p.m. and left at 4:45 p.m. Their conclusion was that the incident was handled properly and no action was required on their part. As of 11:20 p.m. Scott Winder had been arraigned in Long Lake and made a full confession at the bench. He was convicted of a Class 2 misdemeanor and sentenced to 60 days in jail. He is currently serving 8 days in Lake Pleasant Jail and will return to camp on Monday, Aug. 6, 1989 to collect personal belongings. All personal effects have been placed in his automobile which was moved to the office parking lot for security. As of this writing, I have not been able to reach his parents. (Although advised by Dyer it was not necessary and not to do so until sentence was announced). A phone call has been made to Winder formally terminating his employment, although his paycheck has not yet been sent. Upon notification from him, we will appropriately send it to him.

MB [Signature]

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MB [Signature]

STATE OF NEW YORK

County of HAMILTON

TOWN of LONG LAKE

On 7/29/89 at 11:45 AM PM, I, [REDACTED] of SYRACUSE STATE NY

state the following: YESTERDAY, DURING THE AFTERNOON, [REDACTED] AND I WERE BUILDING A LEAN-TO, UNDER THE SUPERVISION OF SCOTT WINNER. SCOTT TOLD ME HE WOULD GIVE ME \$100.00 IF I WOULD SUCK HIS DICK. I SAID "NO". HE KEPT ON ASKING ME TO DO IT. AFTER WE FINISHED THE LEAN-TO, I WENT BACK TO MY CAMP. AT 8:00PM, WE WENT TO A CAMP FIRE. AFTER THAT, WE [REDACTED] AND I WENT TO THE LEAN-TO WE HAD BUILT. WE WERE SUPPOSED TO SLEEP IN IT LAST NIGHT. SCOTT WALKED US TO THE LEAN-TO. SCOTT LEFT AFTER TELLING US HE WOULD BE BACK IN ABOUT AN HOUR. WE FELL ASLEEP AND SCOTT CAME BACK AND WAKE US UP. THIS WAS ABOUT 11:00PM. SCOTT ASKED US IF WE WANTED TO GO SWIMMING. SCOTT THEN ASKED US TO GO TO HIS TENT. WE THEN WENT TO HIS TENT WHERE HE TAUGHT ME HOW TO PLAY POKER. [REDACTED] KNEW HOW TO PLAY. SCOTT ASKED IF WE WANTED TO PLAY STRIP POKER AND WE SAID WE DIDN'T CARE. [REDACTED] WAS, WHICH MEANS SCOTT AND I WERE NAKED. WE GOT OUR CLOTHES BACK AND I PUT MY SHIRT AND UNDER-SHORTS ON. I GOT INTO MY SLEEPING BAG AND SCOTT CAME OVER AND GOT IN MY SLEEPING BAG WITH ME. HE BEGAN FEELING MY GENITAL AREA AND TRIED TO PULL MY UNDER-SHORTS DOWN. I TOLD HIM TO STOP. I GOT OUT OF MY SLEEPING BAG AND SLEPT IN SCOTT'S BED. HE SLEPT IN MY SLEEPING BAG. [REDACTED] WHEN SCOTT GOT INTO MY SLEEPING BAG, HE WAS NAKED.

SWORN UNDER PENALTY OF PERJURY THIS 29TH DAY OF JULY 1989.

NOTICE: False statements made herein are punishable by a fine of up to \$500 or imprisonment for up to 1 year or both, pursuant to Section 160.50 of the Penal Law.

*Sworn to before me this _____ day of _____ 19 _____

(SIGNATURE) _____
(TITLE) _____

(WITNESS) _____
INV. E. L. DYER
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED AM PM
12:12
(DEPOSITION)

*NOTE: THIS FORM NEED BE SWORN ONLY IF COURT SPECIFICALLY REQUIRES OATH.

STATE OF NEW YORK)
County of HAMILTON)
TOWN of LONG LAKE)

On DATE 07/29/89 at TIME STARTED 12:15 AM PM, I, [REDACTED] DATE OF BIRTH [REDACTED]
[REDACTED] CITY NORTH SYRACUSE STATE NY

state the following: ON 7/27/89 [REDACTED] and I WERE Building a lean-to.
SCOTT WINNER Came up to us and I heard him tell [REDACTED] "I'll
give you \$100 if you will suck my dick." Then SCOTT showed us a
\$100 Bill. [REDACTED] SAID, "NO!"

ON 7/28/89 After the Campfire, SCOTT walked with [REDACTED] and I
back to our lean-to. He said he'd come back in an hour. I fell
asleep waiting for him. Next, [REDACTED] woke me up and told me
that he and SCOTT tried to go swimming, but the staff was still
there. Next, SCOTT asked us if we wanted to go to his tent
and play cards and sleep there. We really didn't want to go,
but SCOTT persuaded us. He was telling us chicken and stuff
like that, so we went. After we got to his tent we started
to play cards. We played polker and then we played STAR POLKER
Both [REDACTED] and SCOTT lost all their clothes and were naked. They both
got dressed when the game was done.

AFTER we finished playing cards, SCOTT SAID we should go to
bed. I got into my sleeping bag and [REDACTED] got into his. Next SCOTT
got undressed down to his underwear, turned out the lights and got
into the sleeping bag with [REDACTED] AFTER HE got INTO THE sleeping bag,
I heard SCOTT say that he couldn't sleep with his underwear on,
so he was going to take it off. Next I heard [REDACTED] say, "STOP! NO
[REDACTED] HELP ME!" Then SCOTT said, "I'm not going to hurt you,
I'm just feeling around." THEN [REDACTED] SAID that he wanted to sleep
on the bunk, and SCOTT said, "NO." THEN I DIDN'T HEAR ANY
MORE NOISE, AND I FELL ASLEEP.

SWORN TO UNDER PENALTY OF PERJURY THIS 29th DAY OF JULY 1989

NOTICE: False statements made herein are punishable under Chapter 175, Section 10.15 of the Penal Law.

*Sworn to before me this _____
day of _____, 19____

(SIGNATURE)

(TITLE)

(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED AM PM
12:30
(DEPOSITION)

*NOTE: THIS FORM NEED BE SWORN ONLY IF COURT SPECIFICALLY REQUIRES OATH.