

1 opportunity to review those objections. Certain
2 modifications were made to the contents of the report, and,
3 each party now has the re-make of the report, based upon
4 defense objections.

5 In addition to reviewing the Presentence
6 Investigation Report, I've had an opportunity to review the
7 sentencing memorandum submitted by the defendant, together
8 with numerous letters submitted on his behalf.

9 Mr. Cositore, the People ready to proceed?

10 MR. COSITORE: Yes, we are, Your Honor.

11 THE COURT: Mr. Hug, is the defense ready?

12 MR. HUG: Yes, Your Honor.

13 THE COURT: All right. Mr. Cositore, then, do any
14 of the victims wish to make a statement here this afternoon?

15 MR. COSITORE: Yes, both victims, Your Honor.

16 THE COURT: Sure.

17 MR. COSITORE: I will call one up at a time?

18 THE COURT: Sure. And, Mr. Cositore, you have
19 there with you [REDACTED]

20 MR. COSITORE: Yes, Your Honor.

21 THE COURT: [REDACTED], good afternoon. Go ahead.

22 [REDACTED]

23 MR. COSITORE: I'm sorry. [REDACTED] Your Honor.
24 I apologize.

25 [REDACTED] I feel that Mike Kelsey deserves the

1 maximum punishment for what he has done to me; not only
2 physically, but also for how he has impacted me mentally,
3 for how he's affected my family, and for how he's affected
4 my friends.

5 Because of Mike attempting to molest me, my whole
6 world has changed. Having a man who was so influential to
7 me, a man who my whole Boy Scout experience rotated around
8 for many years, having that man gain my trust and try to
9 molest put me in a huge shock. Then, talking to police,
10 having to testify in court, and trying to return to my life
11 to normal all put a huge stress on me, as well as my family,
12 and at the root of all that is Mike Kelsey.

13 What he did to me is inexcusable, especially after
14 he had already molested me a few days earlier, after he had
15 an opportunity to realize what he did to me was wrong. But
16 instead of realizing his fault he decided to try again with
17 me. Mike apologized to me more than once after attempting
18 to molest me, which gave me the sense that he was really
19 sorry for what he did and that he would accept
20 responsibility for his actions and not put me through
21 anymore hardship, but I was proven wrong.

22 He did continue to put us through difficult times
23 by dragging out the legal process, by spending two years
24 adamantly denying the vulnerable actions on his part, and
25 even now by trying to overturn the Court's decision. The

1 fact that he seems to truly believe he is an innocent is
2 what hurts me the most, because the jurors, and the Court,
3 my friends, his peers, [REDACTED] and I all know he is guilty.

4 Mike it all out of second chances. It was his own
5 decision to touch [REDACTED], it was his own decision to attempt to
6 touch me not even a week later, and now it's been his
7 decision to refuse his guilt even after he knew he would
8 lose the case and gave him a way out of little punishment.
9 He still kept going, only if he could convince the jury he
10 was not the predator we all knew he is.

11 Mike's actions towards [REDACTED] and me felt like a stab
12 in the back. After so many years of looking up to this man,
13 it kills me to realize that the person that I thought he was
14 is not truly who he is. Mike's actions have not only hurt
15 me, but they have also hurt my family. Sometimes I think
16 that after everything -- sometimes I think that everything
17 that I am going through has hurt my family more than it has
18 hurt me.

19 After Mike tried molest me, my brother quit going
20 to Boy Scouts out of fear of being victimized like I was.
21 And after Mike tried to molest me, my sister started to see
22 a therapist. My parents both feel like they are to blame
23 for allowing me to be put in that dangerous situation, and
24 that pained them more than anything else. The only time I
25 can remember seeing my father cry was after telling him what

1 happened to [REDACTED] and me.

2 My mother had to talk to Mike over the phone not
3 even a few hours after hearing what had happened for the
4 first time. And she had to lie to him, and she had to tell
5 him she cared for him all to protect [REDACTED] and I, yet she is
6 still burdened with feeling like she didn't do enough for
7 us.

8 Mike disrupted our whole life. He ruined my
9 scouting experience, changed the way my friends see me, and
10 he hurt my family, my best friend, his family and me. It's
11 hard for me to properly explain how Mike's actions have
12 discouraged me, but one thing is clear: Mike Kelsey needs
13 to be punished for what he has done.

14 THE COURT: Thank you, [REDACTED]

15 [REDACTED] Thank you, Judge.

16 THE COURT: [REDACTED], go ahead. I'm sorry I made
17 the mistake. Go ahead, [REDACTED].

18 [REDACTED] Thank you. I will never forget that
19 Michael Kelsey molested me and tried to molest [REDACTED] on the
20 50 miler that summer. My parents will never forget. No one
21 will ever forget. He made a lasting impact on all of our
22 lives.

23 Throughout his convicting process, he was giving
24 opportunities to resolve this easily, but he chose a
25 difficult route every time. Even after Mike has been proven

1 guilty, he still will not accept or acknowledge that he
2 committed these crimes. Every Boy Scout, including [REDACTED]
3 and I, trusted Mike with our lives. Not only us, but our
4 parents trusted him to take us on these amazing trips, have
5 fun, make memories and bring us home safely.

6 On top of all of this, Your Honor, he destroyed the
7 trust we had in him, as well as the trust our parents had in
8 him. Mike destroyed my ability to ever trust someone to the
9 same magnitude. I will always doubt my friends and their
10 intentions, no matter how close I am to them.

11 Michael Kelsey also taught me so many life skills
12 throughout the trips he took us on. I learned to be more
13 vocal, confident, daring, honorable and brave. I used these
14 skills to tell people what he did to me. Throughout the
15 years of knowing Mike, he had taught me the skills required
16 to turn him in. However, he has never lived up to his
17 qualities. He has no honor and is unable to take
18 responsibility.

19 This whole ordeal made me look at him differently,
20 along with me thinking of people differently. It tore me
21 apart from close friends. My friend went on the stand and
22 called me a liar. The defense tried to humiliate [REDACTED] and
23 me by calling us liars and questioning our reputation.

24 I will never be the same no matter how hard I try
25 to make my life normal again. I will never forget the

1 stress all this put me through, especially during the five
2 days of school I missed for the trial when I had seven
3 Regents to study for. I will never forget my [REDACTED] birthday
4 when I was sitting in the courtroom waiting to hear the
5 verdict from the jury, whether or not they found Michael
6 Kelsey, the man who molested me, guilty.

7 I will never forget the experiences Michael Kelsey
8 took away from me. When I remember Boy Scouts, this will be
9 the first thing I will remember, not the thousands of
10 brilliant memories I made with the troop. I will never
11 forget what Michael Kelsey put [REDACTED] and his family, my
12 family, the rest of the Boy Scouts, my friends, and me
13 through.

14 I will never forget that Michael Kelsey molested
15 me. That is why I am requesting the maximum sentence for
16 Michael Kelsey. Thank you.

17 THE COURT: Thank you, [REDACTED]

18 All right. Mr. Cositore, do the People wish to be
19 heard on sentencing?

20 MR. COSITORE: We do, Your Honor. Your Honor, as a
21 prosecutor, we're here to seek justice. We are not out to
22 seek revenge, but to help the Court find the truth. We are
23 burdened with bringing forth the credible evidence to light
24 of the Court. Now at sentence we bring forth the facts and
25 evidence of the case and of the defendant's history.