Children's Healthcare Is a Legal Duty, Inc.

Box 2604 Sioux City IA 51106 Phone 712-948-3500

Equal rights for children under the law

Number 3, 1992 Rita and Doug Swan, Editors Copyright by CHILD, Inc.



Amy Hermanson

Conviction of California Christian Scientist upheld

On August 13 the California Supreme Court refused to review the manslaughter conviction of Christian Scientist Laurie Walker, who let her four-year-old daughter Shauntay die of meningitis without medical care.

Shauntay was kept home sick from her Sacramento preschool for 17 days. She was born June 23, 1979, but weighed only 29 pounds when she died on March 9, 1984. Walker had converted to Christian Science about three years earlier.

Walker's mother, Emily Stutsman, was concerned about Shauntay's illness, but Laurie

Florida conviction of Christian Scientists overturned

On July 2, 1992, the Florida Supreme Court

INSIDE

End Timers convicted in daughter's death 5

overturned the convictions of Christian Scientists Christine and Bill Hermanson who had let their daughter die of untreated diabetes.

In a unanimous ruling, the Supreme Court concluded that Florida's religious exemption law, FS Sec. 415.503, created confusion as to whether Christian Science parents are required to obtain medical care for a sick child. The Court said the statutes "are ambiguous and result in a denial of due process because the statutes in question fail to give parents notice of the point at which their reliance on spiritual treatment loses statutory approval and becomes culpably negligent."

continues on page 3

End Timers convicted in daughter's death	Э
Californians' stand trial for torture	6
Jail terms for medical neglect death	7
Conviction overturned in Virginia	8
Jehovah's Witnesses and blood components	9
Turmoil in the Christian Science church	11
"The News for God's Sake"	12
Monitor journalists suspended	14
CHILD member's play produced	14
A pediatrician's reflections	15
Update on Twitchell case	15
Church cancels nurses training	
Olympic champion chose surgery	
Clintons' position on children's care	18

would not allow her to visit.

Child moved

On March 8, Stutsman sent her other daughter, Claudia Oswald, to check on Shauntay. "To Claudia," says stipulated testimony given to the court, "Shauntay was comatose and was just lying on the couch. Shauntay was not responsive to anything, had lost a lot of weight and was just lying there with her eyes open staring into space. She knelt down beside Shauntay and tried talking to her but still got absolutely no response. Shauntay's arms had become very thin. She told Laurie to take Shauntay to the doctor but Laurie refused." Oswald then told Laurie she was going to notify the authorities. Laurie moved her children to the home of a Christian Scientist that evening. Shauntay died there a few hours later. Norma Alpert, the Christian Science practitioner, whom Walker retained to pray for her daughter's healing, claimed that Shauntay ate a good lunch and took a walk outside on March 8, the day she died.

Scientist for the death of a child since 1969 when Emerson Sortore was indicted and convicted for letting his daughter Kimberly die of meningitis in Anchorage, Alaska. And they were the first charges against a Christian Scientist for a child's death in California since 1902 when Merrill Reed and his wife were acquitted of their daughter's death to diphtheria in Los Angeles.

California prosecutors later filed charges in two more deaths of Christian Science children to untreated meningitis during 1984. In the first case, Lise and Eliot Glaser were acquitted by a Los Angeles County judge in the death of their son Seth. But in 1989, Christian Scientists Mark Rippberger and Susan Middleton were convicted of felony child endangerment in Santa Rosa for the death of their 8-month-old daughter Natalie. The parents acknowledged that she had been ill for two weeks, but did not obtain medical care.

Previous Supreme Court ruling on need for care

In 1988, the California Supreme Court issued a 49-page ruling upholding the charges against Laurie Walker. It ruled that religious exemptions to child neglect and to a misdemeanor nonsupport charge did not relieve Christian Scientists of the duty to obtain medical care when their children were seriously ill.

This important ruling, Walker v. Superior Court (1988) 47 Cal.3d 112, established that the state did not allow a parent to withhold lifesaving medical care from a child on religious grounds. "The relevant inquiry," said the Court, "turns not on defendant's subjective intent to heal her daughter but on the objective reasonableness of her course of conduct."



Shauntay Walker

Charges promptly filed

Sacramento County Deputy District Attorney John O'Mara wasted no time filing charges of manslaughter and felony child endangerment on March 22, 1984. They were, to our knowledge, the first criminal charges against a Christian In 1990, Walker allowed Sacramento County Superior Court Judge George Nicholson to declare her guilty of manslaughter, but preserved her right to appeal.

Both in pretrial motions and on appeal, Walker complained that her prosecution was part of a national campaign led by Rita Swan and others. On April 30, 1992, the Third District California Court of Appeal upheld her conviction and stated the following on her complaint about Swan:

Finally, defendant claims the "invidious nature of [her] prosecution was amplified by evidence of efforts of law enforcement on a national level to 'go after' Christian Scientists." She notes a newsletter published by the National Center for the Prosecution of Child Abuse had reported on the prosecution of Christian Scientists. She also mentions that one Rita Swan, the founder of an organization opposed to religious exemptions for denying medical treatment to children, had been a vocal opponent of Christian Science healing.

Defendant fails to show that these facts had any impact on her prosecution. She refers to evidence that the district attorney in her case had spoken with Swan and with prosecutors from other jurisdictions but refused to reveal what was said. The trial court denied defendant's motion to compel discovery. But defendant expressly waives any challenge to that ruling on appeal because she "does not wish to litigate any issue that could result in a retrial...." Accordingly, we need not consider the issue further.

Taken in part from The Sacramento Union, 14 Aug. 1992.

Florida reversal continued from page 1

"We further find," the Court continued, "that a person of ordinary intelligence cannot be expected to understand the extent to which reliance on spiritual healing is permitted and the point at which this reliance constitutes a criminal offense under the subject statutes. The statutes have created a trap that the legislature should address."

The Court noted that a Florida Senate staff analysis done when the religious exemption bill weeks' time. She became pale, emaciated, and lethargic.

The Hermansons retained Thomas Keller, a Christian Science teacher in Indianapolis, to give "treatments" for Amy's illness without seeing her. Christian Science treatments are arguments recited to oneself. The Hermansons' telephone records, say the prosecutors, show that they made many phone calls a day to Keller during Amy's illness.

Six days before Amy's death, Mrs. Hermanson and Amy came to the home of Vicky Neuhaus to give a music lesson. Neuhaus was immediately alarmed about Amy's condition and told Hermanson to take her to a doctor. Hermanson insisted on going forward with the lesson and leaving Amy in another room.

During the lesson, Amy crawled in on her hands and knees and begged her mother to take her home. Neuhaus again urged Hermanson to take her to a doctor.

CPS notified too late

On September 30, Amy's aunt reported her illness to Child Protection Services. A juvenile court hearing on the case was set for 1:30 p.m.

That morning the Hermansons called a Christian Science nurse, Molly Sellers, to care for Amy. Mr. Hermanson told her that diabetes had been mentioned by relatives as the illness Amy had.

Sellers reached their home at 10:50. Amy lay on her parents' bed loosely covered by a sheet. Her clothing and the bedding were in the

went through the legislature described the provision as "a defense for parents who decline medical treatment for legitimate religious reasons."

"The state," said the Court, "has attempted to take away with the one hand—by way of criminal prosecution—that which it apparently granted with the other hand, and upon which defendants relied. This it cannot do, and meet constitutional requirements."

Indianan treated her by phone

In 1986, Amy Hermanson died at age seven in Sarasota, Florida. Dozens of non-Christian Scientists saw her health deteriorate over several bathroom because of her vomiting and urinating.

The parents told Sellers that for the past few days they had had to carry Amy to the bathroom, but at 6 a.m. that morning she had walked into the bathroom with their help. Then they gave her a chocolate milkshake. It was the last food she had.

Sellers tried to give Amy a drop of water from a straw. She tried to interest her in her cat Daisy. Mrs. Hermanson said to Amy, "If you can hear me, squeeze my hand." Amy did not respond to anyone.

Sellers watched Amy's pulse and breathing become weaker and weaker. She saw Amy vomit milkshake from her nose and mouth.

Permission sought to call ambulance

Sellers went to the next room where Frederick Hillier, the Florida public relations manager for the Christian Science church, was sitting. "I have to call an ambulance," she said.

Hillier told her he would have to call Boston first. After the call, he gave her permission to call the ambulance.

The paramedics reached the home five minutes after they were called. They estimated that Amy been dead for twenty minutes.

The next day the Hermansons went to a shocked group of their neighbors and told them that Amy had gotten her healing through Christian Science early on the morning of September 30 and had then made her own decision to pass on.

The Hermansons were charged with felony child abuse, involuntary manslaughter, and third degree murder. Circuit Court Judge Stephen Dakan dismissed the manslaughter charge and ruled that the parents could use the religious exemption as a defense to the other charges.

Sincere belief standard

Dozens of jury prospects were dismissed because they objected to the religious exemption. The seven selected promised to follow the law regardless of their personal views about it.

After the state presented its case, the defense again called for dismissal of the charges. The judge refused to do so, but instructed the jury so as almost to guarantee an acquittal. He said:

You should determine if the Defendants, in declining to provide conventional medical treatment for Amy Hermanson, were relying on their religious beliefs by providing spiritual care through Christian Science. . . .

Dakan also ruled that the defendants had no obligation to prove they were following their religious beliefs. Rather, said Dakan:

The burden concerning this defense is upon the State of Florida to prove beyond a reasonable doubt that the Defendants were not following their religious beliefs in the care of their daughter. Therefore, if you find from the evidence that the Defendants relied upon the practices of their religious beliefs in not providing specified medical treatment for their child, you should find them not guilty.

Dakan also prohibited telling the jury about Article I of the Florida Constitution, which stated that "religious freedom shall not justify practices inconsistent with public morals, peace, or safety."

Finally, Dakan would not allow the State to mention the ambiguity raised by a caveat in the exemption stating that the parent "legitimately practicing his religious beliefs" in withholding medical care "may not be considered abusive or neglectful for that reason alone." Other state courts have ruled that the "for that reason alone" phrase merely prohibits adjudications because of parents' religious belief, but not adjudications based on the harm to the child.

Prosecutor argued within the constraints

Dakan left the State with nothing to argue, but the seemingly impossible burden of proving that the Hermansons "were not following their religious beliefs in the care of their daughter."

Prosecutor Deno Economou did his best with what Dakan had limited him to. He told the jury:

In determining if the evidence shows that the Defendants were following their religious beliefs in caring for their daughter you are not to decide if the Defendants correctly interpreted the teachings of their religion, only whether the Defendants held a sincere belief that the teachings of their religion authorized them to take a particular course of action. Further, you may not question the wisdom or sincerity of the Defendants belief in nor the wisdom or effectiveness of spiritual healing of the Christian Science church or the basic tenets of that religion.

I'm sure the Christian Science church holds the life of a child to be sacred. The needless death of a child conflicts with the tenets of the Christian Science church. [Molly] Sellers, this expert in Christian Science, said she had to call an ambulance. Another expert in Christian Science, the practitioner, agreed with her.

If they could call an ambulance, then the parents could have called an ambulance much earlier. They knew it was diabetes.

Within three hours the jury returned a verdict of guilty.

The Christian Science church later presented its own explanation for the ambulance call. The church's worldwide public relations manager Nathan Talbot said that Hillier had called that day to tell him that Amy had died and to ask what procedures to follow. Talbot was only permitting the ambulance for disposal of a dead body, but not for medical care, he claimed.

Appellate briefs for the Hermansons complained that they had been convicted for not practicing their religion.

In 1990, the Florida Second District Court of Appeal upheld the conviction. In a unanimous 31-page ruling, the Court criticized Dakan for allowing the exemption as a defense and for dismissing the manslaughter charge. The Court said the exemption did not apply to a criminal charge.

Florida children's rights denied

The Florida Supreme Court's ruling in 1992, however, leaves a class of children with no rights to medical care unless the state learns of their illnesses and obtains care through court order.

Christian Science spokesmen said the exemption applied only to "an organized, recognized religion" and not to "cults" that abuse or neglect children. "It doesn't mean somebody can just go out and set up a tent and do this," said the Hermansons' attorney, Larry Klein.

Nevertheless, the Supreme Court ruling likely gives every Florida resident the right to withhold lifesaving medical care from children on religious grounds. The several hundred Florida children associated with Christian Science and End Time Ministries are at risk in our view.

Reporting mechanism flawed

complained that it did not "help the public understand that what [the Hermansons] were doing was making a reasonable choice." Indeed, it did not, and nothing can persuade the general public that it is reasonable to withhold insulin from a beautiful little girl with diabetes. Nevertheless, the Florida legislature and the High Court have made it legal to do so.

Statutory change urged

The Court and several major Florida newspapers have called upon the legislature to remove or clarify the religious exemption. We hope they will move swiftly to restore the rights of children. Some Christian Science spokesmen claimed that the ruling upheld First Amendment rights, and there is a tendency on the part of legislators and the public to assume that the religious exemption is enshrined in the Constitution.

We must emphasize over and over that courts have not given parents a Constitutional right to withhold medical care from children. The Florida Supreme Court has simply said that parents have a right to fair notice as to what a crime is and that the religious exemption created a confusion which violated that right.

Taken in part from The Tampa Tribune and Sarasota Herald Tribune, 3 July 1992, trial testimony, and Hermanson v. State, Florida Supreme Court, 604 So.2d 775 (1992).

End Timers convicted in

Christian Science practitioners are mandatory reporters of child abuse and neglect in Florida. And the religious exemption, at FS Sec. 415.503, specifies that medical neglect must be reported to Child Protection Services (CPS) even if the neglect is based on religious belief. But the Hermansons had a Christian Science practitioner in Indiana pray for Amy. The last day of her life Florida's Christian Science public relations manager, Frederick Hillier, prayed for her, but did not report to CPS. The state did not charge Hillier with failure to report, though we several times suggested that they do so.

Following the Supreme Court's ruling, Hillier

daughter's death

On July 3, Luz and Guillermo Hernandez of Lake City, Florida, were convicted of child abuse in the death of their daughter Sonia.

At the trial presided over by Columbia County Circuit Court Judge Vernon Douglas, testimony established that Sonia was born in 1986 with many serious handicaps. Her doctor put her on a special formula for malnourished children in 1988. A Chicago dietician testified that her weight increased from 15 to 23 pounds during the three months she received the formula through a feeding tube to her stomach.

Parents join End Timers-alter care

Later that year, Luz Hernandez joined End Time Ministries, which discourages medical care. She never took Sonia to a doctor again.

In 1989, they moved to Lake City, where the leader of End Time, Rev. Charles Meade, lives. Guillermo testified that he joined End Time in February, 1989, which was also the same month they removed Sonia's feeding tube without consulting a physician.

The president of a medical supply firm testified that Mrs. Hernandez brought a broken suction pump to him in May, 1989. After being told it was beyond repair, she rented a similar pump, which is designed to clear congested airways. But she did not purchase sterilizing equipment or the special catheter attachments needed to reach the child's lungs. Prosecutor Scott Cupp established by questioning that state law requires a doctor's prescription for the catheters.

At her death in August, 1990, Sonia weighed only 14¹/₂ pounds, one pound more than the average skeleton of a 4-year-old child. According to medical journals, the average weight of a 4year-old female is 30 to 35 pounds.

Final three days of fevers

The cause of death is listed as bilateral pneumonia and hypertonic dehydration. Testimony indicated that she had a final bout with pneumonia that included about three days of vomiting and fevers.

For its part, the defense introduced testimony on Sonia's severe handicaps. She would probably not have lived into adolescence even with medical care.

because of their religious beliefs. The defendants insisted that their religious beliefs had no impact on their decisions about Sonia's care. They both said they would have promptly taken her to a doctor if she had appeared to need medical help.

Role of religious beliefs flip-flops

On the last day of testimony, however, the Florida Supreme Court overturned the convictions of Christian Scientists who had let their daughter die (see p. 1). Suddenly, religious beliefs had become a defense to felony child abuse in Florida.

Cupp eliminated all references to religion in his closing argument, while the defense was allowed to tell the jury about the Supreme Court ruling over Cupp's objections.

"Isn't that something, we say that religious beliefs played no role in their decision, yet that could be a defense for their action," public defender Jimmy Hunt said to them.

After only one hour of deliberation, the jury convicted them of child abuse and acquitted them of manslaughter.

They were sentenced to five years' probation on September 3rd. The judge also ordered them to take their 9-year-old son to a doctor for routine checkups, obtain medical care for him as needed, and pay about \$4,600 in court costs. The costs were assessed to cover expenses of three physicians who were witnesses for the defendants. The Hernandezes were represented by the public defender's office and therefore the costs were paid for by taxpayers' money.

Medical experts testified that the symptoms of pneumonia would be easy to miss in a child with her neurological disorder and handicaps. They also said the Hernandezes did a good job of keeping her clean and comfortable.

In 1976, the Hernandezes lost a two-year-old son with cerebral palsy. They had placed him in an institution, and he received optimal medical treatment. This experience had motivated them to care for Sonia at home, they testified.

Through the trial, Cupp tried to prove that the Hernandezes had withheld medical care

An appeal is pending. Taken from The Lake City Reporter, 30 June to 6 July 1992.

California parents ordered to stand trial in abuse of sick son

On October 15, Ethel and Daniel Blomquist of Campbell, California, were ordered to stand trial on charges of corporal injury, torture, and child endangerment of their 10-year-old son, Steven. Both the alleged physical abuse and medical neglect were related to the parents' religious beliefs.

According to testimony, the boy suffered from undiagnosed Addison's disease, which destroys the adrenal glands and causes nausea and stomach pain. On June 26 he began to have trouble breathing and emergency personnel were called. He was twenty minutes from death when he was rushed to the hospital.

Medical care held anti-biblical

Until he was hospitalized, Steven had not seen a medical doctor even though he vomited daily and lost weight and strength. Instead, his deeply religious parents sought advice from a holistic doctor who practiced "pneumiatrics" —nutrition based on biblical principles.

Municipal Court Judge Jerome Brock called the case "disturbing" and "atypical of most child abuse cases we see." He noted that the family had "many commendable attributes." Mr. Blomquist worked in the finance office at Stanford University.

Failure to recover placed on lad

Steven became ill in December, 1991. In February, 1992, witnesses testified, he was placed on a diet of eggs, raw milk, and dietary supplements with names such as "Super Surge" and "Body Ease." His pets were given away. The carpets and drapes were removed from the home and the walls washed. He was placed on an exercise regimen.

When the diet and exercise plans failed to heal, the family became convinced Steven was faking or deliberately making himself sick. teenage daughter, Kimberly, due to untreated septicemia.

Physical abuse also reported

Steven told police that his parents forced him to eat his own vomit for several months. His sister said their parents thought the punishment would make him quit wanting to throw up.

Steven was also spanked with a wooden spoon—as many as 100 whacks at a time the week just before his hospitalization. His buttocks were raw and abraded with deep bruises. Assistant District Attorney Cynthia Sevely said Blomquist believed he was following a discipline set forth in the Bible.

The Blomquist's two other minor children were placed in a temporary foster home.

"This isn't a case of prosecuting them for their religious beliefs," said Sevely. "It's child abuse."

Taken in part from *The San Jose Mercury Chronicle*, 16 Oct. 1992, and *The San Francisco Chronicle*, 21 July 1992.

Pennsylvania parents given jail terms in baby's death

On October 6, John and Kathy Friedenberger of Altoona, Pennsylvania, were sentenced to 10 to 23 months in jail each for withholding medical care from their daughter Melinda Sue.

Eighteen-week-old Melinda died of dehydration and malnutrition on April 25, 1991. She came down with the flu on April 21 and experienced diarrhea and vomiting over the next four days. Mrs. Friedenberger is a member of Faith Tabernacle Church, which discourages medical care. On April 24th, she asked for her pastor, Charles Nixon, to come to the home, anoint the baby, and pray for her recovery.

On March 16, Daniel Blomquist sent a message to a computer bulletin board seeking surfing or action videos for his sick son. "My 10year-old is really sick and we are trying to set a goal for him to help him get over the 'I don't care' attitude," he allegedly typed.

"We have tried to threaten him about dying if he does not help himself, but he understands death and knows he will join his sister in Heaven, thus death is not a fear for him (or us for that matter)," wrote Blomquist.

Police in Arizona have reopened an investigation into the 1985 death of the couple's

Church member concedes child was very sick

The parents testified that the baby did not appear dramatically ill until the night of April 24th, that her mother stayed up with her as long as she could stay awake, and that she found the 8

baby dead when she woke up again.

Esther Wombacher, who raised Kathy Friedenberger in the Faith Tabernacle church, testified for the parents. She said she would still not advise her niece to take her children to a doctor. But she also conceded that Melinda looked very sick during the last days of her life.

A jury convicted the Friedenbergers of involuntary manslaughter on May 11, 1992.



Melinda Sue Friedenberger

Jail terms imposed

Blair County District Attorney William Haberstroh argued for jail terms and a requirement that they provide medical care for their surviving children. He pointed out that their pastor's grandson had died in their church just three months earlier. Clayton Nixon, age eight, died of dehydration and malnutrition after contracting ear and sinus infections, which caused repeated vomiting. He was 4 feet 1 inch tall, but weighed only 32 pounds at his death. His parents, Dennis and Lorie Nixon, withheld medical care because of their Faith Tabernacle beliefs. Haberstroh had charged them with manslaughter and endangerment and therefore, he said later, the Friedenbergers had notice that the state did not allow medical neglect of children on religious grounds. Haberstroh further warned that the "blood of the next child" would be on the hands of the court if Judge Hiram Carpenter did not attempt to deter similar medical neglect by other parents.

Medical care for siblings also ordered

Carpenter's sentence provides that Mr. Friedenberger begin serving a jail sentence October 11th and that Mrs. Friedenberger begin serving hers within 48 hours after her husband is released. The sentence also requires the couple to take parenting classes and to provide their surviving children with routine physical exams and adequate medical care during the period of their sentencing. The Friedenbergers were also fined \$150.

The child's paternal grandmother, who is not a Faith Tabernacle member, told the court she would make sure the children received medical care.

Taken in part from The Altoona Mirror, 28 and 29 April 1991 and 12 May 1992, and conversations with the prosecutor.

Convictions overturned in Virginia faith death

On March 3, 1992, a Virginia Court of Appeals reversed the involuntary manslaughter conviction of Jo Ann Martin for the death of her 17-month-old son Stephen on grounds of insufficient evidence. In June, the Court reversed the conviction of the father, Frank Martin, on the same grounds.

According to the medical examiner, Stephen died September 3, 1988, of "acute dehydration due to vomiting [resulting from] a gastrointestinal illness and nutritional wasting." He weighed only 16 pounds at his death.

The Martins belong to the Living Word Assembly of God Church, which, according to their attorney, does not prohibit medical care but teaches that "if you have faith, then you have the power to heal." They have never taken any of their four children to a doctor for medical care.

Baby was obviously very ill

Frank Martin, who graduated from Virginia Military Institute with a biology degree in 1975, told investigators that his son's illness had gotten Martin said Stephen's "bones were serious. sticking out of his face" hours before he died. But he also claimed the boy's death was the work of the devil.

Mrs. Martin testified that the child appeared normal until 36 hours before his death. She said that she monitored his condition during his illness, attempted to give him solids and fluids, and prayed.

The medical examiner testified that a child with Stephen's illness "would probably have appeared normal up until a couple of weeks" before his death.

In May 1990 a Hanover Circuit Court jury found the Martins guilty of involuntary manslaughter.

Negligence not proved willful

The Court of Appeals ruled that Hanover Deputy Commonwealth Attorney Douglas Barry had not proved the willful negligence necessary to sustain the conviction. The Court said that willfulness had to include "knowledge" that the defendant's "conduct probably would cause injury to another" and "reckless indifference to the consequences." The Court noted that the trial judge instructed the jury that they must find the Martins' actions "willful and corrupt" to vote them guilty.

The Court of Appeals said there was no evidence the Martins were aware of the underlying nutritional disorder that caused the stomach flu to become fatal. "According to the medical testimony," said the Court, "had the same illness affected a normal child, the child would have survived." The Court also cited medical testimony that the death might have occurred "because the child received proper nutrition but was unable to use the nutrition adequately and normally." And the Court noted that the child had been ill with repeated vomiting several months earlier, the Martins had prayed for him, and he had recovered. Though the medical examiner had testified that the child would probably appear seriously ill for two weeks before his death and the mother had said he looked seriously ill only 36 hours before his death, the Court said that "the difference" between the two estimates "is not so dramatic as to establish criminal negligence."

Evaluation of facts by jury overruled

Barry expressed dismay at the ruling, complaining that the Court had substituted its evaluation of the facts for that of the jury. He pointed out that, even if the Martins were unaware of their son's specific nutritional disorder, his "horrible emaciation," which was not present during the earlier illness, and inability to retain fluids put them on notice that their son was seriously ill.

CHILD Inc. is also disturbed by the ruling. The Court of Appeals does not seem to know much about the care of children. The Court says the Martins were not criminally negligent because they tried to give the child food and water and watched over him. We say they should have done something more, given the obvious symptoms. And it is positively astonishing that any court would say there is not much difference between 36 hours and two weeks in the course of a child's illness. Actually, a parent should have a legal duty to respond to the serious illness of a child during either period of time.

Ruling not based on religious rights

Nevertheless, CHILD points out that the Virginia Court of Appeals ruling is not based on religious rights. The Martins had argued to the Court that the state's religious exemption law should be a defense to manslaughter. The Court did not rule on the issue.

Taken from The Richmond Times-Dispatch, 2 September 1991, the Virginia Court of Appeals ruling in record #0863-90-2, and letter of Douglas Barry to Assistant Attorney General Kathleen Martin of 6 March 1992.

Witnesses and blood continued

In its 1992 newsletter, issue #2, CHILD discussed an inconsistency in the Jehovah's Witness position on blood. The Watch Tower Society, the denomination's governing body,

allows members to have blood gas analysis tests done on infants, we found, even though the test requires removing blood from the body and returning it. Thus, the test includes the same process as an autotransfusion, which the Watch Tower Society strictly forbids.

In this issue, we would like to continue our discussion of the Witness' confusing position on blood. We are indebted to a book entitled *In* Search of Christian Freedom by Raymond Franz, a former governing body member of the Witnesses. The book was published in Atlanta by Commentary Press in 1991.

The Witnesses allow the following blood components and practices: albumin, immunoglobulins, hemophiliac preparations (Factor VIII and IX), diversion of the patient's blood through a heart-lung machine, or other diversion where the "extracorporeal circulation is uninterrupted," and the blood gas tests where the "extracorporeal circulation" is interrupted.

Opposition to vaccines changed

Until 1952, the Witnesses opposed vaccines on the grounds that they contained minute amounts of blood, but since then, immunoglobulins have been acceptable.

The Watch Tower Society still today prohibits transfusions of the following blood components: whole blood, plasma, white blood cells or leukocytes, red blood cells, and platelets. And as mentioned above, it prohibits autotransfusions or storing of the patient's own blood for subsequent transfusion.

According to ex-members, the various

"The inconsistency of the Watch Tower's policy," says Franz, "is well illustrated in its policy as to plasma. . . . Plasma composes about 55 percent of the volume of blood. Evidently on the basis of volume, it is placed on the Watch Tower's list of banned "major components." Yet plasma is actually up to 93 percent simple water. What are the components of the remaining approximately 7 percent? The principal ones are albumin, globulins (of which the immunoglobulins are the most essential parts), fibrinogen and coagulation factors (used in hemophiliac preparations). And these are precisely the components the organization lists as allowable to its members! The plasma is forbidden yet its principal components are permissible-provided they are introduced into the body separately. As one person observed, it is as if a person were instructed by a doctor to stop eating ham and cheese sandwiches, but told that it is acceptable to take the sandwich apart and eat the bread, the ham and the cheese separately, not as a sandwich" (288).

Leukocytes prohibited

Franz's discussion of leukocytes is equally interesting:

Leukocytes, often called "white blood cells," are also prohibited. In reality the term "white blood cells" is rather misleading. This is because most leukocytes in a person's body actually exist outside the blood system. One's body contains about 2 to 3 kilos of leukocytes and only about 2-3 percent of this is in the blood system. The other 97-98

exceptions and caveats have not been made known to the entire Witness membership forthrightly and promptly. Instead, many hemophiliacs, for example, have died thinking their religion required them to refuse transfusions, while others have petitioned Witness officials privately and gotten permission for transfusions. Again according to former insiders, the church's logic for letting hemophiliacs take Clotting Factor VIII and IX is that sugar is not an apple pie. But the same logic could be used to approve of other blood components. Indeed, most blood transfusions today are, in fact, components of blood rather than whole blood. percent is spread throughout the body tissue, forming its defense (or immune) system.

This means that a person receiving an organ transplant will simultaneously receive into his body *more foreign leukocytes than if he had accepted a blood transfusion*. Since the Watch Tower organization now allows organ transplantations, its adamant stand against leukocytes, while allowing other blood components, becomes meaningless. It could only be defended by use of convoluted reasonings, certainly not on any moral, rational or logical grounds. The arbitrary splitting of the blood into "major" and "minor" components is also seen to be without sound basis. The organization evidently prohibits plasma—though mainly water—because of its volume (55% of the blood), 11

· ·

yet it prohibits leukocytes which. . . compose only about 1/10 of 1 percent (.001) of the blood!

The absence of either moral or logical grounds for the position is also seen in that human milk contains leukocytes, more leukocytes, in fact, than found in a comparable amount of blood. Blood contains about 4,000 to 11,000 leukocytes per cubic millimeter, while a mother's milk during the first few months of lactation may contain up to 50,000 leukocytes per cubic millimeter. That is up to five to twelve times more than the amount in blood! (289)

According to Franz, the Watch Tower tells Jehovah's Witnesses that accepting a blood transfusion shows disdain for the sacrifice of Christ in shedding his blood and the salvation effected by it (299). Thousands of Witnesses have died rather than compromise their salvation.

Turmoil in Christian Science church escalates

More conflicts within the Christian Science church continue to come to light, mostly through articles in *The Boston Globe*. When CHILD last reported, the denominational headquarters, known to members as The Mother Church, was preparing for its annual meeting in early June.

At that time, it appeared as though the hierarchy was trying to appease the dissidents. After years of suggesting that members stay home and send a contribution equal to their travel expenses for the meeting, the board encouraged members and even the press to attend. They promised a full accounting of expenditures. Also, one board member, John Selover, had reportedly said the church might drop its efforts to obtain a controversial trust fund for the time being. In order to claim the Knapp-Mabury estate, the church had to publish and promote as "authorized literature" a book by Bliss Knapp called The Destiny of The Mother Church, which many members regard as heresy. The church refused to publish the book in the 1940s, but after losing around half a billion dollars on television projects over the past few years, the

church published the book in 1991.

Confrontations at annual meeting

At the annual meeting, however, the board took a hard line, saying that it had no intention of withdrawing *Destiny*. Board member Al Carnescioli said that Knapp's book was "authorized literature," but not "Christian Science literature" and promised a future statement to explain the difference.

A partner from the church's external auditing firm addressed the audience. A detailed financial report was provided. But neither the auditor, church treasurer, nor other financial officers would allow questions.

Dissidents interrupted the meeting with boos and shouts, though many members also expressed satisfaction with the board's presentation.

During the past fiscal year, the church has taken \$90 million from its pension fund to cover losses on its cable channel and other broadcasting projects. The borrowings have lowered the fund's value to about \$25 million in cash and marketable securities. Pension benefits this year will amount to \$5 million more than the fund is expected to earn.

Probate court rejects position on book

On September 17, a Los Angeles County probate court rejected the church's motion for summary judgment against a legal challenge by the Los Angeles County Museum of Art and Stanford University, who also claim the \$98 million Knapp-Mabury estate. According to the trust, if the terms for distribution to the church are not satisfied, a first portion of the trust worth about \$25 million will be distributed to the museum and Stanford in May, 1993.

Judge Edward Ross said he did not think the church could ever comply with the conditions of the trust.

On October 26 a California appeals court upheld Ross's ruling and rejected the church's last-ditch attempt to get immediate payment from the estate.

The church will have to pursue protracted litigation to get any of the money.

Opposing officials fired

It will also have to purge officials who do not accept the book as a correct theological statement. This fall the Mother Church board of directors fired four Committees on Publication (COPs), apparently because they refused to promote the book. The COPs of New Hampshire, Colorado, The Netherlands, and Australia had been reappointed by local churches, but the Mother Church overruled the local churches. COPs manage lobbying and public relations for the church.

Church claims budget balanced

On October 28 the church announced that it will sell 3,000 pieces of television equipment at auction worth about \$8 million. (They were later sold for \$4 million.)

The church also says that it is now functioning on a balanced budget of \$70 million a year, that the money taken from the pension fund and other restricted endowments will be replaced, and that contributions from members have increased 25% this year.

Taken from The Boston Globe, 18 June, 19 Sept., 8 and 29 Oct., and 2 Nov. 1992.

News anchor protests church censorship

As the program went on the air in 1988, Hart was alarmed by press reports quoting Hoagland as calling his program "an ambassador" for the church. Two years later Hart came upon a statement written by Hoagland to the church directors calling his program "one part of the vast mission of Christian Science to the world-a mission that brings redemption and healing. . . ."

Church efforts to produce television news compatible with Christian Science beliefs in avoiding medicine and in the unreality of evil focused on both the comically picayune and on the significant.

When Hart wrote that "Hurricane Gilbert is heading out toward the Gulf of Mexico, where it's expected Wednesday," church member David Cook told him that they had to change the text for "theological reasons" because they didn't "like to predict a disaster."

From "poxes" to elephants

When Hart wrote, "The white man's diseases have long since done their worst to the natives of the American continent. Immunities developed to the poxes and fevers that devastated them. Except for one: alcoholism," Cook asked him to take out "poxes and fevers."

Cook was made managing editor of the broadcast. He objected to Hart reporting on elephants at the San Diego Zoo grieving the death of the oldest elephant. Cook said that the church didn't "normally do obits, unless the people are of overriding importance."

Distinguished television newscaster John Hart has spoken out against Christian Science church censorship of news and conflicts of interest, which caused his resignation from anchoring World Monitor in October, 1991.

Hart's article, "The News for God's Sake," appears in the September/October issue of Columbia Journalism Review. Hart says that church officials repeatedly assured him that theology would not influence the church's World Monitor news program. Jack Hoagland, manager of the Christian Science Publishing Society and later editor-in-chief, said the church was making this massive investment only because it wanted "a chance to serve."

Hart protested that the story was not really an obituary, but an account of animal behavior. Hoagland allowed the story to air.

In other stories, Cook and Hoagland asked that a cause of death not be mentioned. Hart asked, "Is it that you don't believe that a heart attack causes death or do you deny that there's such a thing as death?" They could not answer.

Conflicts of interest

Hart also protested conflicts of interest. In 1990, Hoagland insisted on going abroad on a "fact-finding mission" for the State Department

and joined a committee advising the U. S. Information Agency. Hart complained that an editor-in-chief should not be working for the government.

Hart also pointed out that Hoagland had worked for the CIA and that their viewing audience might well know that the current and former heads of the CIA, William Webster and Stansfield Turner, are Christian Scientists. Hart charged that the independence of the news organization was tainted by Hoagland's connections to the government, but Hoagland insisted on maintaining both positions anyway.

Medical story cancelled because of trial

In April, 1990, Christian Scientists Ginger and David Twitchell went on trial in Boston for withholding medical care while their toddler Robyn suffered and died of a bowel obstruction. Church pressures at the newsroom increased. Hart objected to Cook being both a public relations officer for the church and managing editor of an ostensibly secular news program.

A broadcast on prenatal care aimed at African-Americans was cancelled on the very day it was supposed to air in Boston because it referred to hospitals, medicine and medical care and because jury selection for the Twitchell trial had begun.

Resignation tendered over mission

Then the church directors wrote a letter to ABC News complaining about a story it had aired about *Monitor* television. They said their television programs were part of their "unique worldwide mission" to "reinstate primitive Christianity and its lost element of healing." Hart consulted old friends who were executives in commercial television. They told him he ought to resign. Hart drafted a letter pointing out that journalists are not supposed to have missions and resigned on April 26, 1990. because Hoagland had not told him that the Discovery Channel had the right to drop World Monitor if Hart left.

After fifteen drafts, they produced an agreement stating that "Monitor broadcasts are not a means to propagate Christian Science. They have no missionary or proselytizing role. Nor do they serve a public relations function for the Church."

The agreement also stated that programming had to be presented "solely according to journalistic standards, without any consideration of any real or potential interest or concern of the Christian Science Church."

Conflict over children's books

The next day, however, a producer who was not a church member showed Hart a document called "Rejected Book List," which gave reasons that certain books could not be used on *The Children's Room* program of WQTV, a station owned by the church. Examples include:

Wendell. Reason for not using: "Contains a reference to aspirin."

The King Has Horse's Ears. Reason not used: "Reference to going to the doctor for advice."

Tonia the Tree. Reason not used: "The tree doctor is called in to see what ails the tree."

Timothy and the Big Bully. Reason not used: "Timothy is sick. Picture of the doctor visiting him."

The Itty Bitty Kiddies Wake Up. Reason rejected: "Dental hiegene [sic]-dental floss."

Several other books on the list were also rejected

Editorial position drafted

Hoagland, however, persuaded him to stay on for several months and invited him to draw up an agreement that Hart could work under. Hart did not know the strength of his bargaining position for references to doctors, pills, and veterinarians.

Hart and Cook jawboned back and forth over the issue for months. The church claimed that *The Children's Room* should be exempt from the agreement because it was not news. Hart argued that the program should carry an acknowledgement that it was being censored according to church beliefs.

Finally, a producer told Hart that *The Children's Room* would be subject to the agreement, but then continued the censored programs on the air as reruns, with no notice that they were censored.

Deliberate incompleteness

Negotiations over how to cover the Twitchell trial were especially belabored. Hart wanted to cover the legal issues represented by the trial. The church officials insisted on limiting coverage to the testimony. After the conviction, *World Monitor* ran a story with equal time for testimony presented by the prosecution and the defense.

"Technically," Hart writes, "the Twitchell report was balanced. But there was a deliberate incompleteness that served a hidden agenda."

In 1991, the church's cable channel went on the air. It drained a large percentage of resources away from Hart's news program. Also, church members were intensifying their criticism of the church's broadcast expenditures. Management, said Hart, tried to make the broadcasting "secular enough to satisfy" the journalists' conscience, "while at the same time assuring critics in the church that their religious mission was being carried out. In the end, neither side bought it."

Vacation or resignation

Hart resigned in October, 1991. The church announced that he had gone on vacation. When the Discovery Channel learned that Hart had resigned, it dropped *World Monitor*.

Church spokesman David Cook attributed Hart's complaints to "professional differences" and denied that there had been religious interference with the news.

Taken in part from Columbia Journalism Review, Sept.-Oct. 1992. jockstraps. Also described was the use of cucumbers by AIDS prevention workers to demonstrate how to apply condoms.

It ran at 5:40 a.m., July 24th, but then was pulled from the air because, said church officials, of long-standing policy that their journalism must use language "welcome in the home" and avoid "shock treatment."

Radio reporters position

The suspended news staffers, Ken Bader and Dave Willman, are not Christian Scientists and were indignant about the censorship. "Any 5year-old knows what a jockstrap is and any 12year-old knows what a condom is," said Willman.

"Can you imagine any news organization that would find those words objectionable, especially in the context of an AIDS prevention story?" said Bader. "If you're going to talk about how to thwart the spread of AIDS, you're going to have a difficult dilemma not mentioning these things."

Willman has worked in media for more than twenty years throughout the world for organizations such as National Public Radio and Columbia Broadcasting System. He said Monitor Radio offered him three options after he refused to apologize for the story: a reporting position in Chicago with a \$10,000 cut in pay, resignation, or dismissal.

David LaFontaine of the Coalition for Gay and Lesbian Civil Rights complained that the Monitor was "trying to have it both ways. It exists within a free public market and enjoys the benefits from wide exposure dealing with a whole range of social issues, but at the same time it's trying to apply rather arcane religious standards to a news story."



Church suspends two journalists for AIDS stories

In August, *Monitor Radio*, a broadcast service of the Christian Science church, placed two members of its news staff on leave after they refused to air an editorial apology for graphic images in a report on AIDS prevention.

The report mentioned a gay bar in Bangkok, Thailand where the dancers wear gold-lame Taken from The Boston Globe, Aug. 1992.

CHILD member's play produced

Eight Miles from New York, a two-act play by CHILD member Charles Freericks of Santa Monica, California, is currently being performed at the West Coast Ensemble theater in Los Angeles. The play deals with the conversion of parents from Judaism to Christian Science, the psychological impact on the children, and the father's sudden death after many hours of reciting the church's precepts.

The play treats material from Freericks' own life though he has changed several facts. It is told through the eyes of the son Stuart who has left Christian Science and must come to terms with the losses and contradictions in his father's death.

Freericks said, "It made a profound impression on me that, despite my parents' loyalty to the church—my mother remains very devout—no one from the church visited us when my father died. I realize that by not facing death, one can imagine that it doesn't exist."

Freericks' own exodus from Christian Science was actually spurred on by his Sunday School teacher, who taught chemistry during the week and Christian Science on Sunday.

"He admitted," said Freericks, "that physical matter doesn't really vanish, but assumes other forms—the molecules of a coffee cup later become the molecules in a building. This blew my mind. And because of his advice, I ended up at George Washington University rather than Principia" (the college operated for Christian Scientists).

Despite his break with Christian Science, Freericks strongly denies that his play is an attack on the faith. "This is Stuart's story, not *the* diatribe against any religion. Besides, there's something kind of beautiful about notions of 'perfect love' and 'perfect life.' And all those nice, nice people," he says. neuroblastoma when she was eight months old. After prolonged chemotherapy and surgery she has been free of her illness for almost five years. This brave little girl, her mother, and all the doctors and nurses who helped in her cure are real life heroes. I wonder if the Christian Scientists have an answer for this miracle. They certainly have no cure.

2. Last week I did school physicals on two children from a family new to my medical group. Imagine my surprise and consternation when the mother announced that her children had never had immunizations. She stated that her "religion" would not allow her children to be exposed to substances foreign to their bodies. I was incredulous. The mother seemed rather blase considering the risks her children faced of contracting devastating diseases like polio, measles, or diphtheria. It seems equally incredible that legislators and bureaucracies allow religious exemptions from immunizations.

3. Several times I have seen children unceremoniously segregated from their peers because the school nurse has not had proper documentation of immunization records. One of my young patients was isolated in a gym for many hours because the nurse could not read one line of my writing. Meanwhile, children with religious exemptions from immunizations move through the school system with no scrutiny at all. I have yet to resolve this paradox.

Happy New Year to all!

Taken from The Los Angeles Times, 8 Nov. 1992.

A Pediatrician's Notebook by Scott Sokol, M. D.

1. I saw Marissa today. She is a bright, beautiful six-year-old with blond hair and blue eyes. She is also a cancer patient. She was diagnosed with a childhood tumor called

Update on Twitchell case

The appeal of Christian Science parents Ginger and David Twitchell has finally gotten underway after a two-year-wait for the typing of the trial transcript.

Massachusetts Superior Court Judge Sandra Hamlin denied their motion for a new trial on September 30, 1992. They claimed their rights to a fair trial were prejudiced by Judge Hamlin's jury instructions and by her refusal to allow a Christian Science legal advice booklet to be marked as an exhibit.

As the basis for the claimed prejudice, the Twitchells cited statements by two jurors publicly complaining that Hamlin did not allow the state's religious exemption law to be a defense to manslaughter.

In her denial, Hamlin pointed out that she had allowed testimony during the trial about the exemption, including what it said and how it may have affected the Twitchells' state of mind.

She also pointed out that she had already ruled that the exemption was not a defense to manslaughter a year before the trial opened.

She dismissed the two jurors' comments to the media as "obscure, impressionistic, and conclusory" and therefore not warranting an evidentiary hearing. She cited a ruling that

"The proper evidence of the decision of the jury is the verdict returned by them upon oath and affirmed in open court; it is essential to the freedom and independence of their deliberations that their discussions in the jury room should be kept secret and inviolable; and to admit the testimony of jurors to what took place there would create distrust, embarrassment and uncertainty." We still adhere to our rule which requires courts to protect jurors and their verdicts from unwarranted intrusions and which emphasizes the importance of the finality of jury verdicts. Commonwealth v. Fidler, 377 Mass. at 196.

Hamlin further noted that allowing the church's misleading legal advice booklet to be entered as an exhibit would have usurped her mandate to "instruct the jury on appropriate Massachusetts law."

Christian Science church cancels nurses' training

Within the past year the Christian Science church has canceled all training programs for its nurses, including the three-year program, oneyear program, and 32-hour home aide program.

The programs had very little instruction resembling the training of a state-licensed nurse. Christian Science nurses cannot take a pulse, use a fever thermometer, recognize reportable diseases, apply heat or ice to injuries, or give backrubs. Nine months of each year in the program were spent doing menial labor in the church's nursing homes, while only three months of the year had classroom instruction. And, to the best of our knowledge, the church used no copyrighted textbooks on nursing for the instruction.

Nurses' role in deaths of children

Protecting its nurses from the charge of unlicensed medical practice has always been a concern to the church. In recent years, however, more serious liabilities have developed. Christian Science nurse Quinna Lamb has been targeted in a civil suit brought in Minneapolis by Douglas Lundman for letting his son Ian die of untreated diabetes.

And in Boston, Judge Lawrence Shubow issued an inquest opinion that Christian Science nurse Linda Blaisdell could be prosecuted for her role in the 1986 death of two-year-old Robyn Twitchell. Blaisdell force fed the boy as he was dying of a bowel obstruction. She resigned from nursing after authorities began investigating the death.

On October 22, the Twitchells asked the Massachusetts Supreme Judicial Court to hear their appeal, bypassing the Court of Appeals. Their petition says their case involves novel and constitutional issues affecting the rights and obligations of every Christian Science parent in Massachusetts.

Because of their religious beliefs, the Twitchells withheld medical care while their twoyear-old son Robyn was dying of a bowel obstruction in 1986. They were convicted of manslaughter in 1990.

Taken in part from The Boston Globe, 23 Oct. 1992.

New training is self-directed

In the November, 1991, issue of The Christian Science Journal, the church issued a statement entitled "Fresh Insights into Christian Science Nursing" explaining the cancellation of the programs. The church says that after years of study, their hierarchy has concluded that each member must be responsible "for selfgovernment" and therefore that "preparation for Christian Science nursing" is an "essentially individual activity."

In the future, whoever wants to be a Christian Science nurse can make up his or her own mind as to what kind of training he or she needs.

This is a most unusual standard for a professional health care provider, but these nurses still continue to receive reimbursements from third-party payers such as Blue Cross/Blue Shield in certain states, dozens of prominent insurance companies in all states, and Medicare/Medicaid.

The church is, in our view, attempting to cut these nurses loose from the church. Although the church lists them as Christian Science nurses in its *Journal*, the church now claims that it is only letting them "advertise."

Christian Science gymnast chooses surgery

The Olympic games in Barcelona this summer brought fame and medals to 15-year-old Shannon Miller, a gymnast from Edmond, Oklahoma. The July 27th issue of *Time* magazine mentions both that Miller is a Christian Scientist and that she had surgery this spring because of a dislocated left elbow and bone chip.

Technically, Miller was not violating the tenets of her religion because church founder Mary Baker Eddy allows members to have bones set by a surgeon. Eddy says in her textbook *Science and Health*:



Shannon Miller

Copyright, 1988, Oklahoma Publishing Company. From the June 22, 1988, issue of The Daily Oklahoman

Though Eddy literally says it is "better" for Christian Scientists to let all surgery be done by medical doctors, the present-day church generally acknowledges only a broken bone exception in the passage. In 1986, Boston-area Christian Scientists Ginger and David Twitchell let their little son Robyn die of a painful bowel obstruction that could have easily been corrected with surgery. They did not think Eddy had approved of surgery in general and did not seek any medical attention for the boy. Yet they sought dental and obstetrical care for themselves and cited church tradition to justify those exceptions.

Shannon Miller's brilliant performances in gymnastics were at stake with her dislocated elbow. Her coach was probably relieved when her family decided to have it repaired by a medical doctor instead of Eddy's "mental surgery."

Until the advancing age admits the efficacy and supremacy of Mind, it is better for Christian Scientists to leave surgery and the adjustment of broken bones and dislocations to the fingers of a surgeon, while the mental healer confines himself chiefly to mental reconstruction and to the prevention of inflammation. Christian Science is always the most skilful surgeon, but surgery is the branch of its healing which will be last acknowledged. However, it is but just to say that the author has already in her possession wellauthenticated records of the cure, by herself and her students through mental surgery alone, of broken bones, dislocated joints and spinal vertebrae. (401-2)

But when Amy Hermanson and Shauntay Walker were sick with diabetes and meningitis, there was no exception that could have opened a way for them to get medical care.

About CHILD Inc.

CHILD Inc. is a tax-exempt organization dedicated to the legal rights of children. CHILD focuses especially on injuries caused by religiously-based abuse and neglect of children.

Children's Healthcare Is a Legal Duty, Inc.

Rita Swan, President

Box 2604 • Sloux City, Iowa 51106 • Phone or FAX 712-948-3500

Board of Directors Rita Swan, Ph.D. Sloux City, Iowa

Douglas Swan, Ph.D., Chair Mathematical Sciences Dept. Morningside College Sloux City, Iowa

Ford Cauffiel, President Cauffiel Machinery Toledo, Ohio

Dr. Scott Sokol, Pediatrician Floral Park, New York

Michael Botts, Attorney Kansas City, Missouri

Seth Asser, M.D. Chief, Critical Care Pediatrics UCSD Medical School San Diego, California

Honorary Members Stephen Barrett, M.D. Psychiatrist/Consumer Advocate Allentown, Pennsylvania

Bruce Bostrom, M.D. Asst. Professor of Pediatrics Univ. of Minn. Medical School Minneapolis, Minnesota

Janet Dinsmore Nat. Center for Prosecution of Child Abuse Alexandria, Virginia

David L. Dunn Sonoma County Deputy Dist. Atty. Santa Rosa, California

Rev. James Edwards, Ph.D. Jamestown College Jamestown, North Dakota

Norman Fost, M.D. Vice-Chairman of Pediatrics Univ. of Wisc. Medical School Madison, Wisconsin

Boulden Griffith, Attorney Beaverton, Oregon

William Jand-

and the second second

August 21, 1992

Governor Bill Clinton Little Rock AR 72231

Dear Governor Clinton:

You say that you think you know why I have not answered your last two letters. But you don't.

Here's the reason. In 1991 you signed into law Senate Bill 452, now Act 683, which provides a religious exemption to a capital murder charge in cases involving deaths of children. I have written you before about this and received no answer.

The injustices caused by religious exemptions from parental duties of care were well known and had received much national media coverage long before 1991. Is Arkansas in the Dark Ages?

Your wife Hillary has a distinguished reputation on children's issues. Do either you or she believe that religion gives parents the right to abuse or neglect children?

Sincerely,

Rita Swan

Rita Swan



1 ----

Bill and Hillary Clinton on religiously based

medical neglect of children

CHILD Inc. wrote Presidential candidate Bill Clinton two letters inquiring about his attitude on religious exemptions from child abuse. We are reprinting the second letter and his response.

In her law review articles, Hillary Clinton has stated that courts should take action when children face serious health risks because of their parents' religious beliefs. See "Hillary Clinton on children," *The Boston Globe*, 31 Aug. 1992. September 19, 1992

Rita Swan Box 2604 Sioux City, IA 51106

Dear Rita:

I want to thank you for your letter. As parents, Hillary and I believe that there is nothing that gives parents the right to abuse or otherwise neglect their children.

Sincerely,

Centra Bill Clinton