

Suit: 10-Year-Old Boy Raped at D.C. Camp

Serious questions raised about District's supervision.

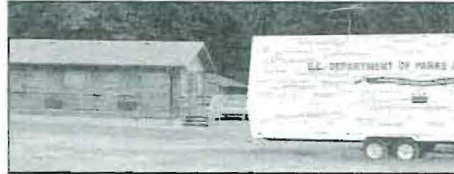
By TOM SCHOENBERG

Ten-year-old Daniel waited until he was at home with his mother before telling her he was sexually assaulted by an older boy at an overnight summer camp run by the D.C. government.

Daniel explained how, over a five-day period, an 11-year-old named Matt molested every boy in his cabin. At first, Daniel said he successfully fought off an attack from Matt. But a little later, Daniel admitted, according to his mother, "Mom, he got me too."

Allegations of sexual abuse at Camp Riverview in July 2001 spawned two lawsuits against the city. And hundreds of pages of documents—including transcripts of depositions of D.C. officials, the camp director, and a camp counselor, as well as affidavits and statements from two other campers—raise serious questions

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CAMP RIVERVIEW: The 217-acre camp in Scotland, Md., is D.C.-owned and -run.



Suit Claims 10-Year-Old Boy Raped at D.C. Camp

CAMP, FROM PAGE 1

about how D.C. officials investigated the matter and whether other children may have been harmed.

Peter Grenier, who represents Daniel's mother and another family suing the District, says the city made no effort to find out what really happened.

"More kids than they're willing to say were sexually assaulted," says Grenier of D.C.'s Bode & Grenier.

Douglas Fierberg, Grenier's co-counsel, adds: "D.C. officials knew that sex had been going on in that cabin."

Last week, it appeared D.C. government lawyers were close to settling the suit brought by Daniel's mother. On Feb. 10, Grenier says the city agreed to pay his client \$327,000 and cover any psychotherapy expenses for the next two years. But two days later, Grenier says, he received a call from Assistant Corporation Counsel Robert DeBernardinis Jr. saying his supervisors declined to approve the deal. DeBernardinis did not return calls seeking comment.

Corporation Counsel Robert Spagnoletti, who must approve any settlement of more than \$250,000, referred calls to his spokesman, Peter Lavallee.

"There is no settlement in this case," says Lavallee, adding that he cannot comment on "the ins and outs" of settlement negotiations or the pending litigation.

In a November 2002 motion that was later withdrawn, the D.C. government asked U.S. District Judge Richard Roberts to dismiss the case, arguing, in part, that "the acts of sexual deviance on the part of [Matt] were not foreseeable." (Due to sexual allegations involving minors, *Legal Times* has used pseudonyms for the alleged victim, his family, and the alleged assailant.)

Joyce Perrin, longtime director of the Camp Riverview program, referred calls to Neil Stanley, general counsel for Parks and Recreation. Stanley did not return calls seeking comment.

'I WAS SO SCARED'

Camp Riverview sits on 217 acres in Scotland, Md., at the southern mouth of the Potomac River. Since 1970, the D.C. government has owned the property and used it to run various summer camp programs.

Daniel's mother—single, with two children—lives in the District's Petworth neighborhood. She says she first heard about the camp while talking with a friend at a Parent-Teacher Association meeting. At \$65 a child for five-days, four nights, the offer seemed reasonable.

"The brochure looked so great and described the great land they had," she says. "I thought, 'Let's see what D.C. has to offer.'"

The camp is designed for boys and girls between the ages of eight and 13. Some of the activities include hiking, swimming, fishing, canoeing, crabbing, archery, movies, theme days, dances, and campfires. The camp, which has about 13 cabins, can accommodate 120 kids at one time. Campers are grouped by gender and age and supervised by counselors, who sleep in the cabins with the children, camp materials state.

Daniel's mother signed up her son and daughter. She dropped her kids off at the designated spot in Northeast Washington on a Monday, and D.C. staff bused them to the camp, about 88 miles from the city.

Upon arrival, Daniel was assigned to Cabin 11. Seven other children—most being 10 years old—were assigned to that cabin, Fierberg says.

According to Daniel, there was trouble from the beginning. Matt, who spent several



NO DEAL: Peter Grenier (left) and Douglas Fierberg say the District declined to settle a suit alleging sexual abuse at Camp Riverview.

weeks every summer at Camp Riverview, was assigned to Cabin 11 and almost immediately began picking on him and other campers. Daniel said in a deposition.

Daniel reported the bullying to one of his counselors, according to Perrin's testimony in a deposition taken Oct. 23, 2003. He also tried to call home, but did not reach his mother. Instead, Daniel talked to a friend of his mother's and said he wanted to come home.

When asked in a deposition last month about what he did that first day, Daniel responded: "I was really scared of [Matt] so I tried to stay away from him."

The next morning, Daniel's mother called the camp, but kept getting an answering machine. At one point, she left a message saying if she didn't hear back from someone soon she was going to drive to the campsite.

Perrin called back, saying she had spoken with Daniel and that everything was fine. In her October 2003 deposition, Perrin said she talked to Daniel before calling his mother back that day. At that time, Perrin said she learned that Matt had pulled "camp pranks" on Daniel that first night. The director said she warned Matt about his behavior and asked the counselors to look out for Daniel. The counselors also made Matt and another boy do push-ups as punishment.

According to Perrin, after she spoke with Daniel on Tuesday, there were no more reports of problems by Matt that week.

Daniel, however, claims the bullying continued. The same day Perrin warned the campers, Matt allegedly took a handful of ice, put it down Daniel's shirt, and punched him where the ice was, according to Daniel.

On Tuesday evening, while the campers were watching a movie, Matt asked to go to the bathroom, which was located in a building separate from where the movie was being shown, according to Grenier. The counselor asked Daniel to accompany Matt to the bathroom. According to Grenier, Matt raped Daniel in the bathroom that night.

Daniel's mother said a friend picked up her kids after they were bused back to the city that Friday night. Daniel, she says, was unusually quiet while the friend was still around. Once the friend left, Daniel's mother says, Daniel started telling her about the bullying.

At one point, Daniel referred to Matt as

"a dirty rotten molester" who had abused every person in his cabin while the counselors were not around. Soon, Daniel admitted that he too had been a victim, she says.

"I just had a breakdown," Daniel's mother says. "This was his first sexual encounter and it's unnatural."

"It just blew me away," she adds.

(Daniel's mother was deposed by Corporation Counsel lawyers last month. At that time, they asked her extensively about her background, including a 1999 conviction for unauthorized use of a vehicle and a 2001 federal conviction for making false statements to a mortgage company. Grenier claims the criminal record should have no bearing on his client's case.)

Daniel's mother says she waited until her son fell asleep and then called D.C. police. She says the police escorted her and her son to Children's Hospital, where he was given a rape exam. (Grenier declines to release the

'SOMETHING TOOK PLACE'

Two days later, Daniel's mother says she called D.C. Mayor Anthony Williams' office and was transferred to the Parks and Recreation Department.

Camp director Perrin was in the District when the sex allegations were made. She quickly learned that Matt was still at the campsite. Perrin called one of her associates and asked them to keep Matt away from the other campers while they investigated. The St. Mary's County Sheriff's Department, which has jurisdiction over the camping area, was called.

Perrin said she began interviewing campers and counselors by phone. However, the counselor who was in charge of Cabin 11 was fired by Parks and Recreation Director Neil Albert before Perrin had a chance to interview him, she said in her deposition.

In her deposition, Perrin said she initially concluded that "some play might have taken place," but no sexual abuse.

"What I mean by play, being a counselor myself, when the kids come back from the showers, they run around the cabin naked, playing, jumping on the bed, dancing," Perrin said in her October 2003 deposition, according to a transcript.

Perrin said her investigation was hampered by the fact that no one, including staff, would open up until Matt was removed from the campsite. Grenier claims that staff may have been reluctant to talk because of Matt's relationship with a longtime employee of the Parks and Recreation Department. (The employee is the boyfriend of Matt's grandmother, who in turn is Matt's legal guardian. In his deposition, the Parks employee refers to himself as Matt's mentor.) Still, Perrin said in her deposition that "I never got the feeling that [the campers] were afraid of [Matt]."

Perrin eventually arrived at the campsite, where she interviewed some of the campers who had stayed for a second week. Perrin explains in her deposition that she interviewed some of these 10-year-old boys in groups about whether they, or anyone else in their cabin, had been sexually assaulted.

One of the boys she talked to said they saw Matt and two other boys "sucking each

other's private parts and bumping their butts and penises in the showers," according to an incident report prepared by Perrin and cited by plaintiffs' lawyers during her deposition. Another said he watched Matt and two boys "humping each other in the bed and trying to stick their private parts in people's mouths while they were asleep," the report states. A third child reported: "They tried to put their private parts in my mouth, but I fought them off," according to the report. None of these children are involved in the current suits.

"I believe something took place, but I don't believe it was a sexual assault as it was told to me," Perrin said in her deposition.

Perrin added: "In the whole conversation I'm having with them, they're laughing. They're giggling. They're playing. They're not serious about the situation. That's why I took it as not being a serious situation."

LINGERING NIGHTMARES

In late July 2001, one week after the sexual assault allegations surfaced, a staff meeting was held at the campsite. The Parks and Recreation Department's chief of staff and general counsel attended, according to Perrin. Several rules were changed, including a requirement that children were to be escorted to the bathrooms at all times by counselors, according to Perrin's deposition.

Perrin eventually drafted an "unusual incident report" about her investigation. The report includes the statements from the various campers she interviewed. Only two counselors submitted written statements—both were female counselors who had no oversight over Daniel's cabin. Perrin, in her deposition, said she submitted this report to Parks and Recreation Department's then-general counsel, Grace Perry-Gaiter.

In February 2002, St. Mary's County charged Matt with second-degree sexual assault and committing unnatural and perverted sexual practices, according to court papers filed in the civil case. The prosecutor who handles juvenile cases for St. Mary's County could not be reached for comment.

In a Dec. 4, 2003, deposition, the Parks employee who referred to himself as Matt's mentor described picking up Matt from camp.

"He basically cried a lot and just said basically all of them was having a lot of fun, you know, messing with each other's penises and stuff like that," the man said. "[H]e made me really believe that it wasn't anything that was serious."

Last week, Perry-Gaiter, now general counsel of the D.C. Public Library, declined comment, saying that all the materials regarding the Camp Riverview investigation were forwarded to the Office of D.C. Corporation Counsel.

Parks and Recreation Director Albert, in a Nov. 3, 2003, deposition, had virtually no recollection of the incident or whether he personally fired a counselor over it. Albert also said he didn't believe any rules or policies were changed because of the incident.

"We have no evidence of anything going wrong at the camp in 2001, and no conclusions of that," Albert said in his deposition.

Since October 2001, the D.C. government has been paying for Daniel's weekly visits to a psychologist, Grenier says.

Daniel's mother says her son, now 12, appears to be doing well. The seventh grader gets good grades, plays soccer, and is a member of the Boy Scouts. But he is afraid of sleeping in the dark and regularly has nightmares, she says.

"I'm really disgusted with the D.C. government," Daniel's mother says. "They said that the kids and the counselors would all be together, and that's not true." ■