

Children's Healthcare Is a Legal Duty, Inc.

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Summer 1984 Newsletter

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WHAT DOES CHILD, INC. DO?

We have had a flood of publicity all spring, and several reporters have asked what projects we are currently working on.

Here is our statement to the IRS on our present and proposed activities:

We will publish a newsletter to describe the plight of children associated with sects which advocate beatings and denial of health care, to describe the rights of these children and the duties of parents under the law, to disseminate statements by clergymen and other professionals upholding humane treatment of children, to discuss ways for health-care professionals to build bridges to parents who abuse or neglect their children on doctrinal grounds, and to make bibliographies on this topic available.

Other activities will include advertisements to help parents recognize health emergencies, talk show appearances, letters to the press, research on religiously-influenced medical neglect and abuse, and distribution of information about court cases to professionals involved with child protection and other inquirers.

The only one of these activities still not underway is advertisements on health emergencies. We will certainly develop those as funds become available.

We have been kept incredibly busy this year with talk shows. We had barely gotten back in mid-September from our 3,000-mile odyssey to Detroit and elsewhere for our lawsuit when I had to go to New York to be on the Today show. Since then I've made trips to Boston, Philadelphia, Pittsburgh, Los Angeles, Detroit, Portland, and San Francisco to be on talk shows. I also went to Buffalo to speak on "Paranormal Health Cures" at a conference.

We have also been kept busy providing district attorneys with information about cases of religiously-based medical neglect. We at least put them in contact with other district attorneys who have dealt with such cases recently. But in most cases we do considerably more, sending out summaries of court cases, court transcripts, newspaper accounts of similar tragedies to children, etc. Recently we were able to help locate two expert witnesses for a district attorney.

We have also responded to several dozen requests from other sources. A legislative analyst in Florida asked for case law with which to counter a Moral Majority drive to exempt church-run residential care facilities for children from state licensing. A prosecutor in Idaho asked for our assessment of Idaho's religious immunity laws compared to those elsewhere. An author of a criminology textbook asked for documentation on California's religious immunity laws. Another is writing an essay for a prominent law journal on Medicare reimbursements for Christian Science "health care" and asked for our help.

When reporters ask what "projects" CHILD, Inc. is "currently working on," I wish I could cite one big project, but I am proud of what we've been able to do with our resources. This work is time-consuming and may not sound "glamorous," but it meets a need.

Also, I do think we have radically changed attitudes, so that church lobbying and injuries to Christian Science children will get far more scrutiny both in the mass media and intellectual community.

In 1978 I first gathered up enough courage to approach the editor of the Grosse Pointe News with the information that two Christian Science children were the only children between ages one and fourteen who had died in Grosse Pointe Park the preceding year. The editor refused to print that, even as a letter to the editor. He said it would be "very far out of step" and could get them "in a lot of trouble." It took another fourteen months of effort before I got anybody in the press to cover the death of our son.

On March 23rd of this year, Good Morning, America covered the death of Christian Science child Shauntay Walker. When I remember how different the press attitude was in 1978, I have to feel we have accomplished a lot.

MEMBERSHIP IN CHILD, INC.

Membership in this organization is by application and then vote of the Board of Directors. Applicants are asked to sign a pledge that they believe children have rights to medical care and protection from physical abuse. Membership dues are \$15 a year; all dues and contributions are now tax deductible. The membership year begins on January 1. If members have not yet paid dues for 1984, we would like them to do so.

CONGRATULATE US QUICKLY!

On March 27, the IRS called with the thrilling news that CHILD, Inc. had been granted tax-exempt status as a publicly-supported charity. Last summer our first application was rejected on grounds that we were a lobbying organization.

Our second IRS determination specialist advised us that we were "treading a very fine line" and asked us to notify her immediately if we ever did lobbying. I felt she wanted to protect us from challenges to our tax status.

CHILD, Inc. has made no secret of our strong interest in the laws. We believe that religious immunity laws, which make the children in faith-healing sects second-class citizens, are wrong and should be repealed. As an individual, I have lobbied intensively for more protective laws. But I do not petition legislators on CHILD, Inc. stationery, and hopefully we can maintain our tax-exempt status with the IRS.

Meanwhile, of course, the Christian Science church maintains a salaried lobbyist in every state, entirely paid by tax-exempt monies, who lobby incessantly for everything from the right of mentally disabled sex offenders to receive "spiritual treatment" instead of medical treatment to religious exemptions from pku tests for newborn babies.

(Editor's note: CHILD later filed form 5768 allowing up to 20% of its expenditures to be for lobbying.)

CHRISTIAN SCIENCE MOTHER CHARGED WITH CHILD ENDANGERMENT

On March 22, 1984, Laurie Walker of Sacramento, California, was charged with felony child endangerment and involuntary manslaughter for the death of her daughter after seventeen days of Christian Science treatment.

Her four-year-old daughter, Shauntay, died of meningitis. Doctors say untreated victims endure high fevers, nausea, vomiting, increasing stiffness, and intense pain. An aunt who visited the home several days before Shauntay's death said the mother told her Shauntay was doing fine and would not let her see the little girl. Another aunt saw her comatose the night before her death and told Mrs. Walker to get her to the hospital immediately. She refused, and the aunt threatened to notify the police. After the aunt left, Mrs. Walker moved Shauntay to a Christian Scientist's home where she died.

Although Christian Science practitioners are required by California law to report suspected child abuse, Shauntay's practitioner, Norma Alpert, did not report the girl's illness. Nor did Carol Strobe, a Christian Science "nurse."

Alpert refused to cooperate with investigators, claiming a privilege she actually does not have. All the "nurse" would say is that she gave the child "spiritual guidance." This information is taken from The Sacramento Bee.

First California prosecution

To the best of my knowledge, this is the first manslaughter charge against a Christian Scientist in California, despite many deaths of Christian Science children there. Section 270 of the California Penal Code in fact categorizes "spiritual treatment" by a church's "duly accredited practitioner" as "remedial care" for children. But the prosecution is proceeding, at least in part, under Section 273 charging child endangerment. Of course, the church has never advised the members they could be charged with child endangerment. In booklets ostensibly advising members of their legal rights and obligations, the church selects laws which suit their purposes and presents portions of them to convince the members that it is legal for them to deny children medical care. Usually, they get away with it, but now they not only have a dead child and broken-hearted parents, but also criminal charges.

Church and race

Ironically, this death of a mulatto child follows considerable effort by the church to display its miniscule number of blacks in prominent positions. I believe their motive was to impress the large black population in Wayne County, Michigan, who would likely be on the jury in our lawsuit. Two months before we were supposed to go to trial, the Mother Church appointed Essie Diggs to be the first black reader in history. She was recently made a teacher as well. Another black, Bettie Thompson, was recently made a lecturer, replacing the church's first black lecturer, who was forced to resign. Black teacher Pearline Thompson was named as a witness in our lawsuit, although she has never had any contact with us.

What will the church do now that blacks have achieved the equal right to unnecessary deaths of their children? My prediction is that the church will pay for Laurie Walker's legal defense, but the members will find it easy to wash their hands of Shauntay Walker's death. Her father is black, he is in prison, her parents had been studying Christian Science less than five years. No wonder they didn't "get their healing." Members have a strong need to reject their victims in order to protect their belief that Christian Science is a perfect science for healing everything.

Mother faced with reality of needless death

The saddest thing I heard about Laurie Walker is that she called a doctor the day after Shauntay died and asked if she could have been saved with medical treatment. After seventeen days of watching your child suffer and die, constantly suppressing that question in obedience to the requirements for getting a Christian Science healing, then at that point to ask for the information that will rip her apart until the end of time!

ANOTHER CHRISTIAN SCIENCE DEATH TO MENINGITIS

On March 28, 1984, 16-month-old Christian Science child Seth Glaser died of meningitis. His parents were Eliot and Lise Glaser of Culver City, California; the practitioner was Virginia Scott of Santa Monica. The parents claim the baby first became ill with a high fever at 11 a.m. Tuesday. Wednesday morning they thought their baby was improving (like hundreds of other "true believers" ignorantly observing symptoms of infectious diseases). But a few hours later he reportedly had a high fever, was delirious and lost muscle control. The Glasers took Seth to the practitioner's home where he died.

And another prosecution

On June 22, a grand jury indicted the Glasers and Mrs. Scott on charges of felony child endangerment and involuntary manslaughter. A church spokesman charged that the state has "arbitrarily [singled them out] because of their religious beliefs and claimed, 'It would be abhorrent to most people to prosecute reasonable, loving parents who lose a child--whether at home or in a hospital--despite everyone's best efforts.'"

I really doubt that society thinks Christian Science practitioners should be allowed to treat children with meningitis just because they do their "best." What evidence did Virginia Scott have that she could heal meningitis? A district attorney has told me that the three healings she submitted to the Mother Church to become an accredited healer were on the order of a sore toe and the common cold.

Needless to say, this is, like the Laurie Walker case, a very historic prosecution. I believe the fastest way to make the Christian Science church change its policies on treating children is to prosecute their practitioners for manslaughter. In England and Canada, where that has been done, the church advises its parents to get sick children to a doctor promptly. In The Right to Live, our honorary member Clifford Cawley states that these practitioners could theoretically be charged with manslaughter in the United States, but had never been. Well, now one has, and we can hope the church will comprehend that society is rapidly becoming quite intolerant of these unnecessary deaths of children.

A district attorney's spokesman said he couldn't recall a similar case in Los Angeles county. However, other Christian Science children have in fact died there for lack of medical treatment. I called the Los Angeles County coroner's office two years ago and talked about a couple of death certificates I had. The coroner acted as if notifying the district attorney about such cases was a totally foreign idea to him. "Why, those children died of natural causes," he said.

So here again I feel that the Swans' laborious, painful publicity work has changed attitudes both in the press and among public officials, so that these deaths are now getting attention.

The California legislature bears part of the blame for these deaths. The legislature has given church lobbyists dozens of religious exemptions without any regard for the children they endanger. It has helped the church persuade members that Christian Science treatment is acceptable, effective health care for all diseases of children.

OKLAHOMA DEALS WITH FAITH DEATHS

In December, 1982, a Church of the First Born couple, Dean and Patsy Lockhart, were acquitted of first-degree manslaughter for the death of their son Jason to an untreated ruptured appendix. Oklahoma's religious immunity law provided an exemption for members of "established" churches with beliefs against medicine. The judge instructed the jury that they had to vote acquittal if they agreed that the Lockharts' church qualified as established. The legislature was so outraged that they passed a law providing for prosecution in such cases despite public opposition from the Christian Science church (and the less powerful Church of the First Born).

The new law was to take effect November 1, 1983. On July 15, 1983, another Church of the First Born child, three-year-old Benjamin Funkhauser died after a two-week struggle against untreated pneumonia. The McClain County prosecutor charged the parents with second-degree manslaughter and argued that the religious immunity law did not apply to the lesser charge. In June, 1984, Kenneth and Jamie Funkhauser of Purcell, Oklahoma, were sentenced to 2 years in prison. In most of these faith cases, parents are placed on probation and asked to do community service (sometimes even in hospitals). The Funkhausers' sentence indicates society's growing antipathy to these religious practices. Their conviction is being appealed.

A few weeks ago 4-year-old Vickie Darlene Sorrell died after being ill for two weeks with Rocky Mountain spotted fever. Her parents did not seek medical care for her because of their allegiance to the Church of God Chapel in Guthrie, Oklahoma. The Logan County prosecutor has charged them with second degree manslaughter. Even though Oklahoma's new law has gone into effect, the prosecutor opted for a second degree manslaughter charge because that charge hinges on culpable negligence, rather than the reckless intent described in first-degree manslaughter. Oklahoma does not have a felony child endangerment charge.

COSHOCTON--A SIGNIFICANT CONSTITUTIONAL DECISION

The Coshocton, Ohio court case, mentioned in our last newsletter, was concluded on Friday, June 15th.

Larry and Roberta Miskimens were charged with involuntary manslaughter for the August 1 death of their 13-month-old son Seth of pneumonia, pericarditis, and complications. The father testified that the baby was ill with "a cold" for about ten days, had a fever, and vomited twice. "He appeared to be getting better. We thought he was healed. We thought he was cutting teeth," said Mr. Miskimens.

They lost their first child five hours after an unattended home delivery because of mucus in the baby's throat.

They are members of a locally formed group called Christ Assembly. Much evidence indicated that the group was tied to Reverend Hobart Freeman's Faith Assembly in Indiana and used his books and tapes. The defendants, however, denied a connection.

The Coshocton Christ Assembly is only five or six years old. It has forty adult members who have already had forty children. Faith Assembly discourages birth control and encourages large families. Mr. Miskimens had his vasectomy reversed after he joined Christ Assembly. He and his wife have recently had a third healthy child.

Ohio's religious immunity laws, the result of Christian Science lobbying, are perhaps the country's most cynical on the children in faith-healing sects. Their juvenile code 2151.421 states: "Nothing in this section shall be construed to define as an abused or neglected child any child who is under spiritual treatment through prayer in accordance with the tenets and practice of a well-recognized religion in lieu of medical treatment, and no report shall be required as to such child." Its criminal code 2919.22A states that "it is not a violation of a duty of care, protection, or support" when a parent "treats the physical or mental illness or defect" of his child "by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body."

Many district attorneys would not have attempted prosecution in the face of such laws. The Coshocton County prosecutor was so deeply alarmed by the number of unnecessary deaths because of religion and by the several Faith Assembly-related groups springing up in Ohio that he determined to challenge them.

Sworn to uphold the laws, District Attorney William Owens was put in the awkward position of arguing in court that Christ Assembly was not a "recognized religious body" and also that the parents had not relied on "prayer alone" and therefore did not qualify for protection under the religious immunity law. During Seth's illness, the parents gave him alcohol rubs, cool baths, and CPR. The father also called an ambulance squad to restore his breathing (after death). He sterilized a shoestring used to tie another baby's umbilical cord, but testified that did not violate his religious beliefs because killing germs on a shoestring and in a human body are different matters. The defense

attorney pointed out that if the Miskimens were convicted for not relying on "prayer alone," other parents believing in faith healing will be afraid to call an ambulance.

On June 11 Common Pleas Court Judge Richard Evans ruled that 2919.22A was an affirmative defense, or in other words that the burden was on the defendants to prove that Christ Assembly was a "recognized religious body."

Christian Science church intervenes

The next night the Christian Science church delivered to the judge's home a 22-page amicus brief defending the constitutionality of 2919.22A. They argued that the prayer subscribed to by recognized religions was legal health care for children and that it was constitutional for the state to grant legal status to such prayer/health care. To quote some of the more outrageous arguments in their brief:

The purpose of O.R.C. Section 2919.22 is to prevent parents or guardians from abusing their children by failing to provide them with responsible medical care or in the alternative treatment "by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body...." The legislature has allowed limited room for the practice of spiritual healing.... [It] set a classification which is reasonable and common sense for the twentieth century in balancing the needs of society with the practice of spiritual healing within the tradition of New Testament Christianity by recognized groups with a history of sensible responsible cooperation with government authorities.... Though the practice of spiritual healing is religious, it has achieved a position of respect and established reputation for effectiveness in the secular world which meets the purpose of the Children's Code as determined by the legislature.... The lawmakers looked for some criteria to ensure that parents would act in a reasonable and responsible manner. They decided to create an exemption for those parents whose approach to healing may be other than medical but is substantiated by empirical evidence accumulated over a period of time.... The criteria...of the criminal statute...protects children and parents against experiment with novel or individual healing methods when their children are sick, even though based on sincere belief, and requires parents to provide their children with responsible health care.

Law ruled unconstitutional

After both sides had presented their evidence, Judge Evans ruled on June 15th that the religious immunity law in 2919.22A was unconstitutional and impermissibly vague because it violates the religious establishment clause of the First Amendment and the Fourteenth Amendment's guarantee of equal protection under the laws. Judge Evans charged that this law seems to create two classes of faith healing: good or bonafide faith healing and bad or sham faith healing.

Faith healers warned

He dismissed the charges against the parents, but did not rule them innocent. He said the parents will have to answer to their own conscience and "ultimately, I suppose, to a significantly higher authority in their lives than this court." He warned faith healers "that as of June 15, 1984, a new standard of parental duty will prevail in this jurisdiction."

He said of the Miskimens, "However intensely they may wish to minimize their own responsibility and to euphemistically characterize the event, the medical evidence presented in the course of this trial establishes that their second child did not just slip away peacefully to be with the Lord." Rather, the baby put up a valiant struggle, "but in tremendous pain...with a raging infection in his tiny chest, he weakened, he faltered, and he died."

Prosecutor Owens has said he will not appeal the dismissal. He called upon the Ohio legislature to develop more protective laws and said if one child is saved as a result of the trial and the judge's ruling, "we have done our job."

The Cleveland attorneys who wrote the amicus brief for the church have contacted the prosecutor and expressed their displeasure at his refusal to appeal. The Christian Science church may attempt to get a mandamus writ to force Judge Evans to reinstate the religious immunity law. Their attorney says they will file for declaratory judgement in Franklin County, where Columbus, the capital, is.

The above information is taken from the COLUMBUS DISPATCH, COLUMBUS CITIZEN-JOURNAL, and conversations with the prosecutor.

Ohio ACLU votes to act

Staunch Ohio friends and members of CHILD, Inc. have been working with us for years to bring attention to the injustice and danger of Ohio's laws. After many letters from me and several trips to Columbus by our honorary member, Ford Cauffiel, the Ohio ACLU's Board of Directors voted at its March 1983 meeting to work for legislative revision of 2151.421, noting that proponents of faith healing view these laws as official recognition of the efficacy of their practices, they have no apparent secular purpose, and they tend to entangle the state in determining whether religions are "well-recognized" and the child's treatment "in accordance with the tenets and practice" of such religions.

Wesley Newhouse, a member of the Board of ACLU Ohio, has pointed out that even the statutory requirement that the child be treated by "prayer alone" discriminates among religions. What if a church believes in certain diets or exercise routines? (See his unpublished essay, "Medical Care for Minors: Balancing First Amendment and Parens Patriae Interest.")

Unfortunately, the Ohio ACLU has not yet been able to find a legislator willing to confront the Christian Science church and introduce reform of the religious immunity laws. Some of us feel the ACLU could have pursued this project more vigorously. The Ohio ACLU has, however, promised a public statement advocating legislative change in the wake of the Coshocton decision.

Federal inaction

Last year the federal government promulgated a new requirement that failure to provide medical care become part of the states' definitions of child neglect. The U. S. Department of Health and Human Services assured, my Congressman in writing that such failure had to be reported, regardless of religious belief. However, when I asked a regional HHS attorney with jurisdiction over Ohio if he would compel Ohio to rescind its law stating that "no report" was required on a child getting "prayer in lieu of medical treatment," the attorney said no. In essence, he pointed out that HHS would have too much mud on its face forcing Ohio to change a law that HHS had required them to pass only a few years earlier and also that HHS cannot challenge legal recognition for Christian Science treatment of children because HHS administers Medicare, which reimburses Christian Science sanatoria!

Now the criminal code's immunity has been declared unconstitutional in one county. Will this motivate the Ohio legislature to act or will a child have to die in every county before this law is wiped from the books?

DEATH IN INDIANA-- FROM COUNTY UNTO COUNTY

Even in Indiana, criminal charges are now being filed. The main reason for past inaction on dozens of deaths of Faith Assembly children is, in my opinion, the Kosciusko County prosecutor, Michael Miner. He has repeatedly said that the Constitution and Indiana law protect parents' "right" to deny children medical care.

To be sure, Indiana does have a religious immunity law in its criminal code. But it is ambiguously worded because the Indiana legislature, like many others, is fond of tossing the Christian Science church bones that they think mean nothing and the church thinks mean everything. The Indiana law says that a defendant charged with denying his child medical care may raise religious belief as a "defense." It does not say that the jury has to accept such a defense.

Many of us feel strongly that Mr. Miner should have filed charges and at least tested the meaning of the law in court, especially after dozens of deaths there. Instead, he has sat on his hands and told the press, "There appears to be more of an outcry coming from states and areas thousands of miles from here than from people in this area."

Furthermore, when the Indiana legislature attempted to repeal this religious immunity law, Miner (according to one reporter) did nothing to support their efforts and perhaps even supported the opposing forces.

But the prosecutors of other Indiana counties are now filing charges when Faith Assembly deaths occur in their districts. In Whitley County, on June 20th, Gary and Margaret Hall were charged with reckless homicide and child neglect in the death of their 26-day-old son, Joel David, to untreated pneumonia. On June 29th, in Noble County, the parents of 9-month-old Allyson Bergmann were charged with criminal child neglect and reckless homicide. Allyson was sick for about eleven days with meningitis and pneumonia before she died. And a grand jury will convene July 5th or 6th in Elkhart County to consider criminal charges against Frederick and Mildred Stutsman whose daughter died three hours after a home delivery with no medical doctor in attendance.

FAITH ASSEMBLY COMES TO IOWA

In April, Doug and I had a real treat: CHILD, Inc.'s first two members came to visit us from central Iowa. They are a grandma and grandpa who have two children in a nearby Faith Assembly church. The children lost their firstborns during home deliveries in accordance with Faith Assembly practices. One baby died because of cerebral hemorrhaging; the other likely died because of blood incompatibility problems, which the baby's mother was aware of.

When the children expected babies again, the grandparents (and to a lesser extent, CHILD, Inc.) went through great difficulty trying to get the state to take action. Iowa's attorney general has issued an opinion that parents have no duty to the unborn or, in other words, that there is no such thing as abuse or neglect of a fetus. So even though we knew before delivery that the next baby would likely be in distress at birth because of Rh incompatibility, there was no way we could get the state to compel any medical attention at childbirth. Child protection officials told the grandmother to observe the baby after birth and then go to the sheriff for a court order, if she thought the baby needed medical help. (Later, child protection officials agreed that they would intervene upon request after birth and that it was not the grandmother's responsibility to get a court order.) The grandmother asked her doctor for symptoms to watch for and at first he couldn't tell her any because most people get shots to prevent this problem before birth. Fortunately, both babies were born in good health.

In addition to the risks of denying people medical care, Faith Assembly places many other stresses on families. These grandparents have worked so hard to maintain good communication with their children in Faith Assembly. The grandfather told us there is NO subject neutral enough for a pleasant conversation with Faith Assembly members. You can't even talk about sports, cars, or the weather with them because their religion dominates their lives so totally. Their belief that all animated characters are satanic severely limits toys for their children. They are also opposed to celebrating Christmas.

CHILD, Inc. would like to see states have laws requiring pregnant women to at least make arrangements for delivery of babies by licensed physicians or midwives. (I say "make arrangements" because I suppose a few babies are always going to be born on the way to the hospital or in Winnebago's out in the wilderness; we will come up with a better wording for such a standard eventually.)

Abortion rights have made it difficult to protect the unborn, even the unborn whose birth is desired. Another example of this problem occurred in Lockport, Louisiana, last summer where Faith Assembly parents carried an infant's body in a shoebox around to church members' homes praying for resurrection for forty days. The state declined to charge the parents because children have no rights until born alive and the state had no proof of live birth.

CIVIL LAWSUIT AGAINST FAITH ASSEMBLY

On February 3, 1984, David and Nigal Oleson filed a lawsuit against the Faith Assembly church and its leadership for the distress their family went through while Nigal was a member of that church. Their marriage was nearly wrecked and their children were endangered by church prohibitions against medical care. Even though her blood type was Rh negative, Nigal refused to have any medical care for her pregnancy or delivery.

After failing to get a legal conservatorship over Nigal in the courts, Dave managed to get her to his parents' home and then to pastoral counselling. Eventually, he had her deprogrammed at a cost of \$12,000. A team of exit-counsellors talked to her for seven days, and then she spent three weeks at a rehabilitation center.

Their lawsuit charges Faith Assembly with fraudulent and deceitful recruitment, false imprisonment, alienation of affection, involuntary servitude, invasion of privacy, wrongful death, practicing medicine and psychology without a license, and negligent infliction of emotional distress.

In their suit, they hope to expose Faith Assembly as a destructive mind control cult, place a financial burden upon Faith Assembly, educate the public in deceptive cult practices, and deter other cult leaders.

Dave and Nigal are making many talks to educate the public and raise funds for their legal expenses. You can support their work either by sending tax-deductible contributions to Citizens Freedom Foundation's Legal Education, Assistance and Defense program (make the check payable to LEAD) or by checks payable to David Oleson, which are not tax deductible. Donations to the Oleson's will be repaid with 10% interest, if the case is won. Both types of donations should be sent to David Oleson, R#1, Box 103, Genoa IL 60135, phone 815-784-5591.

CHILDREN SEIZED IN ABUSE PROBE

The AP reports that Vermont state troopers raided the fundamentalist Kingdom of Island Pond June 22 to examine children for abuse. About 100 troopers, armed with search warrants and aided by social workers and nurses, took 112 children from their homes to District Court where state lawyers asked to retain custody of the children for three days so a physician could examine them for evidence of beatings.

However, Judge Frank Mahady refused to grant the detentions and dozens of children had been released by evening. A spokesman for the governor said the raid had been planned for eight months and followed two years of effort to get child abuse and neglect reports from commune members.

According to many press reports, brutal beatings are routinely administered by church elders. A leader, "Eddie" Wiseman, has been charged with assault for allegedly beating a 12-year-old girl for 7 hours. She had 89 welts on her body, from her neck to her toes. The girl's parents said she was beaten for lying.

One observer has also charged that the church has buried several children's bodies without obtaining death certificates or notifying a coroner.

The commune, formally known as Northeast Kingdom Community Church, has about 350 members, including about 70 under the age of 5 and 170 under 18. Last October, church officials acknowledged they were building an "ark" to serve as a trans-Atlantic carrier. The church has a satellite community in Navarrenx, France.

DEPROGRAMMING NATHAN TALBOT

Nathan Talbot, manager of the Christian Science church's lobbying network, and I were both asked by the NEW ENGLAND JOURNAL OF MEDICINE to comment on the letters about our articles in the December 29th issue. These letters and our comments were published in the May 10th issue of the NEJM. Talbot's commentary is reprinted below with permission of the NEJM.

To the Editor: These letters do cause the committed Christian Scientist to do some real soul-searching.... In considering them, I recalled an account by a mother whose two small children drank some rat poison. After the doctor's best efforts, she was told that one child would die and the other would suffer long-term digestive damage. Then the children were placed entirely under Christian Science care. After an hour, both regained consciousness and were well. There was no period of recovery and no after effects. I talked personally to the mother about this published account. She confirmed it in detail.

Whether our healings are dramatic or modest, can they be discounted--especially by those who truly care about healing--simply because they don't take place under the conditions of a controlled experiment? As William James put it, "A rule of thinking which would absolutely prevent me from acknowledging certain kinds of truths if those truths were really there would be an irrational rule."

Suppose medical efforts had healed those children. Would it have made any difference which method of care had been used? Yes, an important difference. Without question, the physical health of children is of paramount concern to Christian Science parents. And they see this health as being enriched and maintained by something more substantial, more enduring than evolving techniques--by the spiritual and moral underpinning and strengthening that comes through the present power of Christ. Even if contemporary medical techniques had existed in Jesus' time or, for that matter, during our church's early years, nothing could have been more effective than the divine healing that fosters spirituality and results in drawing people closer to God--something deeply needed in society today.

It is a rare occasion indeed when a parent who is a committed church member, working with a church-listed practitioner loses a child. In such an isolated case, Christian Scientists feel just as others do when a similar tragedy occurs. But in contrast to society's attitude

toward the loss of a child under medical care, society makes little allowance for failure in Christian Science. Witness the Swan case.

While vividly aware of how much there is still to learn, Christian Scientists believe that their century of spiritual healing has real significance. And they ask if honest dialogue doesn't call for soul-searching on both sides.

The doctors who wrote in simply didn't believe Talbot's claims of 50,000 carefully verified healings. One equated them with the techniques of shamans and snake-oil salesmen. Any church member who read the NEJM would be mystified by such skepticism. They would protest that some of those healings even have medical corroboration.

But do they? The church never provides medical records, even when they report a doctor's diagnosis or prognosis. The church does not allow the public or even general church members to see the verifications for their healings. Although the rat poison anecdote sounds like a dramatic, airtight healing to the church members, outsiders will ask why Talbot didn't talk to the doctor; the mother is only another of Eric Hoffer's "true believers" to them.

While most medical healings are not controlled laboratory experiments, factual records are kept on them. Statistics, double-blind studies, and years of advanced study support the physician's choice of drugs and treatment. Cause and effect are determined as rigorously and precisely as possible.

The anecdotal healings reported by many religions lack the scientific method. The Christian Science church takes one healing as proof that its dogma is a perfect science and other sects get comparable ego gratification out of theirs, but they do not acknowledge the many other possible explanations for these healings.

Talbot's complaint about societal intolerance of his church's failures is the familiar cry of "medicine fails too." What Talbot doesn't understand is that Christian Science has no evidence it has succeeded, at least with diseases that absolutely require medical treatment.

Talbot's denigration of medicine as "evolving" is really its great advantage. Thank God for the constant search for more medical knowledge and the willingness to change in response to new information. It is comical for him to lecture doctors on open-mindedness. No matter how many effective vaccines are developed, his church will never change its opposition to vaccines or any other advancement in medical science. It is his church which insists that Christian Science prayer cannot be combined with medical treatment, not doctors.

Talbot's public appearances convey the bland, sunny benevolence familiar to many cult observers. But when challenged, he lashes out with accusations that doctors are irrational, dishonest, lacking in spirituality, and unwilling to do any soul-searching. Wow!

NATIONAL COVERAGE IN TIME

The April 16th TIME carried an article, "Matters of Faith and Death," on page 42, which included the following paragraph about CHILD, Inc.:

A burgeoning movement to change state laws is being led by two former Christian Scientists, Rita and Douglas Swan, who saw their 15-month-old son die from untreated meningitis in 1977. Traumatized by that experience, the Swans have become implacable foes of their former faith. Now teaching at Morningside College in Iowa, they have founded CHILD (Children's Healthcare Is a Legal Duty), Inc. to work for new laws. Says Rita: "I think people are getting more disgusted."

The article also discusses the Church of God of the Union Assembly whose objections to medicine caused the death of a Georgia teenager with a ruptured appendix and blocked cancer treatment for Pamela Hamilton, the Worldwide Church of God, Faith Assembly deaths, and Indiana's new reporting law.

THE MCMARTIN CASE--A CHRISTIAN SCIENCE CONNECTION?

Employees at Virginia McMartin's Day Care in Manhattan Beach, California, have now been charged with over 200 counts of sexual molestation of the children enrolled there. The abuse is alleged to involve over a hundred children and to have gone on for a decade. Allegedly, the seven defendants not only fondled and molested the children themselves, but also rented them out to pedophiles and child pornography rings.

Both the April 29th Los Angeles Times and the May 21st People have mentioned that the defendants are Christian Scientists. People called the McMartin family "a close-knit, rock-solid clan of Christian Scientists." The Times says the female defendants "met as members of the Christian Science church." The Times also says that Raymond Buckey now belongs to the rather similar Church of Religious Science and that his mother, Peggy McMartin Buckey, has recently joined her son's church also. The May 1st Sacramento Bee has identified defendant Mary Ann Jackson as an "avid Christian Scientist."

Some of us who have been in Christian Science have strong feelings about how the religion's balmy dishonesty and facile denial of the body could breed our nation's largest sexual abuse scandal. Perhaps I can elaborate our feelings in a future issue of the newsletter. We also acknowledge, however, that many devout members of other faiths and even clergy have been charged with sexual abuse.

On June 14th, ABC's 20/20 had a gripping report on the McMartin Day Care scandal. The allegations present the most calculated, sophisticated deceit and sadism, perpetrated against children as young as two, their parents, and an elite community. This report was co-produced by our honorary member, Kenneth Wooden, who also directs the National Coalition for Children's Justice. Transcripts may be ordered from ABC.

BRIEFLY NOTED

The trial of Dorothy McClellan, leader of the Stonegate Christian Commune, in Charles Town, West Virginia, has been continued until August 27th. Mrs. McClellan is charged with involuntary manslaughter and two counts of conspiracy in the beating death of 23-month-old Joey Green. Our honorary members, Marcia Rudin and Jack Clark, will be expert witnesses at the trial. About 30 children remain at the commune; court-ordered psychiatric testing has recently been conducted of them, USA Today reports.

Marcia Rudin also appeared on the CBS Morning News July 6th discussing child abuse in cults.

Children can be taken from unstable and fanatically religious parents if it's in the children's best interests, the Ohio Supreme Court ruled in June, according to USA Today.

Senator Orrin Hatch's Judiciary Subcommittee is now holding hearings on religious liberty. Since Senator Hatch was the one who added the Christian Science amendment to S.1003, the Child Abuse Prevention and Treatment Act, soon to be voted on, I am following the hearings with considerable concern.

The June 2 Fort Wayne News Sentinel has major articles about 17 more deaths and ominous new trends in Faith Assembly. This sect has averaged one preventable death a month since 1978. The newspaper has won national awards for its continuing investigation of Faith Assembly.

My article, "Christian Science, Faith Healing, and the Law," was published in the spring, 1984 issue of FREE INQUIRY. A companion article, "Ultrafundamentalist Sects and Child Abuse," by Dr. Lowell Streiker is also featured. These articles are each over 4,000 words long and valuable resource materials. The issue may be ordered for \$3.50 from Box 5, Central Park Station, Buffalo NY 14215.

I have been asked to write a monograph on Children, Medicine, and Religion for Current Problems in Pediatrics. I would be glad to have contributions on this topic, especially first-hand experiences from physicians.

A short article about us will appear in Family Weekly. This Sunday supplement is the fourth largest magazine in the country, with a circulation of 28 million.

Doug and I were featured on the June 27th CBS program, Crossroads, in an interview with Bill Moyers. Our Board member, Barbara Clouse, and Dave and Nigal Oleson have been interviewed for a future Crossroads program on Faith Assembly. We had good intentions of sending this newsletter out before our program, but as you can see, we didn't make it. Your editor is worn to a frazzle. Good-bye for now.