### CONFIDENTIAL RECORD SHEET

## REGISTRATION, SUBSCRIPTION AND STATISTICAL SERVICE

APPENDIX A

## BOY SCOUTS OF AMERICA

		D	ATE January	4, 1985		
FULL NAME_		vard Codispoti als if you can	possibly get fr	SOCIAL SECURI NUMBER all name)	TY	
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September 4, 1986

Mr. Charles D. Ball Scout Executive Essex Council, No. 336

PERSONAL AND CONFIDENTIAL

SUBJECT: Arnold Edward Codispoti

Dear Charlie:

Thank you for the detailed information concerning the above Scouter. We have reviewed this case with our Attorney and have now placed this man on the Confidential File.

Sincerely,

Paul Ernst, Director Registration, Subscription & Statistical Service

eka

cc: Northeast Region

# MORGAN, MELYHISH, MONAGHAN, ARVIDSON, ABRIDAN & LISOWSKI (JACOB SCHOEDER & SCHNEIDER & MORDALIBIOLIBER)

COUNSELLORS AT LAW

88 - WT PLEADANT 4 8 10

LIVINGSTON, NEW JERSEY 07039-1673 (201) 994-2500

August 18, 1986

Clerk of the Superior Court of New Jersey Trenton, New Jersey 08625

Re: State Farm v. Codispoti, et al.

Docket No. 1-068714-86

Your File No.

Our File No. 79-838 U RR

We enclose herewith the following: Summons Notice of Depositions Subpoenas Complaint Substitution of Attorney

Marrant to Satisfy Judgment Third Party Complaint Stipulation Extending Time Answer to Complaint for DeclaratorySurrogate's Certificate
Appearance Judgment Lien Search Appearance Judgment Demand for Jury Trial
Counterclaim
Crossclaim Release of Lien \_ Stipulation of Dismissal \_ Releases \_ Interrogatories Answers to Interrogatories Demand for Admissions \_ Attorney's Letter \_ Check in the sum of S Statement of Damages Notice of Motion Order Will you kindly: File \_Serve on Charge to our account. Send us a copy stamped "Filed" in the enclosed self-addressed envelope. F. STARON RA: Lc Haskins, Hack, Piro, O'Day, very truly yours, Merklinger & Wallace, Esqs. to: CIGNA (Virginia Lloyd) #995L 946615-X MORGAN, MELHUISH, MONAGHAN, ARVIDSON, ABRUTYN & LISOWEKI ALCHARD E. ARVIDSON c: | Boy Scouts of America SM-25

## MORGAN, MELHUISH, MONAGHAN, ARVIDSON, AERUTYN & LISOWSKI

1. 07039-1673

ATTORNEYS FOR

Defendant, Boy Scouts of America

Our File No. 79-838 U RA

STATE FARM FIRE & CASUALTY

COMPANY,

Plaintiff,

: SUPERIOR COURT OF NEW JERSEY

LAW DIVISION : ESSEX COUNTY

DOCKET NO. L-068714-85

vs.

:

.

ARNOLD E. CODISPOTI, GREGORY :
FLEMMING, BOY SCOUTS OF AMERICA,
DENNIS KOLANO and JANET KOLANO, :
individually and ad Guardian Ad
Litem for JOHN KOLANO, a minor, :

and JOHN DOE,

Defendants.

CIVIL ACTION

ANSWER TO COMPLAINT FOR DEULARATORY JUDGMENT, COUNTERCLAIM AND DESIGNA-

OF TRIAL COUNSEL

Defendant, Boy Scouts of America, by way of Answer to the Complaint for Declaratory Judgment filed herein, says:

1. Except to admit the allegations contained in Paragraphs 1, 2, 3, 4, and 8, this defendant denies the balance of the allegations contained in the Complaint and leaves plaintiff to its proofs.

FIRST SEPARATE DEFENSE

There is a lack of in personam jurisdiction over this party because there is insufficiency of process and insufficiency of service of process. The exercise of such jurisdiction over this party is therefore in violation of this party's rights under the Constitutions of the State of New Jersey and the United States of America and this party reserves the right to move for dismissal of the pleading.

STOCKE CERTAIN SETTINGS

The affirmative pleading herein fails to state a claim upon

.hich relief can be granted and this party reserves the right to move at or before the time of trial to dismiss same.

THIRD SEPARATE DEFENSE

The claimant has failed to join a necessary or indispensable party without whom this action cannot proceed.

FOURTH SEPARATE DEFENSE

The claim is barred by the entire controversy doctrine and the mandatory counterclaim rule.

FIFTH SEPARATE DEFENSE

The applicable law, rule, statute or regulation, including, but not limited to the Statute of Limitations, controlling or requiring the institution of suit within a certain period of time following its accrual, was not complied with by the claimant, and accordingly, the claimant's claim is barred as a matter of law.

SIMTH SEPARATE DEFENSE Under the provisions of the policy of insurance, it represents the complete contract and cannot be amended by the action of any person.

SEVENTH SEPARATE DEFENSE

The relied upon contract is one of adhesion.

EIGHTH SEPARATE DEFENSE
The claimant is estopped from proceeding with this alleged cause of action.

NINTH SEPARATE DEFENSE

The claimant is guilty of laches.

TENTH SEPARATE DEFENSE

Claimant has relinquished voluntarily, and hence has waived. the basis on which he sues.

COUNTERCLAIM

Defendant, Boy Scouts of America by way of Counterclaim against plaintiff, State Farm Fire & Casualty Company, says:

1. Defendant, Boy Scouts of America incorporates the allegations of plaintiff's paragraphs 1, 2, 3, and 4 of the Complaint as paragraph 1 of the Counterclaim.

2. Plaintiff is obligated to defend and insure Arnold E. Codispoti in the  $\frac{\text{Yolang}}{\text{total}}$  action by the terms and provisions of the policies issued by it.

WHEREFORE, defendant, Boy Scouts of America demands Judgment against plaintiff, State Farm Fire & Casualty Company.

- A. Determining that the policies issued by plaintiff provide coverage to Arnold E. Codispoti for all claims and crossclaims in the Kolano action;
- B. Directing State Farm Fire & Casualty Company to provide the defense and to indemnify Arnold E. Codispoti in the <u>Kolano</u> action; and
- C. Providing such other and further relief as the Court deems equitable and just.

DESIGNATION OF TRIAL COUNSEL PLEASE TAKE NOTICE that pursuant to R.4:25-4, Richard E. Arvidson is hereby designated Trial Counsel.

## CERTIFICATION PURSUANT TO R.4:5-1

1. The matter incontroversy is the subject of a pending action or arbitration proceeding as follows:

Related action of Kolano v. Codispoti, et al.; Superior Lourt, Law Division, Essex County, Docket No. L-044233-85.

2. Contemplation of another action or arbitration proceeding is contemplated as follows:

None.

3. The following parties listed should be joined in this action:

County of Essex.

CERTIFICATION: I hereby certify that the above statements made by me are true. I am aware that if any of the above statements made by me are willfully false, I am subject to punishment.

Finduncia & Controllor RICHARD E. ARVIDSON

CERTIFICATION

I hereby certify that a copy of the within document has been liled with the Clerk of the captioned Court and within County Clerk, if plicable, and that a copy of the same was served upon all interested corresponds within the period of time allowed in accordance with the Rules

of the Court (R. 1:6-4 or 4:6-1 (a) as may be applicable).

MCRGAN, MELHUISH, MCNAGHAN, ARVIDSON, ABRUTYN & LISOWSKI

Dated: August 18, 1986 ; #79-838 U RA

llc



June 23, 1986

Mr. Paul Ernst, Director Registration, Subscription & Statistical Service National Office Boy Scouts of America 1325 Walnut Hill Lane Irving, Texas 75038-3096

PERSONAL & CONFIDENTIAL:

Dear Paul:

Enclosed please find the article that appeared on June 20, 1986 in the Star Ledger on the sentencing of Arnold Codispoti.

Please place this article in Mr. Codispoti's confidential file.

Sincerely,

Charles D. Ball Council Executive

CDB:cw

Enclosure

cc: Harold C. Fieszel Rudolph Flythe

Roland E. Moore



# 25 years 7-36

## for assaults

#### By DONNA LEUSNER

A former police officer and Boy Scout leader yesterday was sentenced to 25 years in prison after he pleaded guilty to sexually abusing eight boys.

Former Sgt. Arnold Codispoti, who spent 19 years with the Essex County Police, was sentenced by Superior Court Judge William Harth in Newark to serve the term in the Adult Diagnostic and Treatment Center in Avenel.

Codispoti, who begged the judge to impose a sentence calling for treatment, pleaded guilty in February to 35 charges of sexual assault and endangering the welfare of Boy Scouts aged 11 to 15 over three years ending a month before his arrest in December 1984.

The judge, who ordered Codispoti to pay a \$25 fine for each of the 29 counts he was sentenced for, said the 45-year-old sex offender could remain in the state facility until he is 68.

Essex County Assistant Prosecutor Sara Sencer, who directs the child abuse unit, said Codispoti sometimes gave alcohol to the teenagers to break down their defenses and then sexually abused them either in his Cedar Grove home, the county police academy in Cedar Grove or in Boy Scout camps in Roseland or in Oakland, Bergen Coun-

Defense lawyer Dennis Durkin said Codispoti's actions were the result of compulsive psychological behavior beyond his control, a diagnosis contained in a report prepared by the staff of the facility for sex offenders who examined him.

"I am a broken man. I am truly and deeply sorry," Codispoti told the judge, adding his record of valor as a uniformed police officer has now been replaced with a "prisoner's cloth of great shame."

A second former Boy Scout leader, Gregory Flemming, 34, of Mine Hill. who pleaded guilty to two counts of sexually assaulting two boys, was sentenced to seven years and was fined

Flemming's lawyer, Public Defender Richard Raines, said his client suffered from an uncontrollable urge to have sex with youngsters and that the two offenses he was sentenced for yesterday happened before he successfully completed psychiatric treatment and probation for a similar 1982 sex assault charge in Passaic County. Since then, Flemming, who told the court he was sorry, has led a law-abiding life, Raines told the judge.

Codispoti, who joined the county police in 1965 and was promoted to sergeant in 1980, was indicted on 45 charges. He pleaded guilty to 35 and was sentenced on 29 counts, with some charges being merged and others being

dismissed.

April 18, 1986

Mr. Charles O. Ball Scout Executive Essex Council, No. 336

PERSONAL AND CONFIDENTIAL

SUBJECT: Arnold Edward Codispoti

Dear Charlie:

Thank you for the detailed information concerning the above Scouter. We have reviewed this case with our Attorney and have now placed this man on the Confidential File.

Sincerely,

Paul Ernst, Director Registration, Subscription & Statistical Service

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cc: Northeast Region

EEADY FOR FILE

APR 1 6 1986

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National Office BOY SCOUTS OF AMERICA 1325 Walnut Hill Lane Irving. Texas 75038-3096

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## Northeast Region BOY SCOUTS OF AMERICA

P.O. Box 350 Dayton, New Jersey 08810-0350 Telephone: (201) 821-6500

February 7, 1986

## PERSONAL & CONFIDENTIAL

Mr. Ronald E. Moranville Deputy Chief Scout Executive \$400 National Council, BSA

Dear Ron:

The attached material has been shared with Paul Ernst. However, you may wish to alert the system.

Sincerely,

RUDY FLYTHE Regional Director

ln Encs.

Located on Route 130 and Georges Road in South Brunswick, New Jersey

February 5, 1986

Mr. Paul Emst, Director Registration, Subscription & Statistical Service National Office Boy Scouts of America 1325 Walnut Hill Lane Irving, Texas 75038-3096

PERSONAL & CONFIDENTIAL

Dear Paul:

I notified you early in 1985 of a problem that existed with a man named Arnold Codispoti. You should find several pieces of correspondence in your files regarding this matter.

Monday of this week Mr. Codispoti pleaded guilty to 27 counts of sexual abuse. I have enclosed the article that appeared in today's local newspaper.

Please make sure that this man is on our confidential file so that he can never be registered with the Boy Scouts of America again.

If you need any further information, please let me know.

Cordially,

Charles D. Ball Council Executive

Carine

CDB: cw

Enclosure

cc: David K. Park
Rudolph Flythe
Roland E. Moore



Janua For

February 5, 1986

Mr. Paul Ernst, Director Registration, Subscription & Statistical Service National Office Boy Scouts of America 1325 Walnut Hill Lane Irving, Texas 75038-3096

PERSONAL & CONFIDENTIAL

Dear Paul:

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If you need any further information, please let me know.

Cordially,

Charles D. Ball Council Executive

Od. Lece

CDB:cw

Enclosure

cc: David K. Park
Rudolph Flythe
Roland E. Moore



# Cop admits sex abuse of Scouts

By DONNA LEUSNER

A 19-year veteran of the Essex County police force has pleaded guilty to 27 counts of sexually abusing and endangering the welfare of eight teenage Boy Scouts, a prosecutor said yesterday

Arnold Codispoti, 44, of Oak Drive in Cedar Grove, pleaded guilty before Superior Court Judge William F. Harth in Newark shortly before jury selection was to begin for his trial Monday.

Codispoti sexually abused the boys, who were between the ages of 11 and 15, from August 1981 through November 1984, while he was a Boy Scout leader, according to Essex County Assistant Prosecutor Sara Sencer.

The police veteran pleaded guilty to sexually abusing the juveniles and serving them alcohol in several locations, including his home: Boy Scout camps in Roseland and Oakland, Bergen County, and at the Police Academy in Cedar Grove, where scout meetings were held, according to Sencer, chief of the prosecutor's child abuse unit.

Codispoti, who has been held on \$1 million bail in the Essex County Jail in Newark since his arrest in December 1984, specifically pleaded guilty to nine counts of aggravated criminal sexual contact, eight counts of aggravated sex assault, seven counts of endangering the welfare of children, two counts of sex assault and a one count of attempted sex assault, according to Sencer.

An Essex County grand jury indicted the police veteran last April 30 on 45 charges. His guilty plea before Judge Harth to 27 of those charges was not based on a plea bargain between the prosecutor's office and Codispoti's lawyer, Sencer said.

Codispoti, who is scheduled to be sentenced by Judge Harth March 25, joined the Essex County Police force in September 1965 and was promoted to sergeant in October 1980.

Shortly after his arrest, Codispoti was suspended without pay. He is expected to be fired in light of the guilty plea, Thomas Malcolm, a county spokesman, said yesterday.

February 11, 1986

Mr. Charles D. Ball Scout Executive Essex Council, No. 336

PERSONAL AND CONFIDENTIAL

Dear Charlie:

Thank you for your letter of February 5, and the information concerning Arnold Codispoti. This information is most helpful to us and will enable us to refuse registration should an attempt come to us at a later time.

We believe the information which you have sent will cause our file to be complete. If, however, you can send us the final sentencing this will make certain that we have a complete file should neither of us be in our present locations when a registration attempt is made.

Please let us know if we may be of any help from this office.

Sincerely,

Paul Ernst, Director Registration, Subscription & Statistical Service

clf

cc: Northeast Region

READY FUN FILE
FEB 1 1 1986
WINE NETT WILSON

SUBJECT: Arnold Edward Codispoti

January 15, 1985

Mr. Charles D. Ball Scout Executive Essex Council, No. 336

PERSONAL AND CONFIDENTIAL

Dear Charlie:

Thank you for the information which you have sent us concerning Mr. Edward Codospoti. This information will be very helpful to us as we set up a file for refusal of registration.

I am enclosing a Confidential Record Sheet which I would like for you to complete. This will give us the information which will be necessary for identification should Mr. Codospoti try to register at a later time.

We would also like for you to keep us informed as this case comes to trial. The final outcome of the trial and if a conviction is secured, the sentencing will be most helpful in strengthening our case.

Please do not hesitate to call us or write to us if you have any questions where we can be of help.

Sincerely,

Paul Ernst, Director Registration, Subscription & Statistical Service

kdn

cc: Northeast Region

Enclosure

REMOY TO FITE JAM 1 12011 ERIN O'RILEY





January 7, 1985

Mr. Paul I. Ernst, Director Registration, Subscription and Statistical Service National Council, B.S.A. 1325 Walnut Hill Lane Irving, Texas 75062-1296

Dear Paul:

Enclosed are articles from several local newspapers regarding a Scouter registered in Essex Council.

Mr. Codispoti is registered as Scoutmaster of Troop 65, Explorer Advisor of Post 65 and a member of the Council Executive Board. The Council will drop him from board membership at its Annual Meeting on January 22, 1985. The unit committees of both units have removed him as unit leader.

I feel this man should be placed on the National confidential file so that he never becomes registered with the Boy Scouts of America again. Please send me the necessary forms so we can provide you with whatever information you need to place an individual's name in the file.

Cordially,

Charles D. Ball

Council Executive

CDB:cw

Enclosures 3

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By Carey Londner

Thursday with sexually abusing was conducted in cooperation Codispoti had a "good police with the scouts."

Essex County Criminal Assign—The complaints against Cod without pay pending the outcome ment Judge Sidney Reiss ordered—ispoti charge him with abusing—of the criminal charges. Codispoti 13, of Oak Drive in from 11 to 16—over the past two Cedar Grove, who was arrested at years He is charged with numer—also an advisor to the Essex—county police headquarters in ous counts of aggravated sexual—County Government Services Ex
Newark Wednesday.

The high ball was granted at sexual confact and endangering—older. He placed second is the request of Essex—County as the welfare of childrent.

Wars selections of the Outstand the request of Essex County as of the welfare of children's New Jersey-Veterans of Foreign sistant prosecutor Sara Sencer. According to the complaints, Wars selections of the Outstand-who told Reiss, This is just be the assaults involved oral sex and ling Law Enforcement Officer of ginning. There are many, many touching of the boys' genitals. 1984, 20 many touching of the boys' genitals.

Essex County Prosecutor curred while Codispoti was act kin said he had no comment on

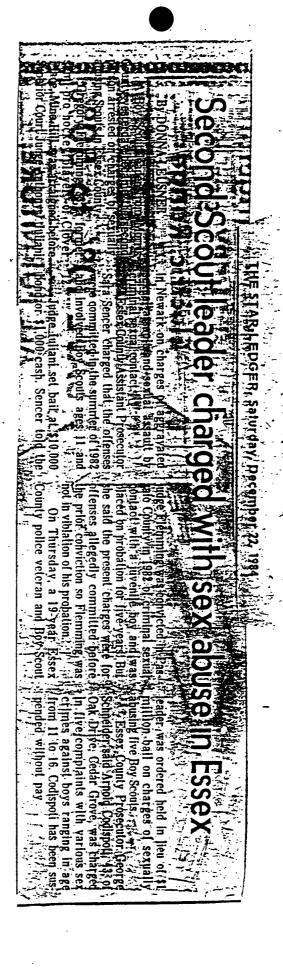
other children involved."---- Schneider said the incidents oc-

Stion director Tom Malcolm said An Essex County police ser by Prosecutor's Office was alerted been with the county police since geant, who leads a Cedar Groye ato the case in an anonymous let 1965 and was promoted to ser Boy Scott Groop, was charged ter her eceived an investigation geant in October 1980. He said Thursday with sexually abusing was conducted in cooperation Codispoti thad a "good police with the scouts" but he been suspended

George Schneider said he ex ing as scoutmaster of a troop. He behalf of Codispoti He said he pects other charges against Cod declined to identify the troop. did not know if his client would ispoti and that other related Essex County public informabe able to make bail

NUMBIC

JAN 1 0 1981



# \$1 million bail for cop in sex case

A 19-year Essex County Police Veteran and Boy Scout leader was ordered held in lieu of \$1 million bail-yesterday on charges of sexually abusing five juvenile boys.

Arnold Codispoti, 43, of Oak Drive, Cedar Grove, was arraigned before Superior Court Judge Sidney Reiss in Newark and ordered held on special watch in the Essex County Jail in Newark.

Essex County Prosecutor George Schneider said members of his child abuse unit arrested the police sergeant shortly before 6 p.m. Wednesday in county police headquarters in Newark.

The prosecutor's office filed five criminal complaints against Codispoti, charging him with various sex crimes against boys ranging in age from 11 to 16.

Schneider said the officer is charged with sexual assaults committed in the course of his Boy Scout duties in the West Essex area

The indictable offenses, including several counts of endangering the welfare of children and charges of aggravated sexual assault, criminal sexual contact and sexual assault, range in time periods from the summer of 1981 to this month, according to the criminal complaints.

The investigation resulting in the officer's arrest began after Schneider received an anonymous eletter that made "certain allegations" the prosecutor said.

Thomas Malcolm, the public information officer for Essex County said Codispoti has been suspended without pay pending the outcome of the charges.

Malcolm said Codispoti joined the county force in September 1965, was promoted to sergeant in October 1980, was a Vietnam veteran and had "a good police record."

Codispoti was an adviser to the Essex County Government Services Explorer Post No. 654, which is for boys 14 years of age and older, Malcolm said.

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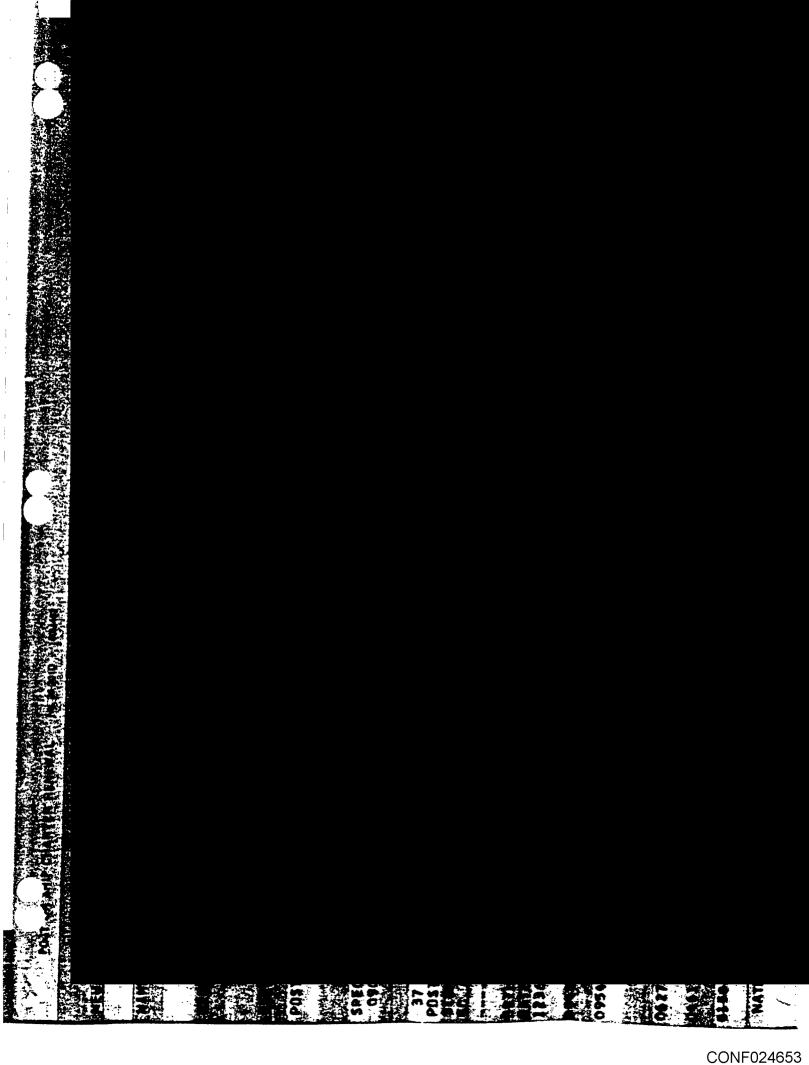
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