

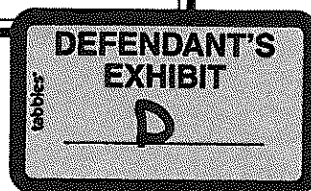
In The Matter Of:

*Adelman v.
Boy Scouts*

*Jeff Hunt
February 18, 2011*

*Friedman, Lombardi & Olson
19 West Flagler Street, Suite 924
Miami, FL 33130
(305) 371-6677*

Original File 021811JH.txt



Page 53

1 A. The property goes to the BSA.
2 Q. So do all of the assets and property owned
3 by each local council revert back to the Boy Scouts
4 of America if the local council loses its charter?
5 MR. SUMMERS: Objection to form.
6 A. Yes.
7 Q. Are the local council executives paid by
8 the local council?
9 A. Yes.
10 Q. Do they receive any payment or remuneration
11 in any fashion from the national organization?
12 A. No.
13 Q. Let me show you a document -- and we'll
14 have this marked as Exhibit 1 -- I'm giving you a
15 copy.
16 MR. SUMMERS: Good. I appreciate that.
17 (Discussion off the record, during which
18 the document referred to was marked Plaintiff's
19 Exhibit No. 1 for Identification.)
20 Q. Have you ever seen this document before?
21 A. No.
22 Q. It indicates that it was posted on the
23 U.S. Scouts organization web page.
24 Are you familiar with that web page?
25 A. No.

Page 54

1 Q. Do you know what the U.S. Scouts is?
2 A. No.
3 Q. Is that -- you don't know if that's a
4 function of the -- strike that.
5 On the top of this it indicates that it's
6 from the U.S. Scouting Service Project.
7 Do you know what that is?
8 A. No.
9 Q. Do you know whether this is an
10 organization -- at the end of it it says:
11 "bsaorg.asp" on the website. Is that --
12 A. I don't recognize this as an official
13 publication of the BSA.
14 Q. Have you ever seen anything similar to
15 this?
16 MR. SUMMERS: Objection. Form.
17 A. Some of the language, yes.
18 Q. This document indicates that -- strike
19 that. Let me ask the question this way.
20 Is Boy Scouting actually owned by the
21 National Council of Boy Scouts of America?
22 MR. SUMMERS: Council, are you asking him
23 about a document he says he's never seen?
24 MR. PELTZ: I asked him the question.
25 If you listen to the question, the question

Page 55

1 was: Is Boy Scouting actually owned by the National
2 Council of the Boy Scouts of America?
3 MR. SUMMERS: Objection to form.
4 A. Repeat the question. I'm sorry.
5 Q. Is Boy Scouting owned by the National
6 Council of the Boy Scouts of America?
7 MR. GAEBE: Object to the form.
8 A. Yes.
9 Q. Does the National Council develop programs
10 for the -- for Boy Scouts which are followed at the
11 local troop level?
12 A. Yes.
13 Q. Does the National Council set and maintain
14 quality standards in training, leadership selection
15 and the performance of Boy Scouting activities that
16 are followed throughout the organization including at
17 the local level?
18 A. Yes.
19 Q. Does -- how does the National Council set
20 these programs?
21 That's a bad question. Let me ask the
22 question this way: Are there various publications
23 that the National Council uses to both define Boy
24 Scouting programs and to set forth the criteria for
25 their performance?

Page 56

1 A. There are training manuals.
2 Q. What are the training manuals that would be
3 applicable for scout leaders at the local level that
4 would be promulgated by the Boy Scouts of America to
5 provide the appropriate training for them to be able
6 to safely and properly carry out Boy Scout programs?
7 MR. SUMMERS: Objection to the form.
8 MR. LEVIN: Form.
9 A. The BSA provides fast start training, youth
10 protection training, new leadership essentials,
11 outdoor training, they provide camp schools, et
12 cetera.
13 Q. You said fast start training.
14 What was the second one?
15 A. New leader essentials.
16 Q. There's one in between.
17 A. Youth protection training.
18 Q. Then you said new leadership essentials.
19 The fourth was outdoor training.
20 What other types of training were there
21 where there would actually be either written rules
22 and policies or on line rules and policies?
23 A. There's on line fast start. There's on
24 line youth protection training.
25 Q. What I'm trying to do is get a list of the

Page 57

1 different ones. You said "et cetera" at the end.
2 A. Those are the major ones.
3 Q. What is fast start?
4 A. Fast start is an introductory training
5 course for new leaders.
6 Q. Is that on line or --
7 A. It's on line.
8 Q. Are all scoutmasters required to take that?
9 A. It's encouraged.
10 Q. Youth protection training would relate to
11 what?
12 A. Youth protection is to protect not only
13 youth, but to protect adults.
14 That is a required training. That is the
15 one required training in the BSA.
16 Q. Is that for sexual molestation?
17 A. Recognize, resist and report.
18 It's designed to protect the youth and it's
19 designed to protect the adult.
20 Q. But does that only relate to sexual
21 molestation issues or does it apply to other types of
22 safety issues?
23 A. It applies to abuse in general, and it's in
24 the handbook of every Cub Scout/ Boy Scout manual.
25 Q. And this youth protection training is

Page 58

1 promulgated by the national organization?
2 A. Yes.
3 Q. And it's required for all scoutmasters to
4 be trained in this?
5 A. Yes.
6 Q. You mentioned the third area was new
7 leadership essentials.
8 What does that consist of?
9 A. That is leadership specific training as it
10 relates to whether they're a scoutmaster, assistant
11 scoutmaster or a den leader, but it focuses on their
12 specific job functions as a scout leader.
13 Q. How is that taught or provided? Is that on
14 line or through manual or both?
15 A. Both.
16 Q. Outdoor training was the other one you had
17 mentioned.
18 A. Outdoor is a component of essentials which
19 is a face to face training.
20 Q. In other words, they go out on a weekend
21 camping?
22 A. Yes.
23 Q. And who actually conducts the outdoor
24 training for the troop leaders?
25 A. Volunteers.

Page 59

1 Q. Do they have some position within the
2 hierarchy?
3 A. They could be district training chairman or
4 on the district committee.
5 Q. It would be someone associated with the
6 local council?
7 A. Yes, with a background and experience.
8 Q. Is the local council charged with the
9 responsibilities for conducting the outdoor training
10 in some fashion?
11 A. Yes.
12 Q. Either personally or through their
13 designees?
14 A. Yes.
15 Q. Is there a curriculum or syllabus or
16 guidelines for the outdoor training that the people
17 that are doing the training follow?
18 A. Yes.
19 Q. Who provides that?
20 A. The local council.
21 Q. Who develops that? Is that from the Boy
22 Scouts of America?
23 A. BSA, yes.
24 Q. Just so we're clear, whenever you say
25 "BSA," you're referring to the national Boy Scouts of

Page 60

1 America?
2 A. Yes.
3 Q. And what types of things does the outdoor
4 training go into?
5 A. It goes into planning quality programs,
6 financing the program, youth protection.
7 Q. In planning quality programs does it also
8 go into safety aspects of planning safe programs?
9 A. Yes.
10 Q. Does the outdoor training involve safety
11 issues for troop leaders conducting outdoor Boy Scout
12 activities?
13 A. I'd have to refer to the manual for the
14 specifics of it.
15 Q. There's a specific manual for outdoor
16 training?
17 A. There's an outdoor component, yes.
18 Q. What is the manual that it's in called?
19 A. They've changed it. This new leader
20 essentials is the training program and there's a
21 curriculum in there.
22 Q. So the outdoor training is now --
23 A. Is a component of new leader essentials.
24 Q. And what would we call the manual or book
25 that would have the new leader essentials information

Page 145

1 Q. So he was there also?
2 A. Yes.
3 Q. What is his position?
4 A. He's an executive board member for the
5 council.
6 Q. Was anyone else there?
7 A. No.
8 Q. As best as you can recall, what did the two
9 scoutmasters tell you?
10 MR. LEVIN: Form.
11 A. That they were on the hike and they were
12 with -- there were two adults and I believe three
13 scouts, two younger scouts, 11 or 12 years of age,
14 Michael Adelman.
15 They said at roughly the 15 or 16-mile
16 mark that he started to not respond properly. They
17 immediately stopped there.
18 I asked them, "Did you have plenty of
19 water?"
20 They said, "Yes. We hydrated every hour.
21 We stopped for breaks. We followed the guidelines
22 for the hiking merit badge. We -- you know, and made
23 sure there was plenty of hydration."
24 When he didn't respond they stopped. The
25 first leader decided to take the other boys.

Page 146

1 Mr. Crompton stayed back.
2 Mr. Crompton indicated to me that he
3 conducted CPR for approximately 45 minutes until the
4 authorities arrived -- 45 minutes to an hour.
5 Q. Did the scout leaders tell you that the
6 first signs that they observed that something was
7 wrong was at the 15 or 16-mile mark when Michael
8 started not to respond properly?
9 MR. LEVIN: Form.
10 A. That's how I recall the conversation, yes.
11 Q. Did you inquire in any more details as
12 to -- questioned them as to what had transpired
13 during the first 15 or 16 miles of the hike prior to
14 that time?
15 A. I asked them if they had, you know, the
16 basics -- plenty of water, fluids; did they take the
17 required breaks; did they have sufficient supplies
18 along the way, and they said yes, they did.
19 Q. What are the required breaks that you
20 inquired about?
21 A. Well, my understanding is like, you know,
22 every hour you stop and you take a short break, you
23 hydrate.
24 And they have a -- if I'm not mistaken, I
25 have to refer to the manual, but there's -- based

Page 147

1 upon how far you're going there's a certain amount of
2 requirement for water.
3 Q. What is your understanding about how long
4 a break you're supposed to take every hour?
5 MR. LEVIN: Form.
6 A. That I don't know. I don't know the
7 specifics of that. I would have to refer to the
8 manual.
9 Q. Did you know the specifics back at the time
10 you were having this discussion with them?
11 A. I reviewed the manual, yes.
12 Q. Did you do anything else other than review
13 the manual?
14 A. Well, I asked them questions related to it
15 and they were both very experienced scout leaders.
16 They've done this -- they did it many, many times and
17 they were trained leaders.
18 The troop was a very good troop, and so
19 they've done this -- the hike -- many times with
20 other scouts.
21 Q. When you say they were trained leaders,
22 they were trained according to the procedures of the
23 Boy Scouts of America?
24 A. My understanding is they were merit badge
25 counselors who did that specific merit badge, and

Page 148

1 that's why they were doing the merit badge.
2 Q. Was it your understanding that they had
3 been through the training established by the Boy
4 Scouts of America for being merit badge counselors
5 and scoutmasters?
6 MR. LEVIN: Form.
7 MR. SUMMERS: Objection to form.
8 A. My understanding is that the leadership was
9 trained, correct.
10 Q. Other than -- which manual was it that you
11 reviewed in preparation for this meeting with them?
12 MR. LEVIN: Form.
13 A. The merit badge counselor pamphlet.
14 Q. Did you review any other types of manuals
15 or materials in preparation for your meeting with the
16 two scoutmasters?
17 A. No. That was the primary one.
18 Q. At any time did you review the statements
19 that the scoutmasters gave to either the Collier
20 County Sheriff's Department or the parks service?
21 MR. LEVIN: Form.
22 A. No.
23 Q. And I believe you said you never saw the
24 parks service report?
25 A. That's correct.