

# Oregon lawsuit claims Boy Scouts sex abuse coverup

*March 19, 2010 10:38 a.m.*

PORTLAND, Oregon - The Boy Scouts of America has long kept an extensive archive of secret documents that chronicle the sexual abuse of young boys by Scout leaders over the years.

The "perversion files," a nickname the Boy Scouts are said to have used for the documents, have rarely been seen by the public, but that could all change in the coming weeks in an Oregon courtroom.

The lawyer for a man who was molested in the 1980s by a Scout leader has obtained about 1,000 Boy Scouts sex files and is expected to release some of them at a trial that began Wednesday. The lawyer says the files show how the Boy Scouts have covered up abuse for decades.

The trial is significant because the files could offer a rare window into how the Boy Scouts have responded to sex abuse by Scout leaders. The only other time the documents are believed to have been presented at a trial was in the 1980s in Virginia.

At the start of the Oregon trial, attorney Kelly Clark recited the Boy Scout oath and the promise to obey Scout law to be "trustworthy." Then he presented six boxes of documents that he said will show "how the Boy Scouts of America broke that oath."

He held up file folder after file folder he said contained reports of abuse from around the country, telling the jury the efforts to keep them secret may have actually set back efforts to prevent child abuse nationally.

"The Boy Scouts of America ignored clear warning signs that Boy Scouts were being abused," Clark said.

Charles Smith, attorney for the national Boy Scouts, said in his own opening statement the files were kept under wraps because they "were replete with confidential information."

Smith told the jury the files helped national scouting leaders weed out sex offenders, especially repeat offenders who may have changed names or moved in order to join another local scouting organization.

"They were trying to do the right thing by trying to track these folks," Smith said.

Clark is seeking \$14 million in damages on behalf of a 37-year-old man who was sexually molested in the early 1980s in Portland by an assistant Scoutmaster, Timur Dykes.

Clark said the victim suffered mental health problems, bad grades in school, drug use, anxiety, difficulty maintaining relationships and lost several jobs over the years because of the abuse.

Dykes was convicted three times between 1983 and 1994 of sexually abusing boys, most of them Scouts.

Although there have been dozens of lawsuits against the organization over sex abuse allegations, judges for the most part have either denied requests for the files or the lawsuits have been settled before they went to trial.

The Boy Scouts had fought to keep the files being used in the Portland trial confidential. But they lost a pretrial legal battle when the Oregon Supreme Court rejected their argument that opening the files could damage the lives and reputations of people not a party to the lawsuit.

The lawsuit also named the Church of Jesus Christ of Latter-day Saints because the Mormons acted as a charter organization, or sponsor, for the local Boy Scouts troop that included the victim. But the church has settled its portion of the case.

The Portland trial comes as the Boy Scouts are marking their 100th anniversary.

"They spent a century building the Boy Scout brand," said Patrick Boyle, author of a book about sex abuse in the Boy Scouts. "It's one of the most respected organizations in the world."

The trial "can only erode what they have been doing for 100 years," he said.

The Portland case centers on whether the Boy Scouts of America did enough to protect boys from Dykes.

The Mormon bishop who also served as head of the Scout troop, Gordon McEwen, confronted Dykes after receiving a report

of abuse by the mother of one boy in the troop in January 1983.

In a video deposition played for the jury, the bishop said Dykes admitted abusing 17 boys.

But McEwen said he contacted the parents of all 17 boys and the boys themselves, and none would confirm any abuse.

Dykes was arrested in 1983 and pleaded guilty to attempted sexual abuse, received probation and was ordered to stay away from children.

Clark told the jury Dykes continued with his scouting activities until he was arrested in July 1984 during a routine traffic stop while he was driving a van full of Scouts on a camping trip.

A spokesman for the Boy Scouts of America at its headquarters in Irving, Texas, said in a statement the organization cannot comment on details of the case. But it has worked hard on awareness and prevention efforts, including background checks.

"Unfortunately, child abuse is a societal problem and there is no fail-safe method for screening out abusers," Deron Smith said.