

# Children's Healthcare Is a Legal Duty, Inc.

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*Catherine King with cutouts of Ashley  
Photo credit: The Arizona Republic/  
Michael Meister, September 27, 1987*

## CHRISTIAN SCIENTISTS PLEAD NO CONTEST TO RECKLESS ENDANGERMENT

On September 1, Christian Scientists John and Catherine King of Paradise Valley, Arizona, pleaded no contest to felony reckless endangerment in the death of their 12-year-old daughter.

Elizabeth Ashley King is a good example of another Christian Science child whom public officials failed. She was out of school and sick at home from November, 1987, until mid May, 1988. Though school officials knew the Kings were Christian Scientists and knew Ashley was sick, they allowed the parents to set up a home study program for the girl.

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## Neighbors seek intervention

In May alarmed neighbors realized they had not seen Ashley for months and notified Child Protection Services (CPS). The state obtained a court order to have her examined at Phoenix Children's Hospital.

Doctors determined that she had bone cancer that had progressed much too far to be arrested with medical treatment. The tumor on her leg was approximately 41 inches in circumference and had dissolved the bone in places. It had metastasized into her lungs. Ashley was a pathetic case in many other respects also. Doctors feared she would die of congestive heart failure because her heart had enlarged from the strain of pumping extra blood to the tumor. Her pulse was twice the normal rate. Her



hemoglobin count was 2.4, considered "almost incompatible with life" since the normal count for a 12-year-old would be 12 to 15. Her skin was stretched so thin around the tumor that she bled almost from being touched. Rotting skin, infection, and bedsores spread over her buttocks and genitals because she had been lying in her own excrement. Some were not sure that her leg could even be amputated because of the lack of decent skin for skin flaps. Ashley told nurses and doctors, "I'm in so much pain. . . . You don't know how I have suffered."

### **Psychologists' conclusions**

Psychologists retained by CPS, however, concluded that Ashley would rather stay in her familiar Christian Science environment than have medical treatment. Because of their reports and the terminal prognosis, CPS and the Attorney-General's office allowed Ashley to be placed in Upward View, a Phoenix nursing home for Christian Scientists. This action was taken over the protest of Dr. Paul Barankó who said Ashley was experiencing "one of the worst kinds of pain known to mankind."

Ashley died on June 5, 1988, after 24 days at the nursing home. Upward View records show 71 calls made to the Christian Science practitioner for more "treatment" of Ashley's pain. Indeed, the only thing a Christian Science nursing home *will* do about pain is to call church practitioners for a prayer treatment. One entry in the Upward View logs has the nurse reminding a screaming child of "the lateness of the hour" and that "other patients are sleeping."

### **Initial inquiry into death**

The Paradise Valley police department called the Attorney General's office and asked what to do about the girl's death. According to the police, the Attorney General's office told them that the state no longer had an interest in the case because she had died. Later, the Attorney General's office said that they actually told the police to seek legal counsel. At any rate, Ashley's body was cremated without an autopsy.

At the time of her transfer to Upward View, the King's attorney hailed the agreement as a recognition of religious rights and said that no charges would be filed against the Kings.

### **CHILD President requested review**

I wondered whether the prosecutor's office had actually made such a representation. I wrote the Maricopa County Attorney asking him to investigate her death and consider filing charges.

The case was assigned to K. C. Scull, head of the major felony division. He called area police departments and the Attorney General. No-one was doing anything about her death. Scull took the case to a grand jury, which returned an indictment for negligent homicide and felony child abuse. Later the case had to be re-presented to a grand jury which returned only the felony child abuse charge.

Scull took recorded statements from about 75 witnesses. He went to several states to discuss the case with prosecutors and experts.

### **Terms of plea bargain**

Under the terms of the plea bargain, the Kings were sentenced to three years probation with 150 hours of community service work for Catherine King and 100 for John King. On completion of probation, their conviction for felony reckless endangerment will be reduced to a misdemeanor.

Bob Hooker, attorney for the Kings, wrote the court that his clients were "pawns in a struggle between the State and the Church" and that Scull was manipulating the judicial system "to send messages." Earlier, Hooker told the press that Scull was motivated by "prosecutorial boredom."

### **Judge asks for clearer children's rights**

At the September 26th sentencing, Superior Court Judge Ronald Reinstein said he thought probation was appropriate because Ashley herself was opposed to medical care and because state law is confusing on the subject. Reinstein urged the legislature to clarify the rights of children to medical care and agreed that the Kings were "pawns" in a church-state struggle.

Arizona's juvenile code says that no child who "is being furnished Christian Science treatment by a duly accredited practitioner shall, for that reason alone, be considered to be an abused, neglected, or dependent child." The criminal code requires parents to provide a child with "necessities of life," but does not explicitly mention medical care.



## Child's health must take precedence

Judge Reinstein also said at sentencing that the state's interest in providing medical care to gravely ill children far outweighs the rights of parents to practice religious beliefs. And earlier he had rejected defense petitions to dismiss the case, ruling that the religious immunity in the juvenile code did not shield the Kings from prosecution for negligent homicide or felony child abuse.

Ashley "had an overwhelming and incredibly important right here that is overlooked too often in many of our debates," Scull said. "She had the right to live. We want no more Elizabeth Ashley King tragedies in this state."

## "I know I was a good mother"

The Kings, flanked by lifesize cutouts of Ashley [cover photo], held a press conference after the sentencing. They still believe they have done nothing wrong, but agreed to a plea bargain because "it was the lesser of two evils." Catherine King said that they could not "have received a fair trial with an impartial jury anywhere in this state."

"I know I was a good mother, and no judge or jury in the country can convince me otherwise," she said.

She said their only child was very bright, mature, and firm in her religious convictions. Ashley was born at home, had never taken medicine, and had never been to a doctor.

## Medical care compared to Nazi atrocities

Catherine King, who plans to become a lawyer, compared the court-ordered medical examination of her daughter at Phoenix Children's Hospital to Anne Frank's being "taken to the prison camp in Nazi Germany."

She will perform her community service helping children at a school.

"What the prosecution has been trying to do over the past year is morally, legally, ethically, and constitutionally wrong," said John King, an executive for a real-estate investment firm.

The Kings are believed to be the first people in Arizona to be convicted for withholding medical care from a child when religion motivated the behavior. For more background

on the King case and on Arizona's other experiences with religiously-based medical neglect of children, see the summer 1988 issue of the CHILD newsletter.

## Parents put on notice: church members disagree

The King conviction, said K. C. Scull, serves notice that Arizona law requires parents to provide necessary medical care for children regardless of their religious beliefs.

Christian Scientists, however, remain determined to miss the point. Eve Warwick, a Peoria, Arizona, church member said, "Christian Scientists practice their faith in accordance with the laws of this country, and there is no law in this country that requires Christian Science parents to use medicines to care for their children. This was persecution as well as prosecution. . . ."

More significantly, the church's official legal advisor for Arizona, David Barton, told the press: "Christian Science healing treatment is not a violation of the law. The prosecution was totally ignorant of that. To punish parents for some confusion in the law is wrong."

To our knowledge, the King case is only the second case in this country charging religiously-motivated parents for depriving a child of medical treatment for cancer. Scull felt the Kings at least had an obligation to take Ashley to a doctor and make an informed, joint decision on medical options. We felt Ashley should at least have had sedatives even after her case was hopeless.

## Motivated by money?

On the next page a fund-raising letter for the Kings is reprinted in abridged form. Bob Hooker, the defense attorney who billed \$300,000 for nine months of pretrial work, is the same man who told *The Los Angeles Times* that the American Academy of Pediatrics is attempting to repeal religious exemptions "for economic reasons" and "charging around on a white horse" because "they feel threatened by alternative forms of treatment."

Taken in part from *The Los Angeles Times*, June 27; *Sun City Daily News*, October 6; *Mesa Tribune*, September 27; *Arizona Republic*, September 27 and earlier articles.



## King Defense Trust Fund

P. O. Box C-12009-342  
Scottsdale, Arizona 85267

April 1989

Dear Friend,

How would you feel, as a fellow Christian Scientist, if your child or grandchild who was working out a severe problem with the help of a Christian Science practitioner, were to be taken from your home by the state authorities against the child's and your wishes? Then, if this child, temporarily under the jurisdiction of the state, were hospitalized and put on medication, what would you do?

This is what happened to 12-year-old Ashley King in May of last year. Her parents, John and Catherine King, class taught students of Christian Science, are members of Second Church of Christ, Scientist, Scottsdale, Arizona. After five days they regained custody of Ashley, with the stipulation that she be placed in a Christian Science nursing facility. Sadly, she passed on there, several weeks later. Her parents were then indicted for negligent homicide and child abuse.

You may have received our first letter last August. Since that time the case was remanded (sent back) to the grand jury. This was a significant accomplishment because only about 2% of requesting cases are remanded. The Kings were reindicted by the second grand jury for child abuse only, a lesser charge. ("Child abuse" in this case is based on the concept that it is abusive for a parent not to seek medical treatment for a seriously ill child.) Following the reindictment, the Kings' lawyers petitioned for dismissal or remand. That petition has been denied.

This short summary covers nine months work by our exceedingly able criminal lawyers. (Yes, this is a criminal case!) Now the lawyers are simultaneously preparing for trial and petitioning the Arizona Appellate Court [where they lost in August]. These preparation costs are tremendous, with legal fees of \$30,000 to \$40,000 per month.

The King Defense Trust Fund was set up to help with these legal costs. We see this case, along with the other five cases in the United States, as not really aimed at the parents, but at the very freedom of religion, and our right to treat our children through prayer. It is an attempt to make medicine the only legal healing method in our country.

To quote the words of the Kings' defense attorney. **"It is indeed The Mother Church and the Christian Science religion that is the true defendant and which is under attack. The prosecutor here has stated that he does not want our clients to go to prison or be punished. His stated goal is to compel The Christian Science Church to alter its beliefs, i.e., to come into the twentieth century"** (to use medical means for healing).

Thank you for your contributions. Through your generosity, which is most appreciated, legal fees of \$160,000 have been paid so far; but we are currently more than \$140,000 in arrears. . . . There are two ways that contributions can be sent:

1. Make a tax deductible contribution to your branch church with the request that your branch church pass the contribution through to the King Defense Trust Fund. According to a letter we have from the Acting General Counsel of The Mother Church, as long as the branch church has discretion in the use of the funds, the church does not imperil its own nonprofit tax status.
2. [Contribute] directly to the King Defense Trust Fund (not tax deductible). . . .

The need remains very great. We are counting on your support, first through your prayers and second, by sending whatever you are able.

Signed by Mary-Ed Bol Duniway, Trustee



## TALBOT AT THE GRAND JURY

Nathan Talbot, the Christian Science church's international public relations and lobbying manager (COP in church parlance), testified voluntarily at secret grand jury proceedings in the King case. After the Kings were convicted, the proceedings became public. Below are excerpts.

Juror Hill: "One of the tenets of faith is that treatment by prayer is the way to go, not medical?"

Talbot: "Christian Scientists teach a purely spiritual method of care."

Juror Hutchison: "In extreme emergencies, you still wouldn't see a doctor?"

### He could save medicine's casualties

Talbot: "I've seen the statistics. In the United States there's about 66,000 children, just between the ages of two and four, lost each year in the medical area. What if. . . their parents had turned to Christian Science? My estimate is some of them would have been saved."

Juror Minnis: "If you were to. . . like, chop a finger off--a hand or something, after that, can you do this spiritually, or do you need medical attention to sew it up?"

Talbot: "I think it would probably be presumptuous of me to say what I would necessarily do. . . . A gentleman called me one time with a severed artery. . . . I did prayer with him. I was a long distance away. The bleeding very quickly ceased, and he was well within hours."

### Reasonable to ignore 41" tumor

Juror Cox: "It has been described, the little girl--her thigh had grown so large, it was larger than my waist, and the stench from the decaying flesh was so bad, it permeated the entire floor of the hospital.

"It must have been obvious to the parents that their prayers had not been successful up to that point. Was it reasonable of them, as Christian Scientists, to continue the treatment only in the Christian Science faith as contrasted perhaps to seeking medical help?"

Talbot: "Given the healings that have taken place. . . , I would have to honestly answer 'yes,' that a Christian Scientist could well perceive a case like this, and still see healing. . . . A couple

of years ago a program on *60 Minutes* [showed] . . . what doctors have to deal with sometimes. They showed some scenes in that program I don't know how any of us could get through without a tear or two--some of the agony and torture children have had to endure under some medical procedures--the best doctors could bring to it."

Juror Hill: "How is it that you wouldn't see fit to. . . get some medical people in here to look at this person [who has had Christian Science treatment]?"

### Superior healing record claimed

Talbot: "Quite honestly, the reason is because we have never practiced this method of healing as some sort of competition thing. We thought of it as part of our worship. . . . We're not a church that goes out and tries. . . to persuade society to be Christian Scientists or persuade society we do as well or better than doctors.

"Given what is happening [i.e. prosecutions], we've been forced to. . . pull together some statistics. What we have gathered has been very encouraging, although I think we've been very careful not to try to persuade the public, just because the child has a better chance to survive in society because it's a Christian Scientist. We must try to not promote our religion."

### Fulltime vocation

Juror Cox: "Being a Christian Scientist practitioner, is that your fulltime vocation?"

Talbot: "Yes. I'm presently serving in the role as spokesperson for the church. It's a one-year appointment. When I finish with this work, I will go back to Boise and I will give my full time to the healing ministry." [But Talbot has held his job as COP manager since 1983.]

Juror Cox: "You're not an engineer who is a practitioner on the side. You are a practitioner fulltime?"

Talbot: "Yes. Right now, most of my time is working with cases--evening times and weekends, also. . . .

### Can't learn from doctors

Juror Hill: "Do you believe that Christian Science practitioners could learn from medical doctors, and vice versa?"



Talbot: "What the doctors are doing wouldn't change our view [that the Christian Science] approach to healing. . . in the long run for society basically has more promise."

### **Practitioner should be sure a practitioner is caring for child**

Scull asked about the purpose of the church rule that practitioners report to the COP when sick children do not improve.

Talbot: "Our primary purpose would be to encourage individuals to have a Christian Science practitioner." [But the church tells its members the primary purpose is to get the COP's advice about state laws.]

Scull: "Would you, yourself, personally, if you had a child [who] got in the situation Elizabeth Ashley King did, with a tumor growing every day for six months, would you absolutely rule out medical intervention yourself?"

Talbot: "I would do what I felt was the best to heal my child. . . . The child's welfare would be my primary concern."

### **Doctors fail too--but he doesn't**

Scull (showing a photograph): "That is Elizabeth Ashley King's leg when she was admitted into Scottsdale North, and later into Children's Hospital in Phoenix. . . . Don't you feel a doctor should have been called and looked at this leg before it got to this horrible extent?"

Talbot: "That program I mentioned on *60 Minutes* was worse than this, in a medical setting. This is hard. I think any of us would agonize over a difficult medical condition--no question about it. But those hard cases come for both the Christian Scientist and the doctor."

Juror Cox: "[Can a practitioner] recommend to someone they turn to medicine?"

Talbot: "Ethically, I don't feel I can recommend that."

Other interesting points in Talbot's testimony are that he works "with children all around the country in cases of illness," he's never lost a child in twenty years as a church healer, and he has no children of his own.

## **WHAT HAS THE CHURCH LEARNED FROM THREE CONVICTIONS?**

### *The Swans' View*

During 1989 three sets of Christian Science parents were convicted of felonies for depriving their children of medical care. Four other cases await trial.

What do these events mean to the church? Will the Christian Science church change its policies on the treatment of children?

Unfortunately, the church's rhetoric indicates a stubborn determination to maintain business as usual. Church spokesman Nathan Talbot says that prosecution "will have just the opposite effect of what doctors and prosecutors are seeking, which is to intimidate Christian Scientists and scare them away from the spiritual healing practice that is at the heart of our beliefs." A reporter asked him what the church would do if the Rippbergers were convicted; he replied that a conviction would just make Christian Scientists "more committed" to their methods.

At the church's annual meeting, the President of the Mother Church David Sleeper and Talbot presented a dialogue from which we excerpt.

### **Resistance to Christian healing?**

Sleeper: Why are our "healings. . . still creating such a stir in public thought? Why is there so much resistance to the concept of genuine spiritual healing. . . ? Isn't it part of that fermentation. . . , the conflict as the human mind is being forced to change from matter to Spirit and the resistance to that?"

Talbot: "Yes. Very much."

Sleeper: "It's not a pleasant thing to have to face conflict and misunderstanding. . . . "But do you see any hope for us in this? For mankind, too, as we face the opposition to spiritual healing, and as we're winning recognition of our right to practice spiritual healing?"

### **Comparison to walking on water**

Talbot: "I can hardly tell you how much hope I see in all this. I think this is one of the most promising times that our movement has ever had. The potential for what can come out of all this is truly enormous. . . . There is a fear in human thought about things new. You remember when



Jesus walked on the water and his disciples were afraid. They didn't understand. And yet he said, 'Be not afraid.' He had compassion--we need to feel more of that. We need to feel the forbearance, the forgiveness, the sense of patience, that will help bring healing to our fellowman. But, yes, I see a terrific amount of hope, I really do."

### **Blessing all mankind**

Sleeper: "Do you feel. . . that we are contributing blessings to mankind in our firm stand for spiritual healing?"

Talbot: "Our entire Church is making a consecrated effort to truly care for our fellowman," said Talbot. "It's showing in so many ways. I think it's beginning to have a significant impact, and that impact sometimes brings some stirring. It also brings some leavening."

Sleeper: "Which is an essential step of progress, is it not? That with the leaven comes the fermentation until there's a transformation?"

Talbot: "Absolutely."

The church has no-lose rhetoric for its members. If Christian Science is at peace with the world, that's a sign of God's favor. If it is criticized, it's because we unenlightened heathens are beginning to wake up to the great blessings they have to give us. The church has subjected us to "chemicalization," a term coined by Mary Baker Eddy to explain "the upheaval produced when immortal Truth is destroying erroneous mortal belief." They are "forcing impurities to pass away, as is the case with a fermenting fluid."

### **At what cost?**

There will be more dead children because of the church's belligerent self-justification.

Ironically, the church has retained a jury research firm which claims that the church may change its beliefs about treatment of sick children.

### **Change of policy?**

Howard Varinsky Associates of Oakland, California, has written to the jurors in the

Rippberger case asking for permission to interview them.

"As an independent jury research firm," Varinsky writes, "we have been retained by the Christian Science Church to contact jurors in this and other similar cases so that they can understand the guiding principles underlying people's thinking about the types of issues raised in these cases. There is a possibility that the results of these interviews could lead to fundamental change in Church policy or at least serve as guidance to parents practicing the Christian Science faith."

Is the church about to change Mary Baker Eddy? And did they retain a firm whose "specialty and field of expertise is in jury behavior and decision-making and any other research that may pertain to jury trials in general" to help them change their theology?

When the Mormon Church wanted to change its prejudicial beliefs about blacks, their president Spencer Kimball went to the desert for a few days and got a revelation from God that the time had come to discard those beliefs. That is one way to change a theology.

### **Business of shaping juries**

The business of Howard Varinsky Associates is constructing psychological profiles of jurors and frankly, according to one observer, helping litigants massage the evidence to make it more persuasive to jurors. Has the Christian Science church retained Varinsky to help them change their theology?

Well, pardon our skepticism, but we don't think so. The Rippberger jurors were interviewed three months ago by defense investigators, who came to their homes unannounced and questioned them for as long as two hours. We believe Varinsky's suggestion that the church may change its policies is merely an inducement to get the jurors to talk again and thereby provide insight for defense strategies in future criminal trials of Christian Scientists.

Taken in part from *Chicago Tribune*, April 20; *The Christian Science Journal*, September 1989; *Science and Health* by Mary Baker Eddy; and a letter from Howard Varinsky to the Rippberger jurors dated November 22, 1989.

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## SICK GIRL FOUND AND TREATED

Melinda James, 6, was found by Washington state authorities in August. The Banks, Oregon, girl disappeared May 5 after her parents, Daniel and Judith, refused to allow medical treatment for a kidney ailment. The James family belongs to the Church of the First Born, and medical care conflicts with their religious beliefs.

Melinda's father and a church bishop spent six weeks in jail on contempt of court charges for refusing to disclose her whereabouts.

Melinda was treated in Washington and returned to her family in October. She was also made a ward of the court until age 21 in order to ensure that her medical treatment will continue.

Because Melinda is now in the custody of the Children's Services Division (CSD), a grand jury decided not to bring criminal charges against her parents or the bishop, the Washington County District Attorney's office reported.

### Forced medical care likened to the KGB

Her parents have complained bitterly about CSD's authority over them. "It's kind of like we're in Russia and the KGB is constantly on our back," Judith said. "I feel like we're prisoners."

"We love our kids and we've always done what's best for them. Melinda, if she'd ever, at any time, indicated she wanted anything else done, I'd have done it. I asked her more than once, 'Would you like to go to the hospital. . . ?'"

### 6 year old knows what she wants

"She's no dummy. . . . She knows what she wants. She didn't for one minute like the hospital, even when she got to where she was feeling better."

"Anything we've ever done for, to, or with our kids is because we love them. . . ."

"My main goal is to reach heaven. You gotta die to go to heaven, no matter what age you are. In the end you gotta die and death isn't that terrible. I'm not wanting to die, but in the end there's a lot of things worse than that."

Taken in part from the *Hillsboro Argus*, September 28, and the *Forest Grove News-Times*, October 11.

## "POINT ZERO": PROFILE OF ABUSE FOR SPIRITUALITY

The November, 1989, issue of *Vanity Fair* carries a lengthy article by John Colapinto about the ordeal of children and women at the hands of a guru-type. The children, Jeff and Julia Sarwer, have been widely profiled as internationally-renowned chess masters, but the press previously did not suspect the abuse that drove them to their skill.

Pulling them out of school, their father, Mike Sarwer, educated them by eccentric methods arrived at by years of "meditation." They lived in squalor and filth, which the father saw as proof of their spirituality. Father and son shave their heads and eyebrows once a year as part of a quest for an "immaculate existence."

### Abuse and neglect described

In 1986 the reporter noticed that the children had racking coughs and wore no socks. Rejecting medical intervention on spiritual grounds, Sarwer treated the colds himself, sending them on uphill jogs in New York City in December. The coughs persisted and worsened while the pale, thin children were shuttled by their father to TV appearances, chess exhibitions, tournaments, and interviews, all the while maintaining that chess was just a "spiritual pursuit" and "fun."

In 1987 Mike punished the children for "lying" by making them sit facing a blank wall from morning until night for two months. During chess coaching sessions he would slap the back of Jeff's head for six hours at a time. He frequently yelled at them, calling them "retards" and "morons," which he claimed drove them to try harder. After slapping or kicking them, he would command, "Check for injuries." They would mechanically pat their head, arms, chest, and legs, then report, "No injuries." He wrote to a friend that "their IQ seems to go up after I've hit them."

Bolstering Mike's attitude toward society, the children chant, "Be a jerk, go to work. Be a fool, go to school."

### Lover reduced to "point zero"

Sarwer's former lover, Lisa Kelly, said they had an agreement allowing him to sleep with other



women as part of a "great human experiment" and in return he would transform her into a "superior being." This process included relentless supervision of every aspect of her life. Her diet was restricted because of what he called her "flavor fetish." He checked the garbage daily for evidence of disloyalty. He also charged her with a "water fetish" and ordered her to shower only once a week without soap or shampoo and to use no cosmetics. He prohibited household cleaners, including dish soap, because of dangerous chemicals. He prohibited magazines, books, television, phone calls, contact with relatives and friends, etc. because her brain could not "handle them." He said he could not start to build her up until she had been reduced to "point zero"—the complete eradication of her personality and familiar thought patterns.

### **Forty hour labor**

Lisa became pregnant. Mike planned a "pregnancy farm" where he would service fifteen women and disperse his superior genetic material more widely. He was also determined that their child would not be "defiled" by the medical profession. When she was eight months pregnant, Lisa sneaked out to see a doctor who strongly advised against a home birth. In a daylong loyalty session, Mike learned of the visit and beat her.

Lisa was in labor at home for forty hours. She became delirious. When she began bleeding, Mike panicked and took the family to the hospital. He insisted that the children participate in the delivery; Julie fainted. He had the placenta put in a plastic bag and gave it to Julia as a "gift from the baby." (According to Lisa, he first wanted the family to eat it, but ended up planting it in the backyard.) He refused all postnatal care for the baby, including bathing, and checked Lisa and the baby out of the hospital two hours after the birth, despite hospital objections.

The case bears strong resemblances to that of Hedda Nussbaum and Joel Steinberg. The syndrome of the brutal guru who organizes a household of slaves has been, in the words of *Vanity Fair*, "a chilling theme in post-feminist America."

## **OREGON WOMAN ADMITS TO MURDER ON DIVINE ORDERS**

On September 11 Sharon Halstead of Grants Pass, Oregon, was sentenced to life in prison for aggravated murder and attempted murder. According to court testimony, she killed two people and shot two others on orders from her nine-year-old son, Leo, who reputedly spoke for God.

Her sister, Deborah, who is considered the dominant of the two, was sentenced for conspiracy in the murders.

About 1982 the sisters joined a Bible group with the Greene family and other members of the Grants Pass Seventh-day Adventist church. Over time the group shifted from studying the Bible to spiritualism. They held exorcism rituals. They developed a "voice ministry," in which God and angels spoke to them and they went on out-of-body journeys. Adventist officials testified at trial that such beliefs are aberrations and not endorsed by the church.

### **Boy directs murder and robbery**

In the summer of 1988 Leo began taking over the family. He claimed that God spoke through him and that he could discern when someone was possessed by demons or "totaled." He could also tell when their possessions were "totaled," which meant they could be stolen.

Under Leo's influence, the Halstead sisters and Sharon's children began slashing tires and stealing. Leo convinced his mother to take him out of school. She even believed him when he told her God wanted her to take him to a shopping center so he could skateboard at night.

On November 2, 1988, the four went to a ranch to rob and to murder three people, including brother Michael Halstead and their old friends the Greenes, because Leo said they were demon possessed. Non-compliance with Leo's orders, the group believed, would result in their becoming demon possessed.

One victim of their shooting spree is a toddler who is permanently paralyzed.

### **Dependency disorder**

The defense said that Sharon Halstead had been a follower all her life. She was abused as



a child and was a slave to a much older husband. She was finally making a life for herself after the divorce when the Greenes called and told her God wanted her to move to Grants Pass. The Greenes also broke up her engagement with visions that she should marry another man.

Josephine County Circuit Judge Gerald Neufeld rejected defense contentions that Halstead was the victim of a "cult" and under the control of her son. He ruled that the crime was planned, citing the steps she took in preparation, including helping Leo steal a pistol from his father and test-fire the weapon.

Forensic psychiatric examination of Halstead did not support an insanity defense, but she was diagnosed as having a dependent personality disorder.

### **Sincere beliefs no excuse**

The judge agreed that Halstead's crimes were motivated by her religious beliefs. But, he concluded, if society reduced punishment because of sincere beliefs, "then travesties such as Nazi Germany could be allowed to exist." He gave her the maximum prison sentence to ensure that she never leaves prison alive.

Taken from the *Salem Statesman-Journal*, September 12; *Medford Mail Tribune*, September 28; and *Grants Pass Daily Courier*, September 27 and 28.

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## **OREGON JUDGE RULES AGAINST TE-TA-MA IN CUSTODY DISPUTE**

In August a judge in Medford, Oregon, granted a former member of Te-Ta-Ma Truth Foundation custody of her four children. Madonna URI and her children left the group in March and moved to Florida.

Madonna told the court that when she tried to leave four years ago, sect members locked her in a cottage against her will for ten days. Another time they dragged her back to the group's communal residence by the hair and then intimidated and ridiculed her.

She said the group requires all members to change their legal names to URI and to sign a document turning over "all present or future assets" to the sect.

She also said the children of the sect had

never seen doctors, been immunized, or attended schools outside the home.

Other testimony revealed that the group punishes children with a leather belt, often for minor infractions and that the children are deprived of contact with neighborhood children and relatives from outside the group.

A local psychiatrist defended the group, characterizing it as similar to the Mennonites.

Jackson County Circuit Court Judge L. A. Merryman said the commune was "no place for children." He granted custody to the mother and ordered that her husband could visit them only under strict supervision.

The Te-Ta-Ma Truth Foundation, Family of URI, Inc., has about 80 members in several western states.

Taken from the *Cult Awareness Network News*, October 1989, and the *Medford Mail Tribune*, April 21-25.

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## **PARENTS WANT GOD TO GET CREDIT FOR GIRL'S HEALING**

Parents of a 4-year-old girl whose brain was damaged when her brother accidentally shot her initially refused to move the child to Delaware for therapy, saying God would make her well.

Betty and David Hagan took their daughter Evie to Orlando Regional Medical Center in Florida where surgeons removed a bullet fragment from her brain stem. She emerged from a coma and was maintained on a respirator.

Joseph Chiaro and John Tilelli, pediatricians at the Center, said Evie needed extensive therapy. This was arranged for at the duPont Center in Wilmington, Delaware, which offered to provide care and accommodations for a family member for free.

The Hagans, however, refused the therapy. "Everybody knows that Evie is going to walk next month anyway, and we want God to get the credit, not man. It's trying our faith. We're not fanatical, we're just using wisdom."

"To deny her the opportunity to maximize her potential does raise a lot of sadness and anger in me," Chiaro said. "I would like to see everything done for her because Evie is going to live with this decision."

Betty Hagan said she didn't believe God would let down hundreds of their friends and



supporters, who had been assured that "God is going to heal Evie. . . . God has told them and they've told us and encouraged us to 'stick to your guns.'"

After physicians said at a news conference that they were considering obtaining a court order for the therapy, the Hagans consented to it.

Taken in part from *The New Orleans Times Picayune*, August 25, 1989.

## MISSISSIPPI FILES AGAINST UNLICENSED CHILDREN'S HOME

On November 29, the state of Mississippi filed an injunction against the Bethel Children's Home in Lucedale because its director, Rev. Herman Fountain, will not comply with a 1989 law requiring residential children's homes to register with the state.

Fountain, an independent Baptist minister, contends he answers only to God and does not have to obey state law. He said the legislation was "typical of political attempts to solve a problem by narrow-minded rules which make sense only if the spirit of man is ignored."

His facility, he says, "will continue to dedicate itself to being the home and advocate of the homeless, 12-year-old alcoholics, 10-year-old con artists, drug addicts and prostitutes. We accept the prosecution all Christians can expect from service too near the cross. Our reward will come. Until then, we will be the sanctuary and resort for children whose parents have given up on them and do not trust the state. We will minister to their bodies while we focus on their soul, which is beyond the province of Caesar."

There is considerable evidence of child abuse and neglect at Bethel Children's Home.

Taken from the *Jackson Clarion-Ledger*, December 2.

## POLYGAMY ADOPTION CASE HEARD

On June 12 the Utah Supreme Court heard arguments on whether a practicing polygamist should be automatically prohibited from adopting minor children.

The case centers on the five children of Brenda Thornton, a member of the dissident

Fundamentalist Mormon Church. Its colony on the Utah-Arizona border, known within the church as "the lambing ground," is the only community in the country practicing religious polygamy.

When Brenda was 17, she was instructed by the sect's prophet to marry her mother's husband and bear his children. Over the next 17 years, she produced six children for him. In 1984 she walked out on him, but continued to see her Fundamentalist friends, who warned her that God would punish her for her apostasy.

### People as possessions

In 1985, she was diagnosed as having breast cancer. Medical bills left her and her children destitute. In 1987 she returned to the Fundamentalists. Their prophet ordered her to marry Vaughn Fisher. Three hours later she did. The next morning she executed a will expressing her wish that Fisher would have custody of her children after her death.

Upon her death two months later, Fisher filed a petition to adopt her children. A state social worker did a home study and strongly recommended adoption, describing Fisher's home as a caring Christian family, free of drugs and alcohol. The children and their natural father all expressed approval.

Then Fischer's deposition was taken and the court learned that he is a practicing polygamist with two other wives and about a dozen other children. That way of life, Fischer testified, had been decreed by God Himself in a revelation to mankind in 1886.

### Polygamist's adoption ruled out

Last December, a trial court judge ruled that no polygamist could legally adopt children. He labelled polygamy "a crime" and "immoral conduct."

"Why should Mr. Fischer lose rights of citizenship because of his religious beliefs?" asked his lawyer, Steven Snow. "If the state says he can't adopt children because of what his church teaches, can the state also say that he can't vote, or get a driver's license, or go hiking in a state park?" The ACLU also supports Fischer, charging the state with interference in religious freedom.



## Slavery feared

Janet Johanson, Brenda's half sister, has filed suit to get custody of the children. She and Utah Children, a child-advocacy group, said leaving the children, four of them girls, with Fischer would amount to "slavery."

Carl Fischer, who was adopted into the Vaughn Fischer family as a minor, has sworn in a deposition that Fischer taught him the following precepts: marriage should be arranged by the prophet; medical help is a last resort after home health remedies and religious blessings; girls do not need a high school education because their duty is to bear children and obey their husbands; personal suffering is rewarded in heaven, so women should go without necessities; girls who are caught flirting with young men are immediately ordered to marry older men; Jews, blacks, Hispanics, and Indians are inferior.

## Disastrous interventions

Utah and Arizona have allowed the colony to practice polygamy freely since 1953 when the last case was prosecuted. In recent years, Utah has tried to intervene on behalf of polygamists' children, with disastrous results. In 1979, Utah police shot one polygamist patriarch to death in a standoff sparked when authorities tried to force him to send his children to school. In January, 1988, in another famous standoff, that dead patriarch's followers bombed a Mormon church and then held police at bay from their farmhouse while waiting for their leader's resurrection. A corrections officer was killed in the shootout.

In 1878, the U. S. Supreme Court upheld a law prohibiting polygamy in the case of *Reynolds v. United States*. The Court drew a distinction between religious belief and religious conduct, declaring that only the first was an absolute right. Some legal scholars believe that the distinction has been eroded by recent rulings and that the courts should review the status of polygamy.

Taken in part from *The Washington Post*, March 15 and June 13, 1989, and from a Jack Anderson column.

## RELIGIOUS COUPLE CONVICTED OF MURDER FOR STARVING SON

A former Seventh-day Adventist preacher, Larry Cottam and his wife Leona, of Nuangola, Pa., were convicted September 8 of third-degree murder in the starvation death of their 14-year-old son, Eric. The Cottams had nearly \$4,000 in savings, but would not use the money to buy food because they considered it a tithe belonging to God. Cottam was unemployed and too proud to accept handouts. He also refused to send his children to public school where they would have qualified for school breakfast and lunch programs.

The family ran out of food after spending all the money they considered theirs. They had not eaten for the 42 days before Eric's death on January 3. Cottam nevertheless insisted that God would provide.

Eric, whose dream was to become a meteorologist, weighed 69 pounds at his death, about 80 pounds less than normal for his height, 5 feet 10.

Their daughter Laura, 12, grew so weak from malnutrition that she could not walk. She has been placed in a foster home.

Cottam told the press, "It's not God's fault. It's my fault. . . . My wife and I feel terrible about Eric's death, but my faith in God is not shaken."

Cottam was a minister of several Seventh-day Adventist churches in the area of Wilkes-Barre and Pittsburgh. He split with the church after losing his post. Adventist officials testified at trial that tithing was not required by the denomination.

The Cottams fought a two-year legal battle with the school district, which ended in June, 1988, when they were allowed to educate their children at home. A school district official said the Cottam children were not allowed to talk to other people without their parents being present.

## Boy's religious freedom as defense

Al Flora, the Cottam's court-appointed attorney, plans to appeal. He said the Cottams were afraid to let outsiders learn of their plight because the children might be taken away from them. Also, "the children's constitutional rights to exercise their religious beliefs" will be a major



focus of his appeal. The children knew that they were dying and accepted death, he said.

Judge Gifford Cappellini of the Luzerne County Circuit Court would not allow the Cottams to raise the children's First Amendment rights to religious freedom as a defense before the jury because they still lived in their parents' care.

Assistant District Attorney Ann Cianflone does not believe that the children were willing to die. She told the jury that Eric had tried to stay alive by eating roots from the yard and hiding a frying pan and oil in his bedroom.

Taken in part from *The Sacramento Bee*, January 6 and 8; *The New York Times*, January 6; and *The Arizona Daily Star*, September 9.

## CHILD BOARD MEMBER PUBLISHES

CHILD board member Shirley Landa has published an article entitled "Warning Signs: the Effects of Authoritarianism on Children in Cults." It appears in *Areopagus*, v. 2, no. 4, for 1989. She discusses education of children in cults and religious exemptions from child healthcare requirements among other topics.

## HIGHER MORTALITY RATE AMONG CHRISTIAN SCIENTISTS

The September 22/29 issue of the *Journal of the American Medical Association (JAMA)* carries an article entitled "Comparative Longevity in a College Cohort of Christian Scientists" by Dr. William Simpson, a mathematics professor at Emporia State University. The author obtained data on the graduating classes of Principia College for Christian Scientists from 1934 to 1983 and compared them to the graduates of the University of Kansas for those years.

His statistical analysis indicated that the Principia graduates have a lower life expectancy than the KU control group. The hypothesis of lower life expectancy was confirmed to a 4.2% confidence level for the men and to a .3% confidence level for the women. In other words, there is less than a 4.2% and a .3% chance respectively that the higher mortality rates among Christian Scientists are due only to random

variations. Any confirmation of a hypothesis to less than a 5% chance of error is considered statistically significant.

These results seem especially impressive considering that Christian Scientists are forbidden to drink and smoke.

The Christian Science church reacted angrily to the Simpson study, calling it "fraud." They professed to be "shocked" that *JAMA* would publish it. In identical letters around the country, several church officials claimed to have "considerable evidence" that Simpson's conclusions were "completely untrue."

## Spurious objections

They charge that the study is "based on the misconception that all or most alumni of a denominational college remain practicing members of the denomination." In other words, the reason Principia's mortality rates are higher is that so many of their graduates have left Christian Science and now get medical care. However, if many of the Principia graduates have, during the fifty-year study period, managed to rationalize some medical help for themselves, the higher mortality rates among the whole group of graduates is a stronger indictment of Christian Science methods—unless, of course, there are now more Christian Scientists among the KU alumni than the Principia College alumni.

Taken in part from *The Detroit News*, October 7, and *The Seattle Times*, October 7.

## CHRISTIAN SCIENCE CHURCH OFFERS STATISTICS ON CHILDREN

The Christian Science church now claims to have developed statistical data indicating that Christian Science is more than twice as effective as medical care at healing all diseases of children.

According to the church, their statistics show that 51 in every 100,000 children die under medical treatment, while only 21 of every 100,000 children die under Christian Science treatment.

The church has developed these statistics by estimating that there are 7,000 children enrolled in Christian Science Sunday Schools from birth through age fourteen and that only six Christian



Science children have died in that age group over the past five years. The six losses the church found are all criminal cases.

Deficiencies in the methodology by which the church developed these statistics are discussed in *The Los Angeles Times*, June 27, and *The St. Petersburg Times*, June 4.

## MEASLES STRIKES CHRISTIAN SCIENCE GROUPS AGAIN

This summer 55 children developed measles at The Cedars, a camp in Lebanon, Missouri, for Christian Scientists. Twelve students at Principia College in Elsah, Illinois, contracted measles early in the summer, making a total of 27 measles cases for the year among Christian Scientists in Illinois, according to the Illinois Department of Public Health.

The Principia schools in St. Louis County for Christian Scientists from preschool through grade 12 had 80 cases of measles this fall among the 600 students. County health officials asked the school to exclude from classes any students who were not immunized against measles. Principia complied with the order and later reported that more than half of the students had gotten immunized.

In 1985 Principia College had 136 cases of measles and three deaths in a Christian Science community of about 900, while Adventure Unlimited, a Christian Science camp in Colorado, had 51 cases of measles that summer.

### Hostage analogy

Nevertheless, the church continues to maintain that measles is caused by inadequate understanding of God and is prevented by studying Christian Science theology rather than by vaccines. When John Boyman, Ed.D., retired as President of Principia College this spring, he was asked about the greatest challenges during his tenure and gave the following response:

"The measles challenge in 1985 was a time of significant growth for this community. The outcome of that difficult time was the beginning of 'quiet hour' which began the following quarter—a half hour set aside each weekday morning at 10:00 a.m. for everyone to pray for the

community.

"The whole measles experience makes me relate more to what it must be like to be a hostage. It has that kind of timbre: bombarded with media attention trying to get you to conform to their sense of reality rather than what you know is the Truth; day after day not sleeping. You are in a situation not of your own making. You reach inside and find you have resources you never would have guessed. Faculty members taught their classes, then sat with students all night, encouraging them, loving them. All members of the community helped, and the faculty were back in their classes the next day.

"That experience was the most extreme challenge we have faced. Yet I'm so grateful for what it showed us about ourselves. We are a caring, devoted community and family. It showed us how much we have to be grateful for. We can lean heavily on our religion, and it will be sufficient to the challenge."

### Exemptions risk others

As the AMA has pointed out, religious exemptions from immunizations lower the level of protection for the entire population. CHILD Inc. also opposes such exemptions. We believe that all children should be immunized, both because of the proven value of vaccines and because of their limitations. Before the measles vaccine was developed, the United States had from 400,000 to a million cases of measles a year and hundreds of deaths. This year there have been about 14,000 cases and forty deaths. According to a Center for Disease Control official, a majority of the deaths have been among unvaccinated pre-school children.

### Measles rate more than 350 times higher

The benefits of the measles vaccine are illustrated in the St. Louis County statistics. There were 103 cases of measles among a population of 274,000 children from birth through age 17 [0.376 per 1000]. That is a far lower attack rate than the 80 cases of measles among the 600 Principia children [133 per 1000].

Vaccines, however, also have their limitations. Christian Scientists say that their unvaccinated children do not endanger the health of other children who are vaccinated, but their argument



is too simplistic. It is possible, though unlikely, for properly vaccinated children to catch measles from unvaccinated carriers. Furthermore, babies too young to be vaccinated and children for whom vaccines are contraindicated are certainly at risk from unvaccinated carriers.

The number of measles cases nationwide has increased sharply in the last two years. The American Academy of Pediatrics now recommends that all junior high-age children get a booster shot against measles because the standard vaccination at age 15 months has not prevented the disease in many cases. In fact, 53% of the 183 cases of measles this year in St. Louis County occurred among children who had received one immunization against measles.

Taken in part from the *St. Louis Post Dispatch*, September 16, 23, and 26; and *Principia Purpose*, Summer 1989.

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## CHRISTIAN SCIENCE PARENTS AND PRACTITIONER INDICTED IN MINNESOTA BOY'S DEATH

On October 9 a Hennepin County grand jury indicted three Christian Scientists on manslaughter charges in the death of an 11-year-old boy.

Ian Douglass Lundman died May 9 of juvenile-onset diabetes in suburban Minneapolis. His mother, Kathleen McKown, and stepfather William retained Christian Science practitioner Mario Tosto and church nurse Quinna Lamb for treatment and care of the boy, but provided no medical attention.

Mrs. McKown was working toward becoming a church-accredited practitioner. She had a downtown office and was listed in the phone book as a Christian Science practitioner. Mr. McKown is a retired department manager of General Mills.

### Father reassured 6 hours before death

Ian's father, Doug Lundman, left Christian Science several years ago. The past two years, he has been a professor of architecture at Kansas State University. Doug called his exwife around 8:30 p.m. on May 8 and asked to speak to Ian. She told him that Ian was fine, but had had a touch of the flu and was sleeping. At 2:36 a.m.

May 9, Ian died in a diabetic coma.

Doug Lundman has moved back to Minneapolis and is fighting for custody of his thirteen-year-old daughter, Whitney.

### Indictment for unreasonable risk

The four-count indictment alleges that the McKowns conspired to negligently cause his death by creating an unreasonable risk and consciously took a chance of causing death. Tosto was named in one count for intentionally aiding and abetting in creating an unreasonable risk of death.

Lamb and Ian's paternal grandmother, Donna Lundman, a Christian Science practitioner and teacher, testified before the grand jury under a grant of immunity. Tosto refused to testify, claiming a clergyman-communicant privilege.

### Legal rights claimed

Minnesota has a religious exemption from child neglect and endangerment charges, but not from manslaughter. As in other states, the Christian Science church represents the religious exemption as a shield to all criminal charges. In the 1976 edition of *Legal Rights and Obligations of Christian Scientists in Minnesota*, the church claims that the exemption protects "the rights of children receiving Christian Science care and treatment in lieu of medical treatment" and helps "public and school officials to understand that children of Christian Science parents are not being neglected when they are being furnished health care by a system of healing recognized by statute" (23).

"In Minnesota all citizens have the right to depend on Christian Science for healing," the booklet further claims. "Nothing in the law permits a health officer to compel a person, parent, or child to submit to medical treatment. Parents have the right to the custody of their children and can be deprived of it only by court order. With this right goes the corresponding duty of parents to provide for the support and maintenance of the child. . . . The parent or guardian is the legal representative of the child and is the only person competent to assert the child's rights. Parents are encouraged to handle courageously any attempted infringements of their legal rights regarding their children" (25).



The church has a large number of lawyers on staff. In our view, the church knew full well that they did not have a religious exemption from manslaughter charges, but chose to mislead its members with the claim that Christian Science was recognized by Minnesota law as "health care" for life-threatening illnesses of children.

### Indictments condemned

Attorneys for the McKowns called the indictment a travesty. Defense attorney Peter Thompson called Mrs. McKown a loving mother who "always carefully made decisions for the well-being of her two children, including getting spiritual treatment for the illness that brought Ian's death." The McKowns "didn't sit and watch this child die. They did exactly what they thought was the best thing they could do," he said.

Larry Leventhal, representing Tosto, called the indictment outrageous. Tosto "was 35 miles away praying for the child" and never visited him on his sickbed. "It's an outlandish situation that a clergyman who extended himself to pray for the

healing is prosecuted if the person doesn't get well."

National church spokesman Nathan Talbot said the indictment of Tosto is a direct thrust at the church and the First Amendment. "What this means is that you can be prosecuted for manslaughter in Minnesota for just praying. . . . That should worry more than just Christian Scientists."

Taken in part from *The Minneapolis Star-Tribune* and the *St. Paul Pioneer Press Dispatch*, October 12.

### IAN LUNDMAN MEMORIAL FUND OPENED

CHILD Inc. has opened a fund for donations in memory of Ian Lundman. All money collected in this fund will be given to Ian's father, Douglass, who has incurred heavy expenses in fighting for custody of his daughter and in grief counselling.



*Ian at Lake Superior, 1987*