

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

Box 2604  
Sioux City IA 51106  
Phone 712-948-3295

Winter 1987  
Written and produced by  
Rita and Doug Swan

Copyrighted by CHILD, Inc.



DIANE AND STEVE MILLER WITH ATTORNEY GARRETT GALL

## INSIDE

First hearing on HB63.....	2
Child Healthcare Rights Committee formed.....	2
Ohio exemption repeal likely.....	3
Nursing journal has article on CHILD.....	3
William Nolen dies.....	4
Mental surgery by Christian Science.....	4
Michigan court rules for church.....	5
Judges disavow support for exemption.....	5
Attention: 81 CHILD members.....	5
State opposes religious school's fasting.....	6
ACLU supports Christian Science parents.....	6
Northeast Kingdom Community Church.....	7
Fetal rights: the evolving debate.....	7
Satanism and child abuse.....	8
Corporal punishment and the Bible.....	8
"Finders" children taken into custody.....	9
AMA opposes religious exemptions.....	10

## ABOUT CHILD, INC.

CHILD was founded for the purpose of opposing child abuse and neglect associated with religious practices. CHILD believes that children have a Fourteenth Amendment right to equal protection under law. It therefore opposes all religious exemptions from parental duties of care.

Membership in CHILD is by application and is open to those who agree that children are entitled to health care of proven value. Dues are \$15. a year.

## FAITH USED AS DEFENSE IN CHILD'S DEATH

Steve and Diane Miller went on trial January 21, 1987, in Mercer County Common Pleas Court for child endangerment, a fourth-degree felony. Their 23-month-old daughter, Kimberly, died April 3, 1986, of acute bronchial pneumonia and trachial bronchitis. The parents did not obtain medical care for her because of their adherence to Faith Assembly teachings.

Two other children have died without medical treatment in the local Faith Assembly group, including 12-year-old Christy Miller, Kimberly's aunt. No charges were filed in their cases because Prosecutor Dan Myers felt that Ohio's religious immunity law sanctioned the parents' behavior and because he assumed that the legislature would change the law in 1985.

Unfortunately, Rep. Francine Panehal exercised her power as committee chairman to kill repeal of religious exemptions in June, 1985. The bill was dead for the 1985-86 session.

## Biblical basis cited

During the trial, the Millers described their faith in considerable detail in order to demonstrate that they qualified for the religious exemption. Steve Miller quoted several Bible passages that in his view recommended faith as the means of healing disease. Medical science is not generally endorsed in the Bible, he said. "There is nothing positive said about going to medical science, referring us to medical science, or indicating God's blessing on them," he said.

They also described techniques of prayer used for sickness. Faith Assembly holds that the crucifixion of Jesus provided redemption not only from sin, but also sickness. If they believe demon possession has caused the sickness, they go through deliverance rituals. They claim that they have been healed by the blood of Jesus, or as members call it, they "plead the blood." After they have done that, they must ignore symptoms of continuing illness and insist that healing has already occurred.

Continued next page



### Kimberly's illness; risks to brothers

Their daughter Kimberly was ill for several days with fever, vomiting, and diarrhea. The Millers stayed up with her during those days. The evening before her death they set the alarm clock to ring every half hour so they could check on her. They told the coroner that her breath became more shallow and that around 3 a.m. her father gave her some water, but she "only gurgled." He laid her down and concluded that she had died.

A hush fell over the courtroom as the defense attorney asked Mrs. Miller if she would also deny medical care to her two surviving sons in the future and she flatly answered, "Yes."

### Faith Assembly ties

When the sheriff's office interviewed the Millers (and the previous parents who denied lifesaving medical care to their children), they denied membership in Faith Assembly. In order to justify their right to the religious exemption, however, the Millers emphasized their membership and involvement in Faith Assembly during the trial. They told of driving up to Faith Assembly headquarters in Indiana every week as well as attending local services several times a week.

The Faith Assembly group in Mercer County has grown to about fifty members under the leadership of David Miller, a former veterinarian.

### CHILD to file amicus

The prosecutor has asked the court to rule Ohio's penal code religious exemption unconstitutional. CHILD has obtained leave of the court to file an amicus brief challenging the law. The judge will make his ruling on the constitutionality of the law and on the guilt or innocence of the parents in about a month.



### FIRST HEARING ON HB63

On February 23rd, the Ohio House Health Committee held a public hearing on HB63, the bill to remove religious exemptions from the juvenile and criminal codes.

The bill has even more organizations backing it than its predecessor two years ago. The Ohio Civil Liberties Union, League against Child Abuse, Ohio Children's Trust Fund, Children's Services Association, Ohio Department of Human Services, Ohio Prosecuting Attorneys Association, Ohio Council of Churches, Ohio Nurses' Association, and the Ohio Committee for Child Healthcare Rights all testified in favor of the bill. Also, the Ohio State Medical Association and the Ohio chapter of the American Academy of Pediatrics will submit written testimony as proponents of the bill.

CHILD member Paul Michener testified about becoming disabled because of his parents' faith in Christian Science practitioners, and CHILD member Naomi Twining presented signatures on petitions in favor of the bill.

Again this year, the only opponents of the bill are Christian Scientists, including Mrs. Smuckers, an owner of the Smuckers jam company. The Christian Science lobbyist reportedly claimed that 18,000 children had died in Ohio last year under medical care, while only two Christian Science children had died in Ohio during the past fourteen years. (Before we publicized records on those two, he claimed that no Christian Science children had died in Ohio during that period.)

Many television and newspaper reporters covered the hearings, including NBC national news which seemed especially interested in Michener's experience.

### OHIO COMMITTEE FOR CHILD HEALTHCARE RIGHTS FORMED

The Ohio Committee for Child Healthcare Rights has been formed to lobby for repeal of Ohio's religious exemptions from child abuse and endangerment charges. Its director is C. J. Saalman, who belonged to the Faith Assembly church in Celina, Ohio, for two years and whose two daughters, ages 9 and 11, are still in the church.

If you would like to donate to the Committee or could help in its work, please call 614-221-9179 or write the Committee at Box 3361, Columbus OH 43210. Donations will not be tax-deductible because lobbying is the Committee's exclusive purpose.



## PROSPECTS FOR EXEMPTION REPEAL LOOK BRIGHT IN OHIO

From January 21 through 28 I was in Ohio for legislative contact work at the Statehouse in Columbus and some helpful meetings in Celina where the trial of Faith Assembly members Steve and Diane Miller was held.

Representative Paul Jones, D-Ravenna, is again sponsoring a bill to grant children associated with faith-healing sects the legal rights to medical care. Two years ago Jones's bill retained the religious exemptions, but added caveats that the exemptions would not apply "if the failure to provide the medical or surgical care or treatment results in serious physical harm to the child." This approach was an attempt to mollify the Christian Science church, which complains that we want the police arresting every Christian Science parent whose child gets a nosebleed. It was, however, criticized by Coshocton County Judge Richard Evans as "a religious exemption for those parents who are lucky," and did not satisfy the church either.

Jones's bill, then called HB67, was put through nine versions during the 1985-86 session. The only version acceptable to the church was the final one presented by Rep. Francine Panehal the day before the session ended. After Kimberly Miller's death in April, Panehal received a lot of bad publicity for killing the Jones bill and then she developed her own bill. It retained the exemptions but added, "If, at any particular time in the course of that spiritual treatment through prayer, a reasonable person in similar circumstances would conclude that the spiritual treatment through prayer is not effective, the parents, guardian, or custodian of the child, as soon as possible after a reasonable person would reach that conclusion, shall obtain medical or surgical care or treatment for the child."

Jones, the Ohio Prosecuting Attorneys Association, CHILD, and other groups withdrew support from that version of the bill, fearing it was dangerously ambivalent.

## New bill drops religious exemptions

Jones's new bill, HB63, simply removes the religious exemptions from child abuse, neglect, and criminal charges. CHILD is strongly supporting it as the fairest law for both parents and children. It creates a uniform standard of parental duty, and all parents will know what the law requires of them without reading half a page of tortured syntax.

CHILD supporters and I met with 40 legislators or their staffers personally. We also met with a legislative liaison to Governor Richard Celeste and an assistant director of Ohio Department of Human Services.

## Simplicity and fairness

We are very encouraged about the prospects for HB63. Legislators like the simplicity and fairness of it. As one said, "If we pass this, we won't have to deal with this issue again in another two years to figure out what the laws mean." (I am paraphrasing.) Furthermore, Paul Jones is now chair of the Health Committee and has gotten the bill routed through his own committee. Finally, the press clings to every development on this issue like a bulldog. The vast majority of the public support us, and legislators know that their decisions will be reported.

Some legislators are receiving hundreds of letters against the bill from Christian Scientists, but we still remain hopeful about the bill's prospects.

I would like to thank Ohio CHILD friends who helped in so many ways, particularly C. J. Saalman, who lent me his apartment a few blocks from the Statehouse and stayed with friends 45 miles away. We all worked to keep expenses down. I felt our contacts at the Statehouse were enormously valuable. Votes will tell.

## NURSING JOURNAL TO PUBLISH ARTICLE ON CHILD

The spring 1987 issue of the Journal of Christian Nursing will carry a lengthy article on the loss of our son and the activities of CHILD. The issue will also have a guest editorial by me entitled "The law should protect all children."

It can be purchased for \$4.25 by writing the Journal at P. O. Box 1650, Downers Grove IL 60515



## AUTHOR OF FAITH HEALING EXPOSE DIES

Author William Nolen died in Minnesota on December 20. A small town surgeon, Dr. Nolen, made an outstanding study of faith healing and psychic healing claims in his book, Healing: A Doctor in Search of a Miracle (1974).

He recorded the names of 25 people who were miraculously healed by Kathryn Kuhlman at a service in Minneapolis. When he followed up on their cases, he found that no patient with organic disease had been helped. A woman with cancer of the spine had thrown off her brace and followed Kathryn's command to run across the stage. The following day her backbone collapsed and four months later she died.

### Psychic surgery challenged

He also went to the Philippines and observed psychic surgery. This quackery is sponsored by the Espiritista Church, which considers it a sign of the second coming of Christ.

The psychic surgeon professes to operate on conscious patients by drawing the illness or diseased tissue from them as he passes his hands above them. Dr. Nolen observed, though, that psychic surgery is just sleight-of-hand tricks. The psychic makes a slight incision that does not start bleeding until he begins kneading the patient's body. He always uses cotton wads, always keeps the "surgery" site moist, and always has an assistant to slip him a mass of tissue or even a bloody cotton wad, which he triumphantly displays to the patient and then quickly destroys.

Nolen recognized the special apprehension and awe that people feel about surgery. He said that psychic surgeons get away with their performances because lay people suspend their critical faculties when seeing the "blood and gore" of their "operations."

Dr. Nolen will be strongly missed for his compassion, intellect, and honesty.

## THE MENTAL SURGERY OF CHRISTIAN SCIENCE

Like the psychic surgeons, Christian Science capitalizes on the special mystique and prestige attached to surgery. The church claims to be able to do "mental surgery."

I remember hearing a Christian Science teacher from Florida named Olive Woodall testify that she lost her ability to hear in one ear. After weeks of metaphysical work, a tumor popped out of her ear by men-

tal surgery and her hearing returned. Could the "tumor" have been a ball of wax?

In our summer 1986 issue we reported on a case from current church literature in which a woman claimed that Christian Science removed her hemorrhoids by mental surgery after she pledged more money to the church.

### Medical authentication claimed

In the September 22, 1986 issue of The Christian Science Sentinel the lead testimony is a child's healing which ostensibly obviated the need for medical surgery. The boy, James Heiland, attended the Christian Science Sunday School, but his parents did not believe in the religion. When he was eight years old, he became seriously ill and his folks took him to a hospital.

The testifier writes, "After a thorough examination and X-rays, I was diagnosed as having pneumonia and a collapsed lung. We were told that the collapsed lung had to be removed, so surgery was scheduled for two days later.

"I cannot tell you how afraid I was.... As I sat alone in my bed [the following night], I remembered this sentence written on the wall of the Christian Science Sunday School I attended: 'God is Love.' I quietly prayed....

"The next morning members of the hospital staff came in to prepare me for surgery. I told them that I felt fine.... The physician didn't believe my report and asked my dad if he could take another set of X-rays, which my dad agreed to. To the physician's amazement, the X-rays showed nothing wrong with the lung at all. I was soon released from the hospital and on my way home!"

This is an example of the church's most prestigious testimony of healing, the kind in which medical doctors are amazed at the power of Christian Science. But do doctors really remove lungs of eight-year-old children who contract pneumonia? The testifier now has four children of his own, so this experience occurred many years ago. In fact, the church tells members to wait for several years after a healing before writing a testimony about it, ostensibly to make sure the healing is permanent.

The church claims that more than one third of their published testimonies of physical healings have been medically verified. But they have admitted to The Los Angeles Times (September 3, 1984) that they have no medical records to support such claims. All they have are Christian Science church members' versions of what doctors said.



## MICHIGAN COURT RULES FOR CHURCH IN CIVIL SUIT

On December 18, 1986, the Michigan Court of Appeals ruled that the Christian Science church and two of its practitioners cannot be tried for negligence and misrepresentation in the death of Matthew Swan.

The Charfoos and Christensen law firm of Detroit filed the unprecedented civil suit on February 5, 1980, and has represented our position on a contingency. We pledged that any money awarded would be donated to the Muscular Dystrophy Association because the first lawyer to help us has a son stricken with dystrophy. We later withdrew as plaintiffs, leaving the administrator of Matthew's probate estate as the only plaintiff.

### Is secular health care involved?

A basic issue in the suit was whether Christian Science practitioners cross the line from protected religious activity into a secular health care system. They send bills for their prayers, which are reimbursed by Blue Cross and other third-party payers. They have authority to certify sick leave and disability claims for both government and private employees. They repeatedly told us that medicine could do nothing for our son and that they were healing him. They made speculative diagnoses that Matthew had roseola, was "cutting a big double tooth," etc. They demanded that we get rid of our "false parental fears," i.e. our normal instinct of concern for our baby, in order for their treatments to work.

Two courts have ruled that everything the practitioners said and did for Matthew was an expression of their sincere religious belief and therefore not a basis for imposing civil liability.

### Limitations of ruling

These victories for the Christian Science church should not be used to justify religious exemptions from parental duties of care in state statutes. In fact, Michigan's religious exemption from child abuse and neglect charges was cited as one reason for disallowing the civil suit, but the Michigan Court of Appeals explicitly declined to rule on the merit of the exemption itself. The Court indicated that it would need to rethink its position if Christian Science practitioners became mandatory reporters of child abuse and neglect in Michigan (as they are in some fourteen states).

Furthermore, the Court ruled that the state's parens patriae interest cannot be used as a basis for pursuing a civil lawsuit, while parens patriae is a fundamental principle of juvenile and criminal codes. As far back as the British case of *Queen v. Senior*, 1 Q.B. 283 (1899), courts have ruled that parents have a duty to provide a child with necessary medical care, regardless of their religious beliefs.

## COUNCIL OF JUDGES DISAVOWS SUPPORT FOR RELIGIOUS EXEMPTIONS

In 1968 the Council of Judges of the National Council on Crime and Delinquency issued a statement entitled "Guides to the Judge in Medical Orders Affecting Children."

It dealt with cases of living children who come before the court in need of medical treatment. Among many other topics, it discussed cases in which parents have religious beliefs against medical care. It recommended that the child's medical treatment be obtained by a court order and not by adjudicating the parents guilty of abuse or neglect.

The Christian Science church has twisted this statement into an endorsement for laws announcing in advance that parents may let their children die on religious grounds. It has had a field day, taking the statement to Congress and state legislatures all over the country.

After months of letters and phone calls, I finally received a good answer from Dr. Barry Krisberg, the current president of the National Council on Crime and Delinquency, in December of last year. Krisberg states his belief that the Council was only intending to provide guidelines for procedure on court orders and did not support exemptions in the statutes. "It is NCCD's policy to work toward the rights and benefits of children," he said.

Now if we can just keep up with where the church's interpretation is travelling!

## ATTENTION: 81 CHILD MEMBERS

You haven't paid your 1987 membership dues of \$15. Please pay up and save me the trouble of sending dues notices.



## CALIFORNIA MOVES TO STOP FASTING AT RELIGIOUS SCHOOL

State officials have charged that the Religious School of Natural Hygiene near Holister, California, and its operator, First Minister Arthur Andrews, are illegally and dangerously practicing medicine. Judge Thomas Breen of San Benito County Superior Court set a March 2 trial date on the state's request for a permanent injunction against the school.

Students live in a 13-room farmhouse from two days to over a year, following a strict diet and fasting for periods of one to more than 50 days. Visitors and telephone calls are screened and limited. They pay \$275. a week while living there.

Andrews says his "religious natural hygiene" is nonmedical and involves prayer, fasting, and eating only raw fruits, vegetables, and nuts. Such practices are supposed to allow the body to cleanse and heal itself as it rests. The school claims healings of bleeding ulcerative colitis, migraine headaches, arthritis, psoriasis, constipation, breast lumps, and other ailments.

Six students have died during or after fasts. Some former students have sued Andrews for physical and psychological damage from the long fasting. One woman who accidentally ate hemlock at the school is now comatose in a nursing home and not expected to improve. One woman was chained to her bed.

Andrews says he "loosely chained" the woman at her request, but she could easily get out of the chains and in fact did to sneak food. He also said three of those who died were in their 80s and several had been terminally ill.

He acknowledged that about six children have participated in the fasts, including infants and toddlers. His newsletters tell of a 3-year-old who fasted for 12 days because his bottom and one leg were covered with boil-like sores. They also tell of a 13-year-old who suffered from severe asthma. Since completing a 21-day fast at the school three years ago, she has had no asthma attacks and has not needed medication.

Asked if he ever considered the legal risks of withholding food from children for long periods of time, Andrews said, "Certainly this has occurred to me, but I have to act

from conscience, from what has been my own knowledge and experience. I have to answer to God long before I have to answer to the state. I advocate the hygienic way of life for every man, woman and child in this country."

Taken from the San Jose Mercury News, February 13, 1987.

## ACLU FILES AMICUS IN SUPPORT OF CALIFORNIA CHRISTIAN SCIENCE PARENTS

On September 8, 1986, the ACLU Foundations of Northern and Southern California filed an amicus brief on behalf of Christian Science parents charged with manslaughter and felony child endangerment for allowing their children to die of untreated meningitis.

The brief charges that a conflict exists between California penal code #270, which requires a parent to provide "necessary clothing, food, shelter or medical attendance, or other remedial care for his or her child" and goes on to define Christian Science treatment as "other remedial care," and penal code #273 which defines failure to provide medical care as a felony.

The brief further charges that the conflict they see between the two chapters of the penal code denies due process. The brief makes the following other major points: laws that do not give adequate notice of proscribed conduct are unconstitutionally vague, the legislature knew of the vagueness problem and did not resolve it, vague laws which impinge on first amendment rights should be subjected to heightened scrutiny, and any ambiguity in the law should be resolved in favor of the defendants.

### Amicus based on narrow issue

CHILD has several members who have been highly committed to the ACLU and are dismayed by this amicus in California. The ACLUs of Ohio and Indiana have issued statements opposing religious exemptions from parental duties, and we were hoping their positions would be representative of a national ACLU policy. However, Ira Glasser, national executive director of the ACLU, supports the California amicus as a narrow argument about conflicting statutory language rather than a defense of the right to deny a child medical care on religious grounds.



## Appellate court's ruling

7

As for the purported conflict between chapters 270 and 273, the California District Court of Appeals has already ruled that there is no conflict, ambiguity, or violation of due process rights. Chapter 270 deals with nonsupport of children, a misdemeanor. It sets forth various things, including Christian Science treatment, that a parent must provide and pay for, when they are necessary for the child's health. It is a stupid law, for the state has no right to mandate that anybody pay bills for prayers. But it does not say that Christian Science prayer-treatment can be substituted for medical care and it certainly does not shield Christian Science parents from the felony charges of manslaughter and child endangerment in chapter 273.

## UPDATE ON NORTHEAST KINGDOM COMMUNITY CHURCH

A year ago we reported that Vermont had finally won a legal battle against members of the Northeast Kingdom Community Church, a sect whose disciplinary policies are highly controversial.

The case involved truancy charges against Richard and Lissette DeLaBruere for not having their son Luke in an educational program that meets state requirements. The church's lawyers filed a motion to dismiss the charges. On January 20, 1986, the judge ruled that the case must be tried.

The church appealed the judge's ruling. Oral arguments were presented to the Vermont Supreme Court in September. The Attorney General has filed a motion to dismiss three of the five judges who heard the arguments on grounds that they improperly interfered with his investigation in another case.

If the state wins, then the trial against the parents can be held. Meanwhile, their son Luke has reached the age of sixteen and cannot be compelled to attend school. A verdict for the state, though, could improve conditions for other children at the commune.

## Church growth reported

Recent residents there say church membership is growing and that the church is opening new business enterprises in Massachusetts and Canada. They also say that parents regularly buy "rods" from a commune store for disciplining their children and that facilities, such as stocks, for punishing adults exist also.

The Vermont Attorney General, however, says that there has been no substantiated report of child abuse against the sect since the state's ill-fated raid of the commune in June, 1984.

## FETAL RIGHTS: THE EVOLVING DEBATE

In several recent cases states have imposed medical treatment on pregnant women for the sake of the fetuses they carry. Such court-ordered treatment has ranged from the relatively noninvasive measure of a blood transfusion to forced cesarians and 81 days of involuntary psychiatric commitment because medication to stabilize the pregnant woman's schizophrenia would have posed a small risk to the fetus.

Sixteen states have passed "feticide" laws making it a crime to cause the death of a fetus that the mother intends to deliver. Twenty-seven states allow recovery for prenatal injuries through civil suits.

## Criminal charges filed in son's death

In San Diego, unprecedented criminal charges have been filed against a woman for acts and omissions that caused injury to the child she carried. The defendant, Pamela Stewart, 27, had placenta previa, which meant that the baby would rip the placenta from the uterine wall upon delivery, threatening maternal hemorrhage and depriving the baby of oxygen. Her doctor had warned her to refrain from street drugs and sex and to seek medical care as soon as she began bleeding. Instead, the prosecutors charge, she had sex with her husband, took amphetamines, and bled for 12 hours before she called paramedics. Born with massive brain damage and amphetamines in his system, her son died at six weeks of age.

Some articles on the legal and moral problems in the area of fetal rights are the following:

Donald Bross and Ann Meredyth, "Neglect of the unborn child: an analysis based on law in the United States," Child Abuse and Neglect, v. 3 (London: Pergamon Press, 1979), pp. 643-50.

G. J. Annas, "Forced cesareans: the most unkindest cut of all," Hastings Center Report (June 1982), pp. 16-17.

Charles J. Dougherty, "The right to begin life with sound body and mind: fetal patients and conflicts with their mothers," University of Detroit Law Review, v. 63, no. 89 (1985), pp. 89-117.

G. J. Annas, "Pregnant women as fetal containers," Hastings Center Report (December 1986), pp. 13-14.

Sharon Begley, "The troubling question of 'fetal rights,'" Newsweek (December 8, 1986), p. 87.



## SATANISM AND CHILD ABUSE: SEPARATING FACT FROM FANTASY

Worship of the devil, or at least the trappings of such worship rituals, may be on the rise and may harm minors in several ways. Some pedophiles and child abductors have been linked to satanism. Some youth gangs flaunt the paraphernalia of devil worship. With the rapid expansion of the underclass over the last few years, more young people feel shut out of the American dream and are worshipping evil as a rebellious gesture.

Satanism is also a factor in mental health problems of adolescents. "Seven or eight years ago, we'd see the satanic stuff very occasionally in adults and attribute it to disturbed behavior," said an Illinois psychologist. "Now the trend is shifting. We're seeing more kids in the youth home who come in casting spells and saying things like 'The beast is here.'"

Graffiti associated with satanism is appearing more frequently in public places. Some high schools have banned the perusal of satanic literature and wearing of pentagrams and other satanic symbols.

The heavy metal rock scene is accused of promoting satanism. The rock group Iron Maiden sings, "Six, six, six, sign of the beast," while Dio sings, "We're off to the witch. We may never, never come home." The videos with these lyrics feature pentagrams, costumed beasties, fire and smoke, representations of hell and the devil, and "performers who bulge their eyes, point their fingers and seem to have developed end-stage tetanus," a reporter writes.

### Law enforcement responses

The South Carolina Criminal Justice Academy plans to train officers across the state in how to deal with the cults. About half a dozen other states also provide extensive seminars on satanic cults for law enforcement officials.

Satanism is, of course, a great catalyst for the imagination. After satanic graffiti was found in Braidwood, Illinois, the police department began getting 30 calls a day saying things like, "Three blonde cheerleaders and football players are going to be sacrificed."

### Collapse of sexual abuse charges

More tragically, many criminal charges of ritualistic sexual abuse of children have been highly publicized and then collapsed in the courtroom. The most famous is the McMartin Day Care case in Manhattan Beach, California.

Another example occurred in Kern County, California, where according to the Fresno Bee of January 28, 1987, a single accusation by a 5-year-old girl was expanded by the sheriff's office into allegations that as many as 29 infants were murdered, and some cannibalized, during satanic rituals and that as many as 60 children were molested.

Most of the 77 persons accused were never charged with a crime, although many parents had their children taken away for as long as a year. During the intensive questioning, the children named almost everyone they knew as molesters. Attorney General John Van de Kamp has strongly criticized the handling of the case.

CHILD will simply say the obvious: that the erosion of highly-publicized sexual abuse cases badly hurts children everywhere. How many children will tell adults of sexual abuse and will not be believed because of the outcomes in McMartin, Kern County, and elsewhere? Prosecutors and therapists need to use maximum wisdom and care on these cases.

Taken from articles in the Elgin IL Courier News of January 5, 1987 and the Greenville SC News of January 9, 1987 among others.

## CORPORAL PUNISHMENT AND THE BIBLE

Ann Landers' column for February 6 had a sad letter from a teenaged girl who believes that her parents should beat her with a strap on biblical authority. Her gym teacher saw welts on her legs and told her the whipping she had received was child abuse. The girl insisted to the teacher and Landers that her mother only did "what the Bible says she must do to raise God-fearing children." The girl wishes her parents could afford to send her to a parochial school (where, presumably, teachers would endorse these beatings and not characterize them as abuse).

Landers pointed out to the girl that hitting destroys self-esteem and produces spouse abuse, women who accept beatings, etc. She urged her to rebel against future beatings.

### Swindoll charges misrepresentation

Columnist John Rosemond has also condemned fundamentalist disciplinary practices in the Long Beach Press Telegram. After Rosemond's first column on the topic, evangelist Chuck Swindoll complained that he was misrepresented as an advocate of child abuse and sent his book, You and Your Child, as evidence of the parental love and wisdom that he actually recommends.



While conceding that love is recommended, Rosemond was still appalled by the book. The following points on "The Ministry of the Rod" recommended in the book are taken from Rosemond's column of December 29.

Swindoll uses the rod on his own children whenever there is "willful disobedience." He explains what the child did wrong, and then applies the rod: "We do not spank lightly. We do it strongly. We make sure we strike them on the right place without the cushion of a lot of clothing."

#### Call for severe punishment

"The rod," he says, "is to be administered not half-heartedly but severely in the proper place on the body."

Swindoll doesn't tolerate the child refusing to cry or to cry properly while being beaten. If the child defiantly refuses to cry, Swindoll says to keep hitting him until he does. If he screams out in anger, keep hitting him until he cries softly, indicating true repentance. "On one occasion," Swindoll says, "we had to spank one of our children four times. The first time for the disobedient act, the next three times for the rage until he cried softly."

Swindoll claims such discipline practices are endorsed by the Bible. The child's stubborn self-will must be broken, but after he expresses a "submissive spirit", then parents should show affection.

#### CHILDREN FROM "THE FINDERS" TAKEN INTO CUSTODY

Six bedraggled children, ages 2 through 7, were taken into custody in Tallahassee February 4. They were dirty, hungry, and covered with insect bites. More than one showed signs of sexual abuse and all seemed unfamiliar with telephones, television, hot water, and other facets of the modern world, a police investigator said. They are associated with a group called The Finders with property in Washington D. C. and Virginia.

Incomplete evidence indicates that the children left Washington before Christmas and went by van to Berea, Kentucky, where they and their guardians were supposed to assist a Rev. Jim Wyker in constructing a retirement community called New Hope. When they learned that the project was not yet under construction, they drove on to Florida for the warmer climate. The mothers of the children had gone to San Francisco to do office work and wrote letters authorizing the trip. Defending the trip to the press, one group member said the children "were learning to be self-reliant."

The Finders has been accused of being a satanic group. Police have raided its property and found a goat's head, goatskins, and photographs of naked children who appeared to be helping to sacrifice small animals.

#### Games for intellectuals

Marion Pettie, a former Air Force master sergeant working in military intelligence, founded the group in the late 1960s. He sought intelligent people who could discuss the latest thought in philosophy, psychology, and human development. Current members include an English professor, a certified public accountant, and several computer experts.

Priscilla Coates, former director of the national Cult Awareness Network, says that the Finders is not a satanic group, but rather one obsessed with playing "Mission Impossible" type games that Pettie developed, assigned, and controlled.

A former member said the group had dabbled in satanic and pagan rituals in recent months as their latest game and that it was often difficult to know when the members were playing out some fantasy and when they were not.

#### Unprogrammed children

Former members also said the children picked up in Florida were raised by the group, not their biological parents, and were largely ignored by the group. A long-time observer said, "Their philosophy is that kids should not be influenced by adults. They don't think the kids should be programmed, so they didn't even use a toilet."

Protective Service officials have twice taken custody of some Finders children, first in 1984 when they were found wandering cold and hungry near the group's Washington warehouse and second in 1985 when one mother refused to leave her family's home. But on both occasions, presentations by the mothers quickly persuaded the state to return their children to them.

#### Tweed, pearls, and lawyers

Mothers of the children picked up in Florida have retained a lawyer, who told the press that the mothers "didn't show up in saffron robes smeared in goat blood. They came in tweed and pearls." One mother said, "Our kids are like all kids. They get dirty when they play."

This report is based on articles in the Sarasota Herald Tribune, the San Francisco Chronicle, and the Duluth Tribune and Herald.



## AMA ADOPTS RESOLUTION OPPOSING RELIGIOUS EXEMPTIONS

At its convention in Las Vegas in December, 1986, the American Medical Association adopted a resolution calling for the repeal of religious exemptions in child abuse laws.

CHILD is grateful to the AMA for its position. We hope the statement will be widely promulgated. If readers would like a copy of the complete text, we will be happy to supply it.

Numbered AMA Board of Trustees Report H (A-86), it responded to reports by the AMA Council on Legislation and American Academy of Pediatrics (AAP) about deaths of children because of religious belief. It includes the following statement:

"The Board recognizes that the constitutional guarantee of freedom of religion is a cherished right, but it agrees with the Council and AAP that its preservation does not sanction harm to others. In these cases helpless children become the innocent victims. State statutes should not expand the ability of persons claiming freedom of religion to deprive children in their control of necessary medical care. The Board is aware that in many cases where religious grounds are asserted for denial of care the courts will protect the interests of minor children and order that necessary medical treatment be provided. Nevertheless, the Board and the Council on Legislation, together with AAP, are concerned that the very presence of religious exemption provisions in child abuse laws may encourage delays in providing care by parents or in intervention by others.

"In view of the foregoing, the Board concurs with the recommendation of the Council on Legislation that adoption of the following statement would respond to the interests of all concerned:

That the AMA continue to support appropriate child abuse laws providing needed medical care for children involved in abuse or neglect situations;

That the AMA support the repeal of religious exemption provisions from child abuse laws;

That laws enacted to protect and provide for the medical needs of children should be fashioned so as to protect the constitutional rights of both parents and children; and

That the AMA encourage compliance by health care personnel and others with the reporting provisions of state child abuse and neglect laws.

"The Board of Trustees believes that this statement accords proper weight to the medical and physical needs of children--which may even be of a lifesaving nature--while retaining for the parents the opportunity of asserting their constitutional rights concerning these issues."