

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

HOWARD ADELMAN AND
JUDITH SCLAWY-ADELMAN,
as Co-Personal Representatives
of the ESTATE OF MICHAEL
SCLAWY-ADELMAN,

COPY

Plaintiffs,

vs.

No. 10-CV-22236-ASG

BOY SCOUTS OF AMERICA;
THE SOUTH FLORIDA COUNCIL,
INC., BOY SCOUTS OF AMERICA;
PLANTATION UNITED METHODIST
CHURCH; HOWARD K. CROMPTON,
Individually; and ANDREW L.
SCHMIDT, Individually,
Defendants.

Leesfield & Partners,
2350 South Dixie Highway,
Miami, Florida,
Wednesday, 10:15 a.m.,
March 30, 2011.

D E P O S I T I O N
of
JOSHUA CRIST
taken on behalf of the Plaintiffs
pursuant to a Notice of Taking Deposition

FRIEDMAN, LOMBARDI & OLSON
C O U R T R E P O R T E R S



1 apart. Just as long as it's clear that you did that,
2 not me.

3 THE WITNESS: Sorry. I ripped the page.

4 MR. PELTZ: Okay.

5 [The document referred to was marked for
6 identification as Plaintiffs' Exhibit No. 13.]

7 Q. Have you seen either of these documents,
8 Exhibits 12 or 13?

9 A. No, I haven't.

10 Q. Okay. Exhibit Number 13 states, "What
11 makes a trained leader," and then gives -- identifies
12 a number of different types of training.

13 A. Uh-huh.

14 Q. The first one is "Fast Start Training."
15 The second is "Youth Protection Training." The third
16 is "This is Scouting," and then it says, "Position
17 Specific Training."

18 Are you familiar with at least those
19 different categories of training?

20 A. Yes, sir.

21 Q. And each of those would be the title of a
22 particular training course?

23 A. Yes, sir.

24 Q. Okay. So would it be your understanding
25 that assuming that this is a document that is

1 correct, Exhibit Number -- which one?

2 A. 13.

3 Q. -- 13, that in order to be a trained
4 leader, one would need to have Fast Start Training,
5 Youth Protection Training, This is Scouting training
6 and Position Specific training?

7 MR. SUMMERS: Objection to form.

8 A. I agree.

9 Q. As to a Scoutmaster, the position specific
10 training would be the Scoutmaster and assistant
11 Scoutmaster leader specific training?

12 A. Correct.

13 Q. So going back to Exhibit 10 for a minute,
14 which would be Mr. Crompton's person profile, does
15 that indicate that Mr. Crompton had all the training
16 necessary to be a trained leader?

17 MR. LEVIN: Form.

18 MR. SUMMERS: Objection to form.

19 THE WITNESS: He does not have the training
20 that are on our -- on Exhibit 13, but New Leader
21 Essentials has been discontinued and is essentially
22 the same as the Leader Specific Training. They don't
23 call it New Leader Essentials any more. They called
24 it New Leader Essentials in 2008, when he took it.

25 Q. As of the date of Exhibit Number 13, which

1 has a copyright date of 2010 on it, on the bottom --

2 A. Uh-huh.

3 Q. -- he would have been required to have
4 Fast Start Training, Youth Protection Training, the
5 This is Scouting training and the Position Specific
6 Training. Correct?

7 A. Correct.

8 Q. Okay. According to Exhibit Number 10, he
9 would have New Leader Essentials and Introduction to
10 Outdoor Leadership Skills?

11 A. Correct.

12 Q. So he would not have the four areas of
13 training that are necessary to be considered trained?

14 MR. SUMMERS: Objection to form.

15 MR. LEVIN: Form.

16 Q. Is that correct? Is that accurate?

17 A. I do not recall at the time if New Leader
18 Essentials was available; what the content of New
19 Leader Essentials was at the time I was in the
20 fund-raising department.

21 I know they've discontinued New Leader
22 Essentials and replaced it with what was in Exhibit
23 Number 13, so I can't tell you that these trainings
24 on Exhibit 13 were not part of New Leader Essentials
25 back in 2008, so he could have taken those trainings.

1 It was just called New Leader Essentials at the time.

2 Q. But you don't know?

3 A. I don't know for sure.

4 Q. Just so we're clear, on this Exhibit
5 Number 12, that would identify the same requirements,
6 but in a kind of checklist form?

7 A. Correct.

8 Q. Actually, they would have a fifth
9 requirement on Exhibit 12. There would be Fast
10 Start, Youth Protection, Leader Specific, This is
11 Scouting and Introduction to Outdoor Skills?

12 A. Correct.

13 Q. And this particular document is dated
14 April 22, 2010?

15 A. Correct.

16 Q. Okay. So by virtue of the fact -- let me
17 see this one second.

18 By virtue of the fact that they list Leader
19 Specific Training as a separate category from
20 Introduction to Outdoor Skills, would that indicate
21 that those are separate trainings?

22 A. Correct.

23 Q. So in reference to Exhibit 12, Mr. Crompton
24 would not have completed the training necessary to be
25 considered to be trained?

1 MR. LEVIN: Objection to form.

2 MR. SUMMERS: Objection to form.

3 MR. SCHEVIS: Join.

4 A. Again, I don't know that to be true,
5 because Leader Specific was part of New Leader
6 Essentials back in 2008, and everybody has to take
7 Youth Protection, so just because it's not on there,
8 that doesn't necessarily mean he didn't take it.

9 Q. Well, what documents would exist back at
10 the South Florida Council that would show whether or
11 not Mr. Crompton was a trained leader --

12 MR. SUMMERS: Objection to form.

13 Q. -- other than Exhibit 10?

14 MR. LEVIN: Objection to form.

15 MR. SUMMERS: Objection. Asked and
16 answered.

17 A. Again, he may have taken -- when you take
18 Youth Protection, you're able to print out a
19 completion certificate, but if he does not turn that
20 in to us, we're not able to input it.

21 Q. My question is this: What documents, if
22 any, would exist at the South Florida Council, other
23 than Exhibit 10, which would let you determine
24 whether or not Mr. Crompton was a trained leader?

25 MR. SUMMERS: Objection. Asked and

1 answered.

2 A. This would be it.

3 Q. Exhibit 10, you're referring to?

4 A. Yes.

5 Q. Okay. And if Mr. Crompton was a trained
6 leader, would he receive an official emblem that says
7 "Trained" on it that's similar to what is shown on
8 Exhibit 12?

9 A. Yes, he would, if he requested it.

10 Q. Is that typically worn above the pocket on
11 one side or the other, or the shoulder?

12 A. I believe, if I remember correctly, it's on
13 the sleeve somewhere. Which sleeve, I don't recall.

14 Q. Okay. But just so we're clear on this, at
15 least based upon the official records that are
16 maintained by the South Florida Council, which you
17 have indicated would be Exhibit 10, there is no
18 indication that Mr. Crompton was a trained leader?

19 MR. SUMMERS: Objection to the form.

20 MR. SCHEVIS: Object to the form.

21 A. From Exhibit 10, correct.

22 Q. And that's all you have at the South
23 Florida Council?

24 MR. SUMMERS: Objection to form.

25 A. That's what we would print to find his

1 training history.

2 Q. So according to the documents that you see
3 from the South Florida Council, there is no
4 indication that Mr. Crompton was either the
5 Scoutmaster of Troop 111, or that he was trained,
6 leadership trained as of May 2009?

7 MR. SUMMERS: Objection to form.

8 MR. LEVIN: Form.

9 MR. SCHEVIS: Join.

10 A. I'd have to refer back to all those
11 exhibits, but -- I mean, he was a troop leader for
12 sure. Whether he was specifically called a
13 Scoutmaster, I'd have to look back at those exhibits.

14 Q. Please. I mean --

15 A. 2009?

16 Q. Yes. My question is: Based on --

17 MR. SUMMERS: All the exhibits are not
18 there. I think some of them are still in your
19 folders. You asked him to look back at the exhibits.

20 THE WITNESS: I got one for 2009.

21 MR. PELTZ: Yes.

22 THE WITNESS: You're referring to Howard
23 Crompton?

24 MR. PELTZ: Yes.

25 Let me rephrase the question. There have

1 been so many interruptions.

2 Q. Based on official South Florida Council
3 records, is there any record that Mr. Crompton was
4 either an officially-approved Scoutmaster or had
5 completed leadership training?

6 A. Well, Exhibit 3 shows Howard Crompton as
7 the committee chairman in 2009, and his training
8 record says he's completed New Leader Essentials and
9 Intro to Outdoor Leadership Skills.

10 Q. So neither of those documents show that he
11 was approved as Scoutmaster?

12 MR. SCHEVIS: Object to the form.

13 A. No. He was a troop leader and committee
14 chairman.

15 Q. Which is a different position than
16 Scoutmaster?

17 A. Correct.

18 Q. And the training record, as you have said,
19 does not show that he completed the five courses
20 necessary to be formally trained?

21 MR. LEVIN: Form.

22 A. Again, I don't remember what was part of
23 New Leader Essentials, so I'm not sure.

24 Q. Okay. Well, who would know if you don't
25 know, by the way?

1 MR. LEVIN: Form.

2 A. Who would know?

3 Q. I mean, you're the director of field
4 services, and if you can't figure out from these
5 documents whether he was trained or not, who would be
6 able to make that determination from the South
7 Florida Council?

8 A. I guess we would have to look into it. I
9 mean, I could find out what New Leader Essentials
10 entailed back in 2008 to see if it had some stuff
11 from New Leader Essentials and Fast Start Scouting.

12 Q. So at this point, you don't know who can
13 answer the question?

14 MR. SUMMERS: Object to form. Asked and
15 answered.

16 A. Correct.

17 Q. In order for someone to serve as a merit
18 badge counselor, are they supposed to fill out a
19 merit badge counselor application?

20 A. Correct.

21 Q. Who approves whether an individual can
22 become a merit badge counselor? Who makes that
23 determination?

24 A. Again, it's just the adult application, so
25 it's signed by the charter rep and accepted by the