

Boy Scout files stir painful memories of abuse

Victims hope lists will bring changes in law

By **Martine Powers** | GLOBE STAFF NOVEMBER 18, 2012



DINA RUDICK/GLOBE STAFF

Jerry Sypek was stunned his abuser's name was on the list.

While watching the morning news recently, Jerry Sypek learned that the Boy Scouts of America had released its so-called perversion lists.

Then he heard one of the names on the list: Paul A. Hightower, accused in the documents of assaulting one scout and masturbating in front of others at troop meetings.

"I almost choked on my coffee," said Sypek, 50. When Sypek was an orphan in a Jamaica Plain children's home between 1968 and 1971, he was abused by a former seminary student by the same name. Decades later, he settled a claim with the

Catholic Church. “I was horrified. I thought to myself, ‘This is not the same guy.’”

But it was. Hightower died in 1994.

“It brought back some really hard memories for me,” Sypek said. “When you have a name that’s so familiar to you come up in the news, it’s like, ‘Oh my goodness.’ You think you’re going to be OK, but you’re not.”

For Sypek and other victims of childhood sexual abuse, the publication of thousands of confidential files documenting allegations of sex abuse by Boy Scout leaders was a painful reminder of their own experiences — even if their abusers were not listed in the recently released Boy Scout files.

But in some ways, they said, the release of the Boy Scout documents has also given them hope that the high-profile document dump will spark widespread changes in policies to protect against sexual abuse and boost legislative efforts to help bring perpetrators to justice.

For Sypek, who endured Hightower’s advances in the bathroom of the children’s home where he lived, the release of the Boy Scout files brings hope that the issue of childhood sexual abuse will remain in the public eye and put pressure on legislators to enact changes in the civil statute of limitations for sexual abuse cases.

“The issue of sexual abuse is pushed to the forefront all over again,” Sypek said. “It’s fresh now.”

Since the release of the files, the Boy Scouts of America have outlined ways in which they work to protect boys involved in the organization — an extensive youth protection training program designed to ensure that scouts are never alone with an adult. Boy Scouts of America spokesman Deron Smith said in a statement Oct. 24 that the organization has also been in contact with abuse victims since the release of the “ineligible volunteer files.”

“We are doing our very best to respond to each person with our utmost care and sensitivity, offering our support and assistance,” Smith said. “We are deeply committed to helping members in our Scouting family who have suffered abuse.”

For David Clohessy, director of the Survivors Network of those Abused by Priests, the release of the Boy Scouts files was heartening — it is important for abuses to be uncovered and documented, he said — but he was also saddened.

“I wanted to believe desperately that the disclosures wouldn’t be as damning as, in

fact, they are,” said Clohessy, who was abused by a Catholic priest for four to five years, ending when he was 16 years old.

Clohessy was an avid Scout in elementary and junior high school. During the darkest days of his abuse at the hands of a priest, Clohessy said, Boy Scouts was a safe space — an outlet where he could camp, canoe, breathe fresh air, and focus his energy on things outside of the church.

“I suspect that, at some level, scouting was a refuge for me,” Clohessy said.

As soon as he heard the news that the Boy Scout files had been released, he jumped online and plugged in the name of his Boy Scout leader. He sighed with relief when he did not see his name on the list. Still, he said, seeing another beloved institution fail to protect children for all those years ago was embittering.

“They really have taken the bishops’ playbook and PR strategies and adopted them wholeheartedly — and that’s just really, really disappointing,” Clohessy said.

Edward Sokoloski, who lives with his wife in Arlington, said he was glad to see the files become public.

“I felt a sense of relief that there was some light being shed on it,” said Sokoloski, who said he was abused by a Boy Scout leader not included in the released files.

The files, and the stories contained within, sparked many powerful memories for Sokoloski — his eagerness to become a Boy Scout, trips with his mother to the store to buy the required shorts and socks and tassels. Then, other memories: confusing touches in the swimming pool, a requirement that he sleep in his Boy Scout leader’s tent, the feel of a scratchy beard against his face.

“It just brings back a lot of stuff,” said Sokoloski. He has tried to bring criminal charges against his abuser, who now lives in Scotland, but he said Essex County officials informed him that extradition would be nearly impossible. The release of the files, he said, “gave me the strength to want to come forward and fight again.”

Attorney Matthew Fogelman said it is likely that other former Boy Scouts who experienced abuse but worried that their accusations would not be taken seriously will be more willing to come forward.

“Maybe these are people who are afraid that they weren’t going to be believed,” Fogelman said. “Now, here are some documents that lend powerful credence to claims that these people have.”

Both houses of the state Legislature voted this year to extend the civil statute of limitations in sex abuse cases to when the victim turns 43, up from the age of 21. But the House version of the bill would create a one-time, one-year window for any sex abuse victim, no matter their age, to file a civil claim of abuse.

For many Boy Scouts abused in the 1960s and 1970s, that window would be the only way they could file civil claims against their abusers.

“The Boy Scouts cases illustrate a real-life example of how this proposed law could potentially help people pursue justice,” Fogelman said.

A conference committee will try to reconcile the two bills in coming weeks, said state Senator William N. Brownsberger, a Belmont Democrat.

“Both branches are very motivated to do something about this already,” Brownsberger said. The release of the Boy Scout documents “certainly reinforces the importance of the issue. It’s a very troubling example.”

Boston attorney Mitchell Garabedian said he is hopeful the Boy Scout documents will put pressure on lawmakers.

“Any legislators will read about what happened to these Boy Scouts and understand that sexual abuse of children is prevalent in our society,” Garabedian said.

Marci Hamilton, a constitutional law professor at Benjamin N. Cardozo School of Law, who has advocated for the change in the law in Massachusetts, said putting the Boy Scouts of America in the public eye will strengthen the case.

“When all the focus was on the Catholic Church because it’s the largest institution in the world, the tendency was to argue that they were being treated unfairly,” Hamilton said. “What we’re seeing is a pattern that runs across all kinds of institutions, not just the Catholic Church, and children are being endangered in a wide variety of contexts.”

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