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© CHILD

CHRISTIAN SCIENCE INSTITUTIONS SPREAD ANOTHER MEASLES OUTBREAK

The Adventure Unlimited camps near Buena Vista, Colorado, were the source of a major rubeola measles outbreak this summer. The Christian Science camp first reported a possible case of measles on July 24th. According to the Colorado Department of Health, the 17-year-old girl had been ill since July 19th with coryza, cough, conjunctivitis, and fever before she developed the rash that triggered the camp's report.

On July 25th, Health Dept. officials came from Grand Junction and Denver, both more than 200 miles away, to investigate. Though Principia officials did not allow drawing of blood, the Colorado Health Dept. was able to obtain permission for this procedure from the sick girl's mother and a specimen was expressed to the Center for Disease Control in Atlanta.

Difficult Decisions: How to Minimize Risks

The Health Dept. had a tough decision. They knew a second wave of measles cases could not be prevented. They could have prevented the third wave by quarantining the children at their camp. But the camp was also located in a remote area. If children became seriously ill, would health authorities be informed and would they be able to respond? The nearest hospital did not have adequate facilities for isolating patients with highly contagious diseases. Health officials also were not sure that the quarantine could have been maintained if parents came to the camp and demanded their children.

They decided to send all 220 campers home, taking advantage of a few days when the measles should not have been contagious. The children were sent home by both public and private transportation.

Ignorance Demanded; Immunizations Refused

The Colorado Dept. of Health offered to vaccinate the youths and to talk with them about symptoms, complications, spread, and prevention of measles. But the Christian Science camp officials insisted, through their attorney, that they had religious exemptions from learning about disease, as well as from vaccinations. Instead, the Health Dept. prepared a letter to parents about the dangers, which the camp sent with its own cover letter.

Health departments in the campers' home states were informed and, in turn, reported cases to the Colorado Dept. of Health. The final tally was 51 cases of measles in 16 states. Local health departments observed good cooperation with quarantine rules. But families accepted health officials' recommendations to get vaccinations only if they had a legitimate "excuse" for their church (like a vacation to Hawaii in one case).

The camp closed for two weeks and lost over $100,000. in revenue.

Other Cases of Vaccine-Preventable Disease

The camp also had a rubeola measles outbreak in 1976 that spread to several states. And in 1982 was the tragic death of 9-year-old Debra Kupsch, who became ill with diphtheria at the camp.

Between Principia College and the Adventure Unlimited camp, these two Christian Science institutions have had 187 cases of rubeola measles this year, including three deaths of young people.

Church Position on Responsibility

But church theology and policy against immunizations will never change. In March, 1984, the Mother Church wrote parents that protecting their children from "the contagion of false beliefs" depended on their own "active study and prayer." The letter closed with reference to Mrs. Eddy's statement that "a mother is the strongest educator, either for or against crime" and added that "this applies to...sickness and health" as well as crime. What a burden of guilt these parents must carry! If a child contracts measles, it is because his mother educated him to such a crime.

Cost to Public

Besides the obvious costs of endangered lives, what was the monetary cost to the public? Dozens of cases in sixteen states had to be followed by Public Health. Colorado health officials had to travel at least 800 hundred miles to and from the camp. The Center for Disease Control had to monitor a second vaccine-preventable measles epidemic among Christian Scientists this year.

SOME FALL FEATURES

CHURCH POWER AND THE MEDIA

A year ago Norman Lear's production company expressed some interest in making a docudrama about us. Later they decided it couldn't be done because of the difficulties of airing criticism of the Christian Science church.

Simultaneously, though, they are making a docudrama about a Catholic nun who was raped on her return from a church retreat, became pregnant, and was dismissed from her position as a parochial school teacher because of her baby. Family Circle also published an article about this nun.

I wondered for a long time how the Christian Science church could have more power to suppress press coverage that makes it look bad than does the Roman Catholic church with its many millions of members. But lately I've thought sex might be a critical difference between our two experiences. If the story of Matthew Swan had anything to do with sex, it might get made into a docudrama regardless of any church's objections.

Meanwhile, though, the media are reluctant to provide information about the consequences and responsibilities of sex. The American College of Obstetricians and Gynecologists recently developed a public service ad on the value of contraceptives, and all three networks rejected it as controversial, presumably because of some churches' opposition to birth control.

WINKELMANS TO APPEAL

In Huntington, Indiana, David and Joyce Winkelman have announced intention to appeal their conviction of child neglect. Members of Faith Assembly, they denied medical treatment to their infant son, Joel, who died April 21st of pneumonia.

The prosecutor did not expect them to appeal because their sentence was only for two years and because their religion teaches against initiating any legal proceedings or consulting lawyers. But when the circuit judge offered them suspended sentences if they would seek medical care for illnesses of their surviving children, they refused to do that and then stated their decision to appeal.

FAMILY CIRCLE CANCELS ARTICLE ON CHILD

In the summer of 1984, writer Bonnie Remsberg contacted us about doing an article for the Family Circle magazine on our child protection work. Family Weekly, the magazine with the 4th largest circulation in the country, had just cancelled an article about us, and I expressed initial doubt that Family Circle could "take the heat."

Bonnie assured me that she had written for Family Circle for decades and that it actually had great journalistic courage. She came to our home for two days in September to interview us.

In June she called and said her editors liked her article very much. A photographer came 200 miles from Des Moines to take pictures for the article. Later the editors wanted more photos, so I gathered up some family ones and federal expressed them. Publication was scheduled for September.

The last Sunday in August Bonnie called to report that the article had been cancelled. Family Circle has never cancelled one of her articles before.

A few days later a Knight-Ridder newspaper reporter called me, so I told him what had happened. He called the Family Circle editor. She refused to discuss it unless he promised not to write an article about it.

After he promised, she told him that Katherine Fanning, editor of The Christian Science Monitor, had engaged her in an intensive two-hour phone conversation, going over the article, denigrating me and Bonnie, and warning that the Christian Science church might well file a libel suit against the magazine.

Thus, a prominent journalist has strong-armed into silence a magazine owned by the New York Times Company.

TREASURER'S REPORT

Thank you for your strong support of CHILD in the third quarter. The debt was reduced by about $200 during the quarter.

Accumulated debt	6/30/85	$468.88
Income	7/1/85 - 9/30/85	$890.74
Expenses	7/1/85 - 9/30/85	$618.16
Accumulated debt	9/30/85	$272.58

We anticipate expenses of over $1000 during the fourth quarter. We need your help in meeting these expenses. One way is to increase our membership. Can you recommend anyone? We will be glad to send them a brochure and a newsletter. Your continued financial support is critical. With an annual budget of approximately $4500 we are extremely cost conscious.

AMA CLARIFICATION

Our summer issue carried an article about an American Medical Association resolution opposing religious exemption laws. I should point out that the AMA House of Delegates has referred this resolution to a study committee and it then must be acted on by the Board of Directors before it returns to the House of Delegates for a final vote.

CHILD MEMBERS SPEAK AT CANADIAN CONFERENCE

Our members Marcia Rudin and Mike Kropveld spoke at a cult awareness conference sponsored by the University of Toronto during the week of September 23.

LAW JOURNAL ARTICLE URGES HHS TO REMOVE RELIGIOUS IMMUNITY LAWS

A Notre Dame law student, Wayne F. Malecha, has published "Faith Healing Exemptions to Child Protection Laws: Keeping the Faith versus Medical Care for Children" in Journal of Legislation, vol. 12 no. 2 (summer 1985), 243-63.

The article points out that courts "have consistently held that one's free exercise of religion must not interfere with the rights of others, especially where religious practices injure children." It urges the U. S. Dept. of Health and Human Services to adopt policies encouraging state legislative reform on religious exemption laws.

ONCE MORE TO THE BARRICADES: THE SWANS AND HHS

Explaining the U. S. Department of Health and Human Services policy on religious exemptions from child abuse and neglect becomes progressively more frustrating. For eight years, from 1974 through 1982, it was simple: because of Christian Science church lobbying, they coerced states to pass religious exemptions from child abuse and neglect charges.

In response to many strenuous protests and well-publicized deaths, HHS dropped this policy on January 26, 1983. HHS also disclaimed intention either to require or prohibit prosecution in cases of religiously-motivated medical neglect and required that failure to provide medical care be added to the states' definitions of child neglect. HHS did not, however, require states to repeal their religious immunity laws.

Highly alarmed, the Christian Science church wrote Congress that the new HHS regulations "[condemned]" their "family life and religious teachings," made "a responsible 100-year-old Christian denomination the target of federal bureaucracy," and put Christian Scientists "on a par with a parent who deliberately refuses to provide a child with food, shelter, clothing, or medical care." (See Hearing before the Subcommittee on Select Education of the Committee on Education and Labor, House of Representatives, 98th Congress first session, on H.R. 1904, pp. 390-96.)

Our Congressman, Berkley Bedell, wrote Assistant Secretary Dorcas Hardy for an explanation of the new HHS policy. On July 18, 1983, Hardy assured him in writing that HHS now required failure to provide medical care to be reported and investigated, regardless of religious belief, and that HHS was informing the states of this requirement.

If this were true, it would have been a big improvement in protection for children in faith-healing sects. But HHS has not informed the states that a reporting requirement applies to cases of religiously-based medical neglect. For many months HHS told us they were reviewing state laws on this issue, but finally they finished their review and concluded that all the laws were just fine (except for eight words of one Ohio law). The Christian Science church should not have bothered to protest.

In my view, HHS wants to wash its hands of the religious immunity laws because of the ugly deaths they have encouraged, but intends to do nothing positive for the children in faith-healing sects. Simultaneously, HHS is doing much to guarantee rights of all other children to medical care.

This spring HHS opened a period for public comment on its new proposed regulations. Doug and I submitted the following.

June 21, 1985

National Center on Child Abuse and Neglect
U. S. Children's Bureau, HHS
P. O. Box 1182
Washington D.C. 20013

Dear Administrators:

We wish to comment upon your proposed rules, 45 CFR Part 1340, issued on April 24th. Our concern is that HHS is not informing states that failure to provide medical care is now a reportable condition regardless of religious belief nor requiring states to develop reporting laws likely to gather reports on sick children in faith-healing sects.

According to Dorcas Hardy's letter to Congressman Berkley Bedell of July 18, 1983, the final rules promulgated by HHS on January 26, 1983 require that failure to provide medical care be reported regardless of religious belief. However, you have not advised the states of this standard on religiously-based medical neglect. In fact, at a meeting for state legislative liasons in April, 1983, HHS indicated that no changes in the state laws on this issue would be necessary.

In 1984 three deaths of California Christian Science children to meningitis were widely publicized. Although California law requires Christian Science practitioners to report child abuse and neglect, none of these children's practitioners reported to the state. California Child Protective Services has not taken any action against these practitioners because it assumes that the religious immunity laws HHS imposed on the states include immunity from reporting sick Christian Science children without medical care. Simple logic compels one to ask, "If the children are not being neglected according to the laws' exemptions, why would 'neglect' be reported?" California Child Protective Services has received no communication from HHS about a requirement to report religiously-based medical neglect nor has it sought new laws to establish such a reporting requirement.

Last spring we pointed out to an HHS regional office that Ohio law definitely violated the new standard, for ORC 2151.421 stated that "no report shall be required" on a child getting spiritual treatment. The regional attorney refused to act. After more letters to Washington, HHS eventually decided to require Ohio to change, but even then you required only that the last eight words of 2151.421 be dropped. With money at stake, the Ohio legislature met your bare minimum requirement and left the rest of 2151.421 in the statutes to read as follows: "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."

We cannot imagine how you can think you will get reports on such children when you allow the rest of 2151.421 to stand. Surely this is extremely sophisticated tightrope walking to claim that failure to provide medical care must become part of the state definitions of child neglect and must be reported regardless of religious belief and simultaneously to allow state laws to say that no child getting well-recognized prayer can be considered abused or neglected.

Nevertheless, HHS has completed its definitive review of state statutes and found no other violations of its standards on failure to provide medical care. (We wonder if you would have even found Ohio's violation without our strenuous protest.)

Many distinguished groups, including the Ohio Council of Churches, the Ohio Civil Liberties Union, the Ohio chapter of the American Academy of Pediatrics, and the Ohio County Prosecutors Association, and individuals have worked long and hard to develop meaningful legal protection for Ohio children in faith-healing sects. Finally on June 13th an Ohio House Subcommittee passed the enclosed bill. It repeals the horrible 2919.22(a), which rode in on the coattails of HHS's religious immunity laws for the juvenile code and which has already been declared unconstitutional in one county. And, for nearly the first time in this country, it has a reporting requirement stringent enough that Christian Science practitioners may have to obey it. The bill says on page 6 that reports shall be made "as if such a child is a neglected child, on the ground that his parents, guardian, or custodian has neglected or refused to provide him with proper or necessary medical or surgical care or treatment for the wound, injury, disability, or condition."

The language in the Ohio bill would be an excellent model for HHS to require of all states. And if HHS intends to impose mandatory reporting of these children's illnesses, as it has professed to Congressman Bedell, it will have to require new laws to clarify this requirement.

We believe that your review of state laws checked only for laws declaring that religiously-based medical neglect could not be reported. But you told Congressman Bedell that your 1983 regulations meant that religiously-based medical neglect must be reported. There is a big difference between saying something <u>can</u> be reported and saying it <u>must</u> be reported.

The religious immunity laws, under federal mandate from 1974 to 1983, have contributed to many deaths of children. They have given enormous difficulties to prosecutors, judges, CPS workers, et al.

In essence, your religious immunity laws transfer a duty of care from the parents to the state. Through these laws, HHS has said that parents of certain religious persuasions have no duty to provide medical care, but the state must provide medical care if it gets reports on these sick children. This is a novel and probably unconstitutional concept.

Other parents have a duty to provide medical care and thus other children have intrinsic rights to medical care. The children in faith-healing sects have no rights until and unless the state accidentally stumbles upon their cases. Through your religious immunity laws, you have deprived a small group of children of their Fourteenth Amendment right to equal status under the law. When their parents have no duty to provide medical care, these children do not have equal protection because the state cannot and does not continuously monitor their health. This is one of the key factors in court rulings that religious immunity laws are unconstitutional.

In its final ruling HHS should make clear that all cases of failure to provide medical care are supposed to be reported and that there is no religious exemption from the reporting requirement. Also, HHS should require all states to include Christian Science practitioners and other types of faith healers as mandatory reporters, since they are usually the only parties (besides the parents) who know about sick children being deprived of medical care. If HHS maintains its policy of allowing states to keep laws granting religious immunity from child neglect and abuse charges, the states will have to develop new laws to require reporting of medical neglect on religious grounds. Because of religious immunity laws, the lives of children in faith-healing sects are completely dependent upon reporting.

HHS ought to require the repeal of religious immunity laws. If HHS is unwilling to do that, it should at least develop a clear reporting requirement for faith healers and others who are aware of religiously-based medical neglect and put it under federal mandate.

Sincerely,

Douglas Swan, Ph.D
Rita Swan, Ph.D.

Drs. Rita and Douglas Swan
Box 80
Bronson IA 51007

DEFEAT IN IOWA

Here in our home state of Iowa the Christian Science church has absolute freedom to deny children medical care, with the usual qualification that courts can order medical treatment for sick children if they become aware of them.

We first began to work for reform of the laws last winter. Our own state representative, Don Paulin, R-Le Mars, quickly became one of our best friends in government. He listened carefully, took his time formulating policy, and then did everything possible to get legislation for us. Paulin was especially good about alerting me to local political forums, so that I could brave the weather and speak before small groups of legislators and constituents. Another staunch ally was Don Shoning, R-Sioux City, a fellow member of our church. Shoning spoke before a House committee and the entire House on our behalf.

Three Reforms Sought

We first petitioned for reforms in Iowa's juvenile justice code. Section 232.68 requires that parents provide "food, shelter, clothing" and "other care necessary for the child's health and welfare." While most people would assume that the latter meant medical care, we are familiar with Christian Science church arguments that their "treatments" qualify as state-sanctioned care. We therefore asked the legislature to change "other care" to "medical care."

We also asked for the repeal of Iowa's ambiguous religious immunity law: "a parent or guardian legitimately practicing religious beliefs who does not provide specified medical treatment for a child for that reason alone shall not be considered abusing the child," 232.68(2)(c). We pointed out that this law had been added without a dissenting vote because legislators were told the federal government required it and that now the federal requirement has been dropped.

Finally, we asked that the clergy and religious healing practitioners be added to the list of mandatory child abuse and neglect reporters.

A New "Child Endangerment" Bill

We were just getting in gear with those petitions, when Rep. Paulin sent us something far more ominous. Moving through the Iowa legislature was a child endangerment bill with one of the most naive and open-ended religious exemptions I've ever seen.

A parent or guardian commits child endangerment said the bill's section d when he "willfully deprives a child or minor of necessary food, clothing, shelter, health care or supervision appropriate to the child or minor's age, when the person is reasonably able to make the necessary provisions and which deprivation substantially harms the child or minor's physical, mental or emotional health. However, if the person in good faith selects and depends on spiritual means or prayer for treatment or care of disease or remedial care of the child or minor, such treatment constitutes health care for the purposes of this paragraph."

Despite all the misery the religious immunity laws have brought elsewhere, Iowa was about to adopt a law saying that everybody who claims he prays for his child is fulfilling his parental duty to provide "health care."

Attorney General Sponsors Bill

The next surprise was that the legislation had been prepared by the Attorney General's office and before them, the Polk County Attorney's office. I have seen many legislators sell out to minority pressure groups, but I have never before seen an attorney general or a prosecutor urging legislators to pass a law allowing parents to deny children lifesaving medical care on religious grounds.

We immediately dropped our efforts to improve the juvenile code and devoted all our energy to keeping the "prayer is health care" statement from becoming part of the criminal code. We felt it was easier to to stop something before it became law than to repeal it later, and we also felt the criminal code was more important than the juvenile code.

Representative Paulin contacted all seven members of the subcommittee dealing with the child endangerment bill. Each one promised s/he would support deletion of the immunity statement.

Premature Publicity a Serious Error

Then I made a critical mistake. I contacted a Sioux City Journal reporter about something else, but also told him about our legislative fight. He immediately began interviewing and researching the issue. Paulin warned me by letter against talking to the press, but he was too late.

The article appeared and within days legislators were deluged with opposition letters from all over the state. Paulin and Shoning got about 40 letters apiece. Four of the seven legislators switched sides.

From then on it all seemed like a miserable downhill slide, though our two friends in the legislature did their best and the Swans ran up enormous phone bills.

Study of All Religious Exemptions Promised

Daniel Jay, chair of the House Judiciary Committee, promised to set up a committee to review all the religious exemptions in the code and draft a study bill. Several legislators claimed they were voting for the prayer-health care statement because there were already so many religious exemptions in the code and because having a special committee ponder them all over time was a far superior way to deal with the issue.

The bill moved to the Senate Judiciary Committee. My husband and I wrote to each member of the committee and asked friends of friends to contact members in their districts. Chairman Don Doyle, D-Sioux City, offered us lukewarm support. Our own senator, Doug Ritsema, a lawyer from Orange City, told me frankly that he opposed our position at our first meeting. A conservative Dutchman, he felt that freedom of religion was absolute and that "prayer does work in many cases."

Defeat in Senate Also

Ritsema finally offered to introduce an amendment to delete the prayer-health care statement. The liason for the Iowa County Attorneys Association, who lobbied with us against the religious exemption, said you could just see the intimidation on the senators' faces. They wouldn't speak out either for or against Ritsema's amendment. The amendment lost by a vote of 8 to 3 with the entire committee leadership—the chairman, vice-chairman, and ranking member—abstaining.

Several weeks later one of the three senators on our side wrote that he had gotten a change in the exemption which tightened it up somewhat. This change, now law in Iowa, states:

"For purposes of this paragraph, the failure to provide specific medical treatment shall not for that reason alone be considered willful deprivation of health care if the person can show that such treatment would conflict with the tenets and practice of a recognized religious denomination of which the person is an adherent or member."

This language is much closer to existing law than the attorney general's proposals.

Testimony Denied While Options Weighed

Iowa see-sawed between the familiar two options for religious immunity. First, it said everybody's prayers would be good enough health care for all diseases of helpless children. Second, it restricted religious immunity to "recognized religious denominations." The Constitutional and moral problems of both approaches have been much discussed in our newsletters.

I was surprised that neither the House or the Senate would allow any testimony on the issue. At one point I was scheduled to testify in the House, but the representative who seemed to be the chief spokesperson for the Christian Science church said she had not been given enough time to alert her forces, so all testimony was cancelled.

Attorney General's Conflicting Positions

Above all, I was surprised that the state's highest agent of justice would promote the religious immunity law. Even while the Iowa Attorney General is fighting court battles to prohibit fundamentalist schools from using uncertified teachers, it insists that parents with religious beliefs against medicine should have no duty to provide any medical care for their sick children. The Attorney General's office also told me that only a small number of children were affected and that they weren't expanding religious privilege beyond the status quo (but they were).

The Polk County Attorney's Office was more apologetic, saying they regretted adding the religious immunity proviso, but thought it a necessary concession to "rural legislators."

Confidence in Constitution and Hope in Study

I am embarrassed and frustrated that such a bad law could pass in 1985 and right in my own state. Nevertheless, I should point out that strong concern for child welfare motivated the child endangerment bill's main features and that the chairman of the House Judiciary has kept his promise. He has asked Legislative Services to study all the religious exemptions and draft a bill to deal with them.

I reiterate my longheld conviction that no case law upholds the religious immunity laws as Constitutionally necessary and that the state should not be mandating second-class citizenship for certain groups of children.

SUBSTANDARD RIGHTS OF WASHINGTON CHILDREN

On Sunday, July 28, the Seattle Times began an excellent series on abuse deaths of local children. The paper's research on deaths in King, Pierce, and Snohomish counties from 1980 to 1985 found that the most common sentence for killing a child is a year or less, while the most common sentence for beating an adult to death is life in prison.

A main reason for the difference in sentencing is that hitting children is legal in American society, while hitting adults is assault. Prosecutors often cannot prove intent to kill when children are beaten to death.

This issue is a legitimate concern of CHILD, Inc. We intend to cover examples of inadequate legal rights for children as well as abuse related to religion.

TRIAL ON ABUSE AT GOOD SHEPHERD TABERNACLE; PARENTS APPEAL CUSTODY RULING

Patricia Paskell, 18, will stand trial this month on charges of assault and criminal mistreatment in connection with her discipline of several children at the Good Shepherd Tabernacle in West Salem, Oregon. She and the commune leader, Ariel Ben Sherman, allegedly administered most of the punishments of the children.

The controversy began last November when 15-year-old Michael Loutsenhizer was picked up by police for stealing candy. The boy told police of widespread child abuse at the commune. Police took fifteen children into custody.

Children's Services Threatened with Suit

Commune parents, including Michael's own father, wrote public officials and the press that Michael had a long history of lying and stealing and had merely "blurted out some outlandish stories" because he was afraid of being sent to jail. They cited the prompt return of children taken into custody from the Northeast Kingdom Community Church in Vermont and reportedly threatened Children's Services Division with a lawsuit.

But the state held its ground. Criminal charges were filed against four adults, including Ariel Ben Sherman, who left the state immediately after the children were taken and is still at large. Custody hearings began in December.

Alleged Abuses

The children testified that they had been bound with ropes or handcuffs and suspended from the ceiling of a darkened room for days. They were forced to relieve themselves in their clothing. Another punishment was being forced to sit all day in an empty swimming pool. Children were also hit with belts, wooden spoons, and rulers.

The children said these punishments could be imposed for taking candy without permission, fighting, picking berries, leaving the commune grounds, bedwetting, or laughing while doing chores.

Custody Hearings

The parents denied that punishments lasted as long or were as severe as the children claimed. They justified their disciplinary methods with Biblical passages. They also claimed that the children's accounts of their punishment were fantasies drawn from Bible stories.

Under cross-examination two psychologists said all the children they interviewed asked to return to their homes. But the psychologists also said such requests are fairly common when children are taken from a harsh environment because it represents the only security the children know.

Six children were returned to their parents on a trial basis when they reached a settlement with the state. One of those parents testified in support of the children's allegations. On April 24th, the circuit judge ruled that the other children would remain wards of the court, calling the children's testimony very persuasive and proof "beyond a reasonable doubt." Some parents are appealing the judge's decision.

Compromise Squelched by Leader

Joe Penna, the children's court-appointed attorney, was grateful for the judge's decision, but said his real goal had been an out-of-court settlement. He felt that the solution in the children's best interests would have been to return them to their parents under close supervision of Children's Services. It was undoubtedly very traumatic and demoralizing for the children to have to testify about the abuse in court, especially when their parents contradicted them. Penna said they had almost reached agreement with the parents for returning all the children when Ariel Sherman called parents and ordered them not to settle with the state.

The state has reached a diversion agreement with Ed and Mary Taylor by which criminal charges against them will be dismissed next April if they undergo counseling and behave satisfactorily. As another part of the agreement, they admitted to the neglect of two of their children. The district attorney said the admission of neglect was important because the family could not be reunited while the parents were calling the children liars.

Background of Charismatic Leader

Observers in several states characterized Sherman's control over the commune as extraordinary. He first organized his followers in Midddleboro, Massachusetts, in the fall of 1973. Comparing his travels to those of Moses, Sherman has moved his group at least eight times through six states. Several of his followers call him "Lord Ariel Christ" and "Father."

He paid less than $6.00 for his certificate of ordination issued by the Good Shepherd Ministerial Alliance in St. Louis. The Alliance also advertises "blessed billfolds," leaves supposedly from olive trees in the Holy Land, and "faith oils" that will allegedly relieve spiritual, financial and physical problems.

This August, U. S. District Court Judge Thomas Jackson overturned a law extending the Christian Science church's copyright on all editions of its textbook for another 75 years. Founder Mary Baker Eddy wrote more than 350 versions of this textbook, Science and Health, before her death in 1910.

In 1971, Nixon White House aides H. R. Haldeman and John Ehrlichman joined fellow Christian Scientist Senator Chuck Percy and Senator Quentin Burdick, who is married to a Christian Scientist, in lobbying for the law.

It was passed as a private bill for the "relief" of the church's Board of Directors, who receive the profits from the sale of Eddy's writings. When Senator Jacob Javits tried to block it, he was besieged with 500 identical telegrams urging him to release the bill. The New York City Bar Association had strenuously protested that the bill was unconstitutional before its passage.

The suit was brought by a dissident group called the United Christian Scientists, which claims 16,000 members. Its chairman, David Nolan, wants to publish portions of different editions of the textbook to show the development of Eddy's thought, but, with their special copyright law, the church's Boston headquarters had control over all the editions and allowed publication only of the 1906 version.

The church told Congress in 1971, "We have got to protect what God wants His children to hear." Such an argument, said Judge Jackson, sounds like what might have occurred at the 17th century Committee on Religion of Parliament. "Heresy is no part of the business entrusted to Congress by the Constitution," he concluded. The church plans to appeal.

Another curious courtroom drama began in 1977 when Christian Science headquarters excommunicated an entire branch church in Plainfield, New Jersey. The branch church then proceeded to get recognition under New Jersey law as the world's first Independent Christian Science Church. They always used the word "Independent" in their church title. Nevertheless, the "Mother Church" in Boston sued them in federal court for "trademark" violation and claimed that the words "Christian Science" could only be used for churches under their control. The suit was not about property or officers, but just the name of the Plainfield church.

The first court ruled in favor of the "Mother Church," but this March an appeals court overturned the ruling and said the Plainfield church has the right to its name and that the Mother Church has "no right to a monopoly in the name of a religion."

Both the Independent Christian Science Church and the United Christian Scientists want to harmonize the religion with medical care.

I hope that these lawsuits will increase public awareness of the Mother Church's authoritarianism and mind control tactics.

"SACRED CONFESSION"

On September 29th, CBS 60 Minutes aired "Sacred Confession," a segment on whether the state can require the clergy to report child abuse. It dealt with a Florida minister who refused to report a case of child sexual abuse that had been confessed to him and who advised the victim's mother (also in his congregation) not to press charges. The minister said God would give him "the wisdom of Solomon" to handle the matter.

Jewish, Catholic, and Protestant leaders all rallied strongly behind the minister, and Florida's law requiring the clergy to report child abuse has been repealed.

One Catholic priest said on the program that the confidentiality of the confessional has a tradition of thousands of years behind it and is more important than an individual life.

An official with the Adam Walsh Center for Missing and Exploited Children in Florida said that probably fewer than 3% of the clergy have appropriate training to deal with child sexual abuse and that outpatient therapy has been almost universally unsuccessful.

CHILD, Inc. believes that the clergy should be required to report child abuse and neglect. Civilization rests on a balance of rights. The clergy do have obligations to those who confess to them, but they also have obligations to any child whose endangerment they are aware of.

OHIO UPDATE

I'm not sure our readers need to hear anything more about Ohio, but here are two tidbits. Rep. Mike Stinziano of the Children and Youth Committee says HB67 has no chance unless it is an "agreed to" bill, in other words, unless it has the consent of the Christian Science church.

Barney Quilter, House Speaker Pro Tem, wrote this to one of our members:

"It appears that [HB67] has run into a considerable amount of opposition from Christian Scientists within the state. Since there are many Christian Scientists in Ohio, and since the bill would affect them in major ways, it will be difficult to pass any legislation that they are not supporting."

And since the whole purpose of HB67 was to get medical care for children in faith-healing sects and since radical rejection of medicine is basic to Christian Science, passing a bill that the church would agree to defeats the purpose of HB67. But why is the Christian Science church's opinion more important to legislators than anybody else's?

NORTH CAROLINA PARENTS AND PREACHERS CHARGED IN DEATH OF BOY

Four-year-old Dennis Taylor was choked to death last month during a "laying on of hands" healing service at a storefront church in Jacksonville, North Carolina. His parents, Marine Staff Sgt. Dennis Taylor and Brenda Taylor, and two young self-ordained preachers, were the only adults present at the ceremony, which took place at night by candlelight. It was intended to rid the boy of a demon.

The medical examiner reported abrasions and fingernail marks on the boy's throat and a crushed windpipe.

On October 8th the grand jury returned bills of indictment charging both the parents and the preachers with involuntary manslaughter.

North Carolina is one of about five states that does not have religious exemptions from child abuse, neglect, or manslaughter charges.

WALKER HEARING SET FOR OCTOBER 24

Oral arguments in the Laurie Walker case will be heard October 24th in the California District Court of Appeals. A Christian Scientist, Walker is charged for refusing to get medical care while her daughter died of meningitis.

The District Court's ruling will also determine whether the state's cases against two other sets of Christian Science parents, the Glasers and Rippbergers, can proceed.

The Sacramento Bee of Sunday, August 18th, carried a scholarly front-page article about these cases. It reported that California had charged Christian Science parents with negligence for allowing their child to die of diphtheria in 1902. (They were acquitted.) So, Laurie Walker is not the first such case in California, as I had thought.

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