



## Sexual Abuse at Summer Camp

### OBJECTIVES

The objectives of this large loss claim review are to:

- Examine a CIRMA Liability-Auto-Property (LAP) loss resulting from a claim involving sexual assault and molestation (SAM) accusations.
- Discuss CIRMA and other resources for reducing liability associated with SAM incidents.
- Develop specific risk management best practices to prevent or mitigate future losses for members based on lessons learned.

### INCIDENT BACKGROUND

At the time of the loss, the plaintiff, Jane Doe, was ten years old and attended the town's summer camp program through the Parks and Recreation Department. The claimant had participated in a field trip to a local recreation area within the town. The participants loaded a bus upon arrival at camp for the day. They proceeded to the recreational area, where they could swim, paddleboat, and play volleyball, amongst other outdoor activities. The plaintiff participated in many activities throughout the morning. At lunchtime, the plaintiff appeared to be scared and, while not visibly upset, seemed a little "off" or different. It was later determined that the claimant was sexually assaulted while at the playground. The plaintiff told her parents that a boy grabbed her chest and bottom several times at the location.

### INCIDENT INVESTIGATION

- The plaintiff had previously participated in the municipality's summer camp for several years.
- Before the incident, the plaintiff or her parents had not raised any issues or concerns.
- The Parks & Recreation program runs several summer camp programs each calendar year from June through the middle of August.
  - The Parks & Recreation department hires 20 – 30 seasonal staff members to work and manage these programs.
  - Staff members' ages range from 16 to 25 years old on average.
- Each summer camp program is assigned 5 – 10 employees, depending on the activities scheduled for the week.
  - A typical ratio is 10:1 – which follows Conn. General Statute 19a-428-2(n).
- The summer camps typically arrange field trips to various recreational areas throughout the State of Connecticut.

- Each trip requires an additional parental permission slip highlighting the typical risks of the activity the child will be exposed to. The slip includes basic language such as "..., and I hold harmless the municipality for any damage or injury that occurs while my child participates in the activities...".
- The plaintiff arrived at camp on the date of the incident, knowing they were taking a field trip to a local recreation area. This location is open to the public.
- On the date of the incident, other municipal Parks & Recreation summer camp programs were at the location, as were other individuals not associated with any municipal program.
- The location offered many activities, such as volleyball, playgrounds, arts and crafts, swimming, splash pad, paddle boats, and hiking.
- The plaintiff appeared to be happy and enjoying the day. She was noticed participating in a variety of the activities offered.
- At lunchtime, the plaintiff appeared to be "off" by the camp counselors.
- The claimant didn't want to answer when asked if anything was wrong.
- The counselors asked several times if anything was wrong. They did not obtain additional information until one of the victim's friends said that "she didn't want to be near someone..." at the location.
- Again, the counselors spoke to the plaintiff and expressed that she was not in trouble, but they wanted to help her feel better, and "talking about what was wrong would help."
- The plaintiff mentioned that "a boy" had touched her while they were on the playground, and she did not like it. The camp counselor then told the victim not to go to the playground and avoid the boy.
- The counselors, who were under the age of 21 did not report anything to the lead counselor, who was 21 years old, until later, when they were on the bus.
  - The counselors stated that the claimant "had a bad experience" with another child on the playground and didn't want to talk about it. The lead counselor did not ask any additional questions and stated that "it is probably nothing." The counselor did not follow up and did not notify the program director or assistant director.
  - This resulted in no communication by the staff to the parents regarding the victim's day.
- Later that evening, while at home, the plaintiff talked to her

mother about her day. During the conversation, the plaintiff told her mother that a boy on the playground "...touched her, and she didn't like it..."

- Eventually, the plaintiff told her mother that a boy on the playground rubbed her chest and touched her "bottom."
- The plaintiff stated that this occurred several times while waiting to go down the "big slide" at the playground.



- The mother contacted the program director and assistant director, who said they had no knowledge of the incident and would look into it. Their investigation determined that:
  - The camp counselors were not at the playground when this occurred. They were determined to be at a picnic table talking with each other while the campers participated in the activities.
    - Several of the counselors posted on social media during the time the claimant was on the playground.
  - The camp counselors were told by another municipal camp program counselor that there was "...a boy, who was not part of a camp, running around trying to play with their campers...and was aggressive about it...".
    - When the other municipal camp counselors were spoken to, it was determined that they knew that the boy was trying to touch their campers. The other municipal camp counselors explained this to the counselors several times.
  - The counselors who talked to the plaintiff did not follow up on what the plaintiff said or try to determine what had happened further.
  - The counselors waited until the bus ride home to report what had happened to the lead counselor and then failed to report all of the facts.
  - The lead counselor did not follow up with the parents or camp directors about the plaintiff's bad day.
    - It was determined that the lead counselor, who is 21 years old, did not complete training as required/recommended by Conn. General Statute 19a-142-2(q), 17a-101 and Conn. Public Act 22-58 – General Statutes that govern the requirements of mandated reporters.

- It was determined that there was not a sexual abuse prevention plan/policy in place.
- There was no obvious or known reporting procedure in place.

## INJURY AND DAMAGES

The plaintiff's parents filed a notice of intent to sue, claiming:

- Failure to properly supervise
- Failure to maintain proper staffing ratios
- Failure to adequately train
- Failure to properly protect an identifiable person
- Negligence on the part of the town for not having proper policies and practices in place

As a result of the incident, the plaintiff's parents are claiming psychological and physical injuries, including:

- Post-traumatic Stress Disorder
- Nightmares
- Social anxiety

The initial demand for damages was \$3,000,000, which includes \$500,000 for ongoing psychiatric care, plus all associated legal and medical expenses expected at \$350,000, for a total demand of \$3.85M.

## CONCLUSION

Summer camp safety and security should be a municipality's top priority. To create this secure environment, CIRMA members must place a focus on managing their risks, specifically those associated with sexual assaults and molestation incidents.

According to the Centers for Disease Control and Prevention 2022 study, child sexual abuse is a significant public health problem and an adverse childhood experience (ACE). Child sexual abuse refers to the involvement of a child (person less than 18 years old) in sexual activity that violates the laws or social taboos of society and that they:

- do not fully comprehend
- do not consent to or is unable to give informed consent to, or
- is not developmentally prepared for and cannot give consent to

While estimates fluctuate across studies, research shows that approximately one in four girls and one in thirteen boys in the U.S. experience child sexual abuse — although numbers are probably underreported because many children never report sexual abuse (CDC, 2022).

Implementing comprehensive risk management policies, procedures, and strategies can assist member's summer program staff to help prevent and respond to sexual abuse. Emphasizing this will reduce the likelihood of an incident occurring. Thus, reducing any reputational issues that result from these incidents. Promoting safe and healthy environments promotes participant safety, fosters trust, and upholds a municipality's camp reputation, assisting with sustaining long-term and successful programs and activities. According to the CDC, "experiencing child sexual abuse can affect how a person thinks, acts, and feels over a lifetime. This can result in both short and long-term physical, mental, and behavioral health

consequences” (CDC, 2022). Physical consequences of child sexual abuse can include:

- Poor overall health
- Pain
- Gastrointestinal issues
- Gynecological symptoms
- Cardiopulmonary conditions
- Obesity (Jeglic, 2021)

Evidence also shows that victims of childhood sexual abuse often experience relationship issues later in life and frequently experience economic disadvantages.

According to the American Camp Association, creating a supportive and trauma-informed environment that prioritizes campers’ well-being is important. Provide access to counseling services, ensure confidentiality, and foster an atmosphere where campers feel safe to speak up and seek help.

Understanding the potential risks of sexual abuse, implementing preventative strategies, and fostering a culture of vigilance and transparency are vital to summer camps, providing a secure environment where campers can grow, thrive, and create lifelong memories. Commit to comprehensive risk-management practices, continuous improvement, and protecting our campers from the devastating effects of sexual abuse. Together, we can make summer camps a haven for all.<sup>1</sup>

## KEY RECOMMENDATIONS/ACTION ITEMS

- **Create a Sexual Abuse Prevention Plan/Policy.** A Sexual Abuse Prevention Plan/Policy is a management tool for preventing sexual abuse in an organization by formalizing policies, procedures, reporting, and monitoring activities. The Centers for Disease Control recommends that Sexual Abuse Prevention Plans address six broad areas:
  1. Screening and selecting employees and volunteers.
  2. Guidelines on interactions between individuals.
  3. Monitoring behavior.
  4. Ensuring safe environments.
  5. Responding to inappropriate behavior, breaches in policy, and allegations and suspicions of sexual abuse, especially in at-risk populations.
  6. Training about sexual abuse prevention.
- **Provide regular training to staff** who are considered mandated reporters as defined by Conn. General Statutes:
  - 17a-101 through 101(e)
  - 19a-142-2(q)
  - Conn. Public Act 22-58

- **Conduct concurrent investigations with state and local authorities** to determine the incident’s root cause. It is not uncommon for multiple agencies to conduct two (2) or more concurrent, parallel investigations. For instance, in the case of suspected abuse or neglect of a student, there will likely be three (3) investigations occurring simultaneously across three separate agencies that are all trying to determine different things.

Entity	Purpose of the Entity’s Investigation
Local Law Enforcement	To determine if a criminal act has been committed.
Department of Children and Families (DCF)	To determine if there was in fact abuse and neglect of the child.
Employer (Public Entity or School District)	To determine compliance with internal policies and applicable civil laws.

- **Ensure proper supervision by all camp counselors of camp participants during all activities.** Maintain vigilant supervision of camp activities to prevent potential sexual abuse. Implement clear visibility guidelines and ensure that campers are always within the sight and hearing range of staff members. Encourage an open-door policy for private interactions and establish protocols for one-on-one situations, emphasizing the importance of transparency and accountability.
- **Establish Code of Conduct and Policies** and enforce code of conduct policies that highlight and clarify appropriate interactions, physical contact, and camper-staff relationships and what behaviors are not acceptable. These policies should be communicated to all staff, campers, and parents/guardians on a regular basis. Communicating and promoting appropriate boundaries and expectations is vital to help create a safe and respectful camp environment.
- **Establish a clear and confidential reporting system** for program participants and staff to report any concerns or incidents of sexual abuse in accordance with Conn. General Statute 19(a)-142-2(q).

<sup>1</sup> <https://www.acacamps.org/article/camping-magazine/risk-management-sexual-abuse-summer-camp-safeguarding-campers-well-being>