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Dayna with father in 1984
Photo credit: Portland Oregonian

Child Beaten to Death in Oregon Commune

On October 14, 8-year-old Dayna Lorae Broussard was beaten to death at Ecclesia, a black commune 45 miles east of Portland, Oregon. Four adult members have been charged with first-degree manslaughter and two with hindering prosecution.

Oregon Children's Services moved quickly to remove 53 Ecclesia children from a farmhouse. They remain in protective custody, which may cost the state as much as \$500,000. Juvenile authorities said many were administered ritualistic beatings of up to 800 strokes with electrical cords or paddles while the rest were forced to watch and keep count.

Father wanted to keep kids from drugs

Ecclesia was founded by Dayna's father, Eldridge Broussard, Jr. Its stated purpose was to train children from the ghettos of Los Angeles for Olympic competition and help them avoid the drugs and gangs in their home environment.

The group first arrived in Oregon in April, 1987 described as an athletic summer camp. Only "the minister of external affairs" was allowed to talk to neighbors. The training program included rising at 3 a.m. to do precision drills. In a written statement filed shortly after his daughter's death, Broussard claimed Ecclesia children as young as four could run seven to ten miles, do 5,000 jumping jacks, and 300 push-ups in just three hours.

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Neighbor's warnings disregarded

Neighbors were quite alarmed about the rigid discipline and training. They saw the children marching in pouring rain with ragged shirts and unlaced shoes that were far too big for their feet. They reported their concerns to state agencies; the media, including Newsweek, reported on these fears last summer. However, the Oregon Children's Services Division said they could not act because "none of the complaints were allegations of abuse or neglect."

When Ecclesia applied to Clackamas County for a temporary zoning variance to erect more tents and ten portable toilets in their field, neighbors began collecting signatures to block it. Broussard then announced angrily that they were pulling out. By October, 1987, they were gone and did not return this summer.

In early October of this year, neighbors noticed a couple of adults at the Oregon farmhouse, but no children. They were shocked when authorities raided the home after Dayna's death and found 53 children who slept on the floor in sleeping bags. Only one of two toilets was working. There was no refrigerator. The only food was a few tomatoes and heads of lettuce. The children had had only a tomato a piece to eat that day.

Broussard: from athlete to messiah

Eldridge Broussard, Jr., 36, has been shaped by a series of powerful dreams. His first was to be a professional basketball player. After being cut twice by the Portland Trail Blazers in 1974 and 1975, he went back to Los Angeles.

He then planned to enter the ministry and work with youth. His father, a part-time barber and minister, ran a storefront church and compelled his children to put God before everything else. In June 1976, the younger Broussard was ordained by his father as a minister in the Church of Christ in God, but he never presided over a church of his own. Instead, he held impromptu gatherings in a Watts park.

In 1977 he became a television evangelist. He preached the "believe and receive" message similar to the positive confession theology of

Kenneth Hagin. The direction in which he was moving--toward creating a large public following--was very different from his present role as leader of a small, isolated group.

Transformed by failure to raise the dead

Former members trace his change to 1978 when a young daughter of one of his friends died. He marched off to the cemetery to pray over the girl's grave. He cried out to God to raise the dead until he got hoarse. His failure to raise the body devastated him, former members report.

He quit his tv show and stopped making the park appearances. But a small core of adherents stayed close to him. They met in homes for Bible discussion. Broussard began preaching a doctrine very different from the old wish fulfillment. He began advocating an austere lifestyle and rejection of contemporary materialism.

He brought his followers together in the Watts Christian Center, a huge three-story building. When gang violence escalated in the area, Broussard ordered members to move into the center. Many sold their homes, donating the proceeds and their furniture to the center. They ate and slept together. Women became Broussard's "attendants," combing his hair, laying out clean clothes for him every morning, etc. Once he ordered men to shave their heads. Another time he ordered all books thrown out and forbade members to read newspapers or watch television.

Major accomplishments

Broussard began a campaign to clean up nearby Will Rogers Park. Los Angeles County turned control of the park and its gym over to Broussard. By his forceful personality he rid the park of the drugs and violence that had saturated it. He set up a 32-team basketball league that emphasized sportsmanship over winning. Broussard became vastly successful, bringing in large private donations and winning praise from politicians.

The children were Ecclesia's showpiece. They often did good works, such as repair jobs for

local businesses. They drew audiences that included football great O. J. Simpson and Olympics chief Peter Ueberroth. They also spent long hours in grueling training in order to put on their stunning athletic performances. They were kept out of school and taught in the commune without knowledge of state authorities.

Father's example of beatings

Later Broussard broke up family units by dividing the children into age groups with an adult in charge of each. And when they needed discipline, he fell back on the only form he knew.

His father has recently made that a matter of public record. He has told reporters, usually in a boastful tone, about the whippings he delivered to his eight children. He described beating his kids with a strap, an extension cord, or his hand until his children's skin split open and bled. "They still have the scars," he said. The younger Broussard recalled that his father "had dreams and visions that I needed a whipping" and "would get up in the middle of the night" to give him one.

Media blamed

Eldridge Broussard, Jr., reverently called Big El by his followers, is now a national media figure. On the Oprah Winfrey program, he showed little remorse or even curiosity about his daughter's violent death, which occurred while he was back in Los Angeles. It was only when Winfrey asked him about his organization that he became emotional, asking her to help exonerate the group. "After you see it, they'll believe you. They can't believe me yet," he said, almost sobbing. "I'm emotional because I've walked around for close to eight years as a suspected Jimmy Jones. I've never been given an opportunity to protect myself in the right forum."

He displayed similar paranoia on KATU TV in Portland, blaming the media for Dayna's death. "My little girl is dead," he said. "And, yes, we may have some evidence that some people put that in that particular way, but I have some evidence that says that they were pressured into it. And that our whole group had been pressured into all manner of activity we would not have had

to do, had we been understood a little better."

Taken in part from Willamette Week, November 10; Sandy Post, October 20; Gresham Outlook, October 19; The Washington Post, October 29; and Cult Awareness Network News, November.

High Court Declines to Review Barnhart Conviction

In September, 1988, the U. S. Supreme Court voted 9-0 against reviewing the conviction of William and Linda Barnhart for involuntary manslaughter and endangering a child's welfare. The Barnharts had withheld medical care from their son Justin because of their religious beliefs. It was the first time in history that the High Court had been asked to review a conviction for depriving a child of medical care when religion was involved.

Justin died at age two and a half of a Wilms' tumor September 10, 1981. With early medical intervention, this form of childhood cancer has a better than 90% cure rate. As members of Faith Tabernacle, the Barnharts, who lived in Beaver Valley, Pennsylvania, relied on prayer rather than medical care to save him. They were aware he was ill at least by April of 1981 for they asked their minister for healing rituals then. The 5.4 pound tumor literally starved his body to death, growing to bigger than a volleyball.

The Barnharts were convicted by the Cambria County District Court in April, 1982. Although Pennsylvania has a religious exemption in the code dealing with reporting of child abuse and neglect, Assistant Prosecutor Patrick Kiniry successfully argued that it did not apply to the criminal charges. William Barnhart was sentenced to work 100 hours in a hospital or hospice. He and his wife were sentenced to probation and fined court costs.

In asking the High Court to review their convictions, the Barnharts argued that the First Amendment protected their actions and that Pennsylvania's religious exemption law was unconstitutionally vague (since the trial court had held it not to be a defense for them).

Impact of Barnhart decision

For years the Christian Science church has told its members that their practices are legally protected, even for children. They told legal scholars that the Supreme Court had never ruled on a conviction for religiously-based medical neglect and therefore the laws supported them.

Technically, before Barnhart, the Supreme Court had been asked to review only court orders authorizing blood transfusions and the violation of child labor laws in Prince v. Massachusetts. The transfusions cases it has repeatedly refused to review. The Court's ruling in Prince (1944) has been cited hundreds of times in other cases:

No freedom to martyr children

"Parents may be free to become martyrs themselves. But it does not follow they are free, in identical circumstances, to make martyrs of their children before they have reached the age of full and legal discretion when they can make that choice for themselves.... The right to practice religion freely does not include the right to expose ... the child to ill health or death."

Mrs. Prince, a Jehovah's Witness, argued that it was her religious duty to have her children selling church literature door-to-door and that she therefore could not be charged for violating the state's child labor laws. But the Court held that the state had the right to protect children even from the hypothetical risk of disease in selling literature.

After the Prince ruling, would anyone seriously believe that the Constitution allowed parents of certain religious persuasions to let a child suffer and die for lack of medical care? The Christian Science church thought so.

On January 20th, The Christian Science Monitor reported that the Barnharts were going to ask the U. S. Supreme Court to review their conviction. Knowing how carefully the church orchestrates what it tells the members on this issue, I thought the church might be planning a new direction. When the Supreme Court ruled against the Barnharts, as I was sure they would, the Christian Science church might announce to their members

that the law was now requiring medical care and, being law-abiding citizens, they would have to comply. The fact that the Barnharts were not Christian Scientists would help the church save face, I thought.

Christian Science Reaction

I was wrong. The church did not say a word to its members about the Supreme Court's refusal to review the Barnhart case. Two months later the press asked Thomas Volk, attorney for Christian Science mother Laurie Walker, about the case. Volk rejected any relevance to the Christian Science church, pointing out that the Supreme Court did not say it would never hear cases on this issue and claiming that the Barnhart's position was not "clearly presented."

We do wonder what it will take to convince the Christian Science church that its members do not have the right to martyr children. In other countries, such as England and Canada, the Christian Science church tells its members that the law requires them to get medical attention for sick children. But in the United States the church is determined that they have the legal right to withhold medical care. It tells its parents so and also claims that legislators gave their prayer treatments equal status with medical care because of their record at healing diseases.

Appeals rare

There are many reasons that previous defendants have not appealed their convictions. First, they are nearly always given suspended sentences. Second, many have religious beliefs against lawyers as well as doctors. They present themselves in court as passive martyrs for their religion who won't lift a finger in their own defense.

Finally, we believe that the Christian Science church did not want appeals, for example in the Dorothy Sheridan case, because of the risk of a binding, definitive verdict against Christian Science practice. And in the church's mind, the law still has not spoken against them even after the U. S. Supreme Court's disposition in Barnhart.

California Supreme Court Orders Christian Scientist to Stand Trial

On November 10 the California Supreme Court reaffirmed a District Court of Appeals ruling ordering a trial for Laurie Walker on involuntary manslaughter and felony child endangerment charges.

A convert to Christian Science, Laurie Walker allowed her 4-year-old daughter Shauntay to die of meningitis without medical treatment. The child was too sick to attend preschool for 17 days before she died on March 9, 1984. When Laurie's sister threatened to call the police, Laurie moved Shauntay to the home of a Christian Science friend where she died.

The California Medical Association filed written arguments in support of prosecution, while the ACLU submitted an amicus brief in support of Walker. The ACLU argued that the religious exemption created confusion as to what the laws required and that any confusion should be resolved in favor of the defendants.

Child support law ruled irrelevant

The penal code exemption requires parents to "furnish necessary clothing, food, shelter or medical attendance, or other remedial care" and then states that "treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination, by a duly accredited practitioner thereof, ... shall constitute 'other remedial care,' as used in this section." It is in a chapter dealing with child support and violation of it is a misdemeanor.

The California Supreme Court ruled that the exemption did not apply to felonies such as manslaughter and child endangerment. The decision was unanimous on manslaughter, and 6-1 on the child endangerment charge. It did, however, rule that the grammar of the second "or" phrase would shield a Christian Science parent from the misdemeanor charge of nonsupport. The state had argued that the law was just a list of the multiple necessities a parent must provide and did not indicate that prayer could be substituted for medical care when

medical care was necessary.

19th century precedents superseded

Walker also claimed that the charges against her should be dismissed because of the outcome of certain 19th century cases. She cited Regina v. Hines (1874) 80 Cent. Crim. Ct. 309, in which the court dismissed a manslaughter indictment against a parent who prayed for a sick child "instead of calling in a doctor to apply blisters, leeches, and calomel." The California Supreme Court commented, "Were blisters, leeches and calomel the medical alternative to prayer today, quite likely defendant's reliance on Hines would more fully resonate with this court. Medical science has advanced dramatically, and we may fairly presume that the community standard for criminal negligence has changed accordingly."

She also cited a plethora of recognitions for Christian Science "health care"--the right to sign sick leave and disability statements, reimbursements from public funds, insurance payments, etc. The Court rejected the analogy between such recognitions and the notion that Christian Science was a legal substitute for the medical care needed by a sick child.

High Court establishes legislative intent by quoting church lobbyist

She also cited religious exemptions in the juvenile code providing that children receiving treatment by prayer shall not "for that reason alone" be considered abused or neglected and claimed that they evidenced legislative intent to shield her from felony charges.

But the Court cited the Christian Science church's reassurances to the legislature at the time the exemptions were passed. The church had written in 1976, "The general counsel for the Christian Science Committee on Publication for Southern California ... gave us his considered opinion that [the amendment] does not preclude the court's taking custody of a minor if the [prayer treatment] is not effective. It only says to the court that it cannot take a child into custody *for the sole reason* that he is being furnished accredited Christian Science treatment."

Other manslaughter cases affected

The Walker ruling affects two other pending cases of Christian Science parents who also allowed their children to die of meningitis in 1984 without medical treatment. Lise and Eliot Glaser of Santa Monica lost their 17-month-old son Seth; Mark and Susan Rippberger lost their 8-month-old daughter Natalie. All have been charged with involuntary manslaughter and felony child endangerment.

Thomas Volk, the Sacramento attorney who represents Walker, has asked the court for a rehearing. "This ruling tears the theological heart out of the Christian Science religion," he said. "It essentially tells parents that they cannot practice their religion."

Church grants parents free choice to compound the problem with medical care

Michael Born, a spokesman at Christian Science church headquarters in Boston, said that the church believes that illness can be treated with prayer and that medical care only compounds the problem. But he added, "Medical care is a matter of free choice. We are not a fundamentalist, faith-healing sect."

Nathan Talbot, manager of the church's Committees on Publication, said the California Supreme Court's ruling provided an "important support" to spiritual healing. Referring to the Court's ruling that Christian Scientists were shielded from misdemeanor liability for neglecting financial responsibility, Talbot said it was "deeply significant that the Court has acknowledged that a specific statute recognizes the right to choose prayer as a legitimate substitute for conventional medicine." Talbot claimed that the Court had opened the way "for legislative changes that would be needed to accommodate parents" [who let children die on religious grounds].

Taken in part from The San Francisco Chronicle, November 11, and The Christian Science Monitor, November 14.

Arizona Case Remanded; Parents Reindicted

Attorneys for John and Katherine King of Paradise Valley, Arizona, petitioned the court to dismiss charges of negligent homicide and felony child abuse because of Arizona's religious exemption and because the state had allegedly misinformed the grand jury about the case. As Christian Scientists, the Kings had withheld medical treatment from their only child, Elizabeth Ashley King, who died of bone cancer June 5th.

Maricopa County Superior Court Judge Ron Reinstein ruled that the exemption did not shield a parent from those particular charges, but he did order the case remanded to the grand jury and instructed the state to advise them that the girl had been in state custody when she was transferred to the Christian Science nursing home.

The second grand jury indicted the parents only on the felony child abuse charge. The Kings were arraigned December 6th.

Update on Florida Case

The state of Florida's case against Christine and William Hermanson was scheduled for trial December 5. The Hermansons are accused of child abuse and third-degree murder for allowing their only daughter, Amy, 7, to die of untreated diabetes in 1986. A Sarasota County District Court Judge had ruled in May that the parents could raise the religious exemption as a defense, but must nevertheless stand trial to let the jury decide whether the exemption exonerated them from the charges.

The Hermansons filed motions with the Florida Supreme Court, a federal district court, and the U. S. Supreme Court asking for the charges to be dropped. All courts refused to review them. They twice asked the county court for continuances and were turned down.

But on the morning of December 5th, they petitioned the court for a change of venue

because of local pretrial publicity and 60 Minutes coverage of the deaths of other Christian Science children the night before. Sarasota County District Court Judge Alan Dakan ruled that there should be a "cooling-off period" and continued the case until January. Later the case was continued until March 13 and reassigned to the Judge's brother, Stephen Dakan.



Aaron Norman

Photo credit: Spokane Spokesman Review

Father and Church Leaders Convicted in Diabetic Boy's Death

In October a Spokane County Superior Court found Bob Norman guilty of first-degree manslaughter in connection with the death of his ten-year-old son Aaron December 20, 1987 because of untreated diabetes.

The Normans belonged to a group dubbed by the press the "No-Name Fellowship." Leader Douglas Kleber said members believe "sickness is a result of sin and a wicked lifestyle" and distrust doctors.

The Normans said their son had been sick for two days. When they discovered he was not breathing, they attempted CPR and called church elders. They did not call the Fire Department or an ambulance. Authorities learned of the death from the funeral home.

Boy beaten for bed wetting

A deputy coroner found the boy's body "quite emaciated" and covered with bruises. According to Norman's affidavit, the boy had wet the bed and the Holy Ghost told him Aaron had been masturbating. When Norman confronted Aaron, he denied it and was therefore disciplined with a board, which the father called a rod.

Kleber was called to the parents' home several times and advised the beating. Kleber said the punishment was not abusive for it was done with love and "a whole lot more kissing and hugging going on." Kleber said "the boy confessed after the spanking and felt better."

Died of untreated diabetes

The county coroner ruled that the boy's death was caused by diabetic shock rather than the beatings.

Aaron's younger brother David was placed by the state in foster care. His older brothers, Dan and Chris, ran away from their parents' home about three years ago to get away from the group's strict controls and now live with grandparents. All children in the No-Name Fellowship were being schooled at home, which posed additional obstacles to state monitoring of their health and welfare.

The Normans and five church officials were charged in March for the boy's death. In October, pastor Jeffrey Siegel pled guilty to the charge of second-degree criminal mistreatment and spoke on behalf of the mother, Judith Norman. Charges were then dropped against her because she had no power in the fellowship to get help for her son. Kleber also pled guilty to the mistreatment charge.

Pastor also convicted

Both the prosecutor and defense attorney pointed out that Siegel has since changed his life dramatically and rejected the fellowship teachings. He has enrolled his children in school and gets regular medical care for them. He is receiving counselling for ex-cultists. He told the judge he was "absolutely ashamed" for the years

he spent in the fellowship and the harm he caused other people. "Why did it have to take so long for me to see what I now see," he asked. "I have no desire to defend myself. There is nothing to defend. I was dead wrong."

Judge John Schultheis was unimpressed. He sentenced Siegel to two years in jail for his role in Aaron's death and to six months for spanking an adult church member during services. Kleber was sentenced to three years in jail. The standard penalty for second-degree criminal mistreatment is 30 to 90 days in jail.

Schultheis said they abused their position of trust within the church. He reiterated trial testimony indicating that church members had shared with Siegel and Kleber their suspicions that the boy was diabetic, but that the pair did not tell the parents and instead ordered beatings of the boy. Norman will be sentenced December 13. Three other church officials await trial.

Taken in part from the Spokesman Review, November 15 and 16.

CHILD Member Tells Media of Death and Suffering of Siblings

On July 28, The Kansas City Times carried a front-page article entitled "Spiritual healing: Are child's rights ignored?" It featured an interview with a local CHILD member named Peg, who asked that her last name not be used.

Peg told about the lifelong suffering and eventual death of her brother to asthma because of the family's Christian Science beliefs. She remembers severe coughing spells from the time he was two years old. His parents would not allow any medical treatment; once a teacher furtively gave him a cough drop. When she and her brother reached eighteen, they made a pact to get him medical treatment. Peg drove him 300 miles to see a specialist and paid for the treatment herself. Both of them were still terrified of doctors, and it took great courage for them to carry out their plan. The brother returned to live with his parents, and a few months later, died in a final asthma attack.

Peg remembers two church friends of her parents offering their condolences and then saying, "But he wasn't a Christian Scientist, was he?," and her parents answering, "No," despite 18 years of suffering as one.

Sister suffered too

Her sister was born with hypothyroidism that was never medically treated. She has major organ damage. She is 4 foot 2 inches tall. She is retarded and has never held a job, though she did get promoted through school because her mother overpowered school administrators with rhetoric about man's perfection as an image of God.

A few years ago Peg persuaded her sister to get Social Security support established because their parents are now elderly. In order to do this, they had to get a medical exam for her. When they came home, their father asked if they had seen a doctor and what the diagnosis was. When Peg told him of the hypothyroidism, he replied that the doctors had said the same thing at the hospital when her sister was born. (Christian Scientists are allowed to go to a hospital for childbirth.) For 35 years he had known the diagnosis and probably also the consequences of withholding medical treatment, but had chosen to do nothing.

Church spokesman quoted

The article also quoted Dale Ferguson, Christian Science lobbyist for Missouri as saying: "We don't claim to heal all our cases any more than medicine claims to heal all of theirs. You look at the medical records, and their track record is not too good. We are judged by our failures. Medicine is judged by its successes. We should not be criticized or limited because of cases that are atypical."

Ferguson said the prosecution of a Boston Christian Science couple, Ginger and David Twitchell, will "decide whether or not we're going to be under the aegis of medical domination."

Dr. William Bartholome, a pediatrics professor at Kansas University Medical Center, spoke in favor of repealing religious exemption laws.

Unfair burdens

This fall Peg appeared on a Kansas City television program. She had many good insights on the psychological damage from saddling children with the burden of healing their siblings. CHILD members are welcome to borrow our videotape of this program. Please send \$3.00 to cover postage and handling.

Michigan Supreme Court Hears Arguments in Matthew Swan's Death

On November 1, the Michigan Supreme Court heard oral arguments in a civil suit against the Christian Science church and two of its practitioners. The suit was filed in the Wayne County Circuit Court of Detroit February 5, 1980. It alleged negligence and misrepresentation by the church and its agents in their treatment of Matthew Swan, who died of meningitis July 7, 1977 at age 16 months.

The suit had been dismissed by the circuit court in 1983 on First Amendment grounds and in 1986 by an appellate court on statutory grounds. The Supreme Court granted leave to appeal only on the allegation that the practitioners engaged in diagnosis and asked for briefing to determine whether the religious exemption to Michigan's Medical Practice Act allows religious healers to engage in diagnosis.

The Swans allege that the Christian Science practitioners made several representations about the nature of Matthew's illness, such as, that he was cutting a tooth or was paralyzed, had roseola or rheumatic fever, and, when the Swans declared their intention to have the illness reported to Public Health, that it was not a reportable disease. Further, the Swans allege that the practitioners insisted they were competently treating these various illnesses.

Diagnosis necessary but accuracy irrelevant?

The church responded that the practitioners did not make medical diagnoses and that the Swans understood at the time that the practitioners were not qualified to render medical diagnoses.

Further, the church cited several quotations from founder Mary Baker Eddy to indicate that the practitioners needed to make religious diagnoses to identify the "false claim" for them to pray about. According to the church's briefs, it doesn't matter whether the diagnosis they arrive at is medically correct or not, but they have to do this sort of diagnosis to make their prayers effective and therefore it is an act protected by the First Amendment.

The plaintiff's reply brief argues that defendants cannot claim religious immunity when engaging in secular health care, that diagnosis is necessarily part of the practice of medicine, and one who communicates diagnosis to another for any purpose is engaging in the practice of medicine, that civil liability can be imposed on one who practices medicine without a license and causes harm thereby, and that the fact that an action is done with religious motivation does not render the actor immune from civil liability.

Protest Blocks Nursing Home Plans in Montana

In April of this year Dorothy Johnson knocked on the door of Sharon Miller in Clancy, Montana, seeking information about closing roads so that the Japheth Foundation could build a care facility on property adjoining Miller's. Under questioning, Johnson admitted that they would be providing Christian Science care.

The next morning at 8 a.m. Johnson filed the foundation's petition for road closures signed only by residents on the other side of the county.

On April 26 NBC Nightly News aired a segment on preventable deaths of Christian Science children. NBC is the only channel Sharon Miller can get in the mountains. She managed to obtain CHILD's phone number after several calls to NBC offices on both coasts.

CHILD provided her with information on the care of children by Christian Science nurses. Eventually this included the case of 12-year-old Elizabeth Ashley King, who died in a Phoenix Christian Science nursing home June 5.

Dangers of "health care" raised concerns

Sharon led a community fight against the nursing home plans, primarily because of the dangers posed by the Christian Science concept of health care. She sent out mass mailings at her own expense, spent hours on the phone, gathered signatures on petitions, held community meetings and made presentations.

At a June 8 hearing of the Jefferson County Commissioners she charged that the proposed nursing home "will in no way be in the best interest of our community and will be a constant test of human rights. We oppose the doctrine of health care that will be practiced in this facility and especially in a locale so close to our school." She pointed out that the home would not be staffed by any state-licensed personnel and that the Christian Science church does not represent its nurses to be competent to identify reportable diseases.

The Japheth Foundation said most of the patients would be elderly, but that children would be admitted for emergency care. Needless to say, the community was not pleased to learn that!

Other concerns raised

Residents also voiced concerns about the drain on the area's scarce water supply, sewage and solid waste disposal, and loss of tax revenue because of the home's tax exempt status.

The Commissioners asked that the residents submit written questions to the Japheth Foundation's attorney before a decision was made. The foundation refused to answer the questions. They declined invitations to attend three community meetings. Instead, they held a Christian Science lecture to explain their care and treatment.

Community opposition remained strong, however, and in November, the Japheth Foundation wrote the county commissioners a letter withdrawing their interest in building the nursing home. They claimed that their decision was based only on concerns about water levels.

Montana laws have religious exemptions from licensing standards for Christian Science nurses

and nursing homes. Thus, the only way these nursing home plans could be opposed was at the local level.

Ohio Loses Federal Funds

Ohio allowed the 1987-88 legislative session to end without voting on a bill to repeal its religious exemptions. On May 20, 1987, the U. S. Department of Health and Human Services (HHS) advised Ohio Department of Human Services (ODHS) that it would lose federal child abuse funds if it did not repeal or modify the two religious exemptions in its juvenile code. HHS requires state laws to mandate that all cases of failure to provide medical care be reported and investigated without regard to religious belief; HHS has ruled that Ohio's religious exemptions obfuscate reporting requirements. HHS complained of other deficiencies in Ohio's child protection laws as well.

HHS does not have the authority to require repeal of the exemption in Ohio's penal code. It has, however, been ruled unconstitutional in two counties. For two years, Ohio has had two counties where parents must obtain necessary medical care for children and 86 counties where they don't have to if they belong to certain churches. Rep. Paul Jones, D-Ravenna, sponsored a bill, HB63, to repeal all three of the religious exemptions.

Duplicity of church lobbyist

In the summer and fall of 1987, Bill Evans, Christian Science Committee on Publication for Ohio, met with HHS officials in Washington. After each trip, Evans assured Ohio legislators of Washington's support for the Christian Science position, even though HHS had notified ODHS on June 24, 1987, that his proposed amendments would only exacerbate Ohio's compliance problems.

On November 10, 1987, Rep. Jones submitted to HHS a compromise bill designed to address both the compliance problems and Christian Science concerns.

In March, 1988, Evans circulated his own revised version of HB63 to all state legislators with a cover letter indicating that HHS and the Christian Science church had reached a degree of understanding, if not general concurrence with his version. ODHS could not respond to legislative inquiry because it had had no communication from HHS to that effect.

On March 18, 1988, HHS sent ODHS a letter advising that Jones's compromise bill did not resolve the compliance problems.

In May, 1988, HHS advised Evans in writing that his version would not satisfy federal eligibility requirements. Evans then told Ohio officials he was willing to negotiate a compromise bill.

The above chronology is drawn from a history distributed by Jerome Friedman, Legislative Counsel to ODHS.

Agreements continue to collapse

Both ODHS and Jones have seen agreements made with the Christian Science church collapse since May.

In 1988 Ohio lost over \$700,000 in federal funds because of being out of compliance. Jones will reintroduce the legislation next year. It will be the fourth session for this effort to repeal the religious immunity laws.

Symposium Held on Religious Values and Medical Care

On November 8, the Arnold Palmer Children's Hospital in Orlando sponsored a symposium in pediatric ethics entitled "Religious Values and Medical Care." The morning session dealt mostly with treatment decisions on severely handicapped infants. The opening speaker was William May, Professor of Ethics at Southern Methodist University. He spoke of medical doctors being trained on a military model of waging war against disease and of drawbacks in that attitude. He suggested that decision making should take quality of life into account and that a person's potential for entering into relationships with

others should be a yardstick for measuring quality. Donald Eitzman, a medical doctor and ethics professor at the University of Florida, spoke on the complexities of informed consent, patient freedom of choice, and legal ramifications of treating handicapped infants. Rev. Rick Brown, a local Presbyterian pastor, rounded out the morning program.

Rita Swan, President of CHILD, opened the afternoon session with a talk on children's rights to medical care. She talked about the pressures upon parents in religions that discourage medical care, about the need to repeal religious exemptions from parental duties of care, and about the reestablishment of children's rights through current prosecutions. The next speaker was Rev. Alexander Clattenberg, pastor of Calvary Assembly of God in Orlando. He upheld God's power to heal disease and told of many healings from prayer. He also agreed with Swan, however, that prayer was not a science and should not be substituted for medical care of sick children. The last speaker was David Smith, a professor of communications and bioethics at the University of South Florida School of Medicine. He defended religious pluralism, though it was unclear whether he was actually disagreeing with Swan's position.

Both sessions were moderated by Dr. Joseph Chiaro, a pediatrician at Orlando Regional Medical Center. About 120 professionals attended, including nurses, physicians, clergy, social workers, and lawyers.

The proceedings of the conference will be available at a later date.

Whooping Cough Kills Amish Infant

On October 31, Isaac Shetler, a four-month-old Amish boy, died in Conewango, New York, of whooping cough. It was the first U. S. whooping cough fatality in three years. Six other Amish children were also diagnosed with the disease.

Conewango is about 45 miles south of Buffalo and is home to about 1,200 Amish, members of a strict Mennonite sect that shuns modern

conveniences. "The Amish are a very closed society and they resist modern ways. Most of them just don't believe in immunizations," said a local nurse. Some Amish say that immunizations violate a Biblical injunction against putting foreign substances into the body.

The same community was hit by 216 cases of the disease in 1982 and six cases in 1985. There were no deaths from the previous outbreaks.

Other recent outbreaks in Delaware, Iowa and Pennsylvania

The country's most recent whooping cough outbreak affected about 100 children in 1987 in an Amish settlement in Delaware. The Amish have also had cases of polio in Iowa and Pennsylvania within recent years.

Whooping cough used to strike about 250,000 children every year and killed about 4,500 of them. After the development of an effective vaccine, the number of cases plummeted to less than 300 per year in the early 1980s. Last year, however, the number of cases rose to 3,000, largely because some parent groups have publicized their opposition to the whooping cough (or pertussis) vaccine as dangerous.

Research is under way to develop a vaccine with fewer side effects, but it should be pointed out that the risk of permanent neurological damage from the present pertussis vaccine is one child per 350,000 vaccinated and that the risk of death or brain damage from having whooping cough is far higher than that.

Risks compounded by avoidable suffering

In addition to those risks, here is what whooping cough puts a baby through according to Merck Manual, a standard physician's manual, and Dr. B. D. Colen:

"There are five to fifteen rapidly consecutive coughs followed by the whoop..., a prolonged, high-pitched, crowing (as the baby gasps for breath). After a few normal breaths another (fit of coughing) may begin. Copious amounts of viscid mucus may be expelled (usually swallowed by infants and children but also expelled as large

bubbles) during or following the (coughing). Vomiting subsequent to paroxysms or due to choking on the tenacious mucus is characteristic. In infants, choking spells with or without cyanosis (turning blue) may be more characteristic than the whoop."

Taken from the Northern Virginia Daily, November 3, and the Sarasota Herald-Tribune, December 7.

Review of Annie Laurie Gaylor's Betrayal of Trust: Clergy Abuse of Children

This book is painful to read. It is a torrent of accounts of sexual abuse of children by clergy in many denominations. Newspaper citations are given for each; the vast majority are from the years 1986 and 1987.

A freethinker, the author admits that, beyond her major objective of protecting children, her secondary objective is "to raise questions about our society's attitudes toward religion and its (male) gatekeepers." She says, "When we worship a patriarchal, male, 'Vengeance-is-mine, saith-the-Lord' deity, when we submit to male conduits of that deity, and when we praise an authoritarian system of controls and a hypocritical morality, obviously we are asking for trouble.... If religion or any institution depends on the sexual exploitation or subordination of children or women, then it is better that such institutions should cease to exist."

Theistic readers may wonder to what extent the book's catalog of heinous crimes does indict the institution of religion. Is sexual abuse among clergy more common than among bankers, teachers, or civil servants? No statistics are available.

Nevertheless, Gaylor produces abundant evidence to show that several prominent, respected denominations have used religious rhetoric to conceal problems of sexual abuse, to humiliate the victim, and to exonerate the offender. And clergy have used their special position of trust to gain access to children and to molest them.

Further, she has helpful chapters on the dynamics of child sexual abuse in general and on developing prevention skills for children. Some valuable bibliography cited by the book include: Carl Cannon, "Priests Who Molest," San Jose Mercury News, December 30-31, 1987, and Rev. Marie Fortune, Sexual Violence, The Unmentionable Sin: An Ethical and Pastoral Perspective. Fortune is executive director of the Center for the Prevention of Sexual and Domestic Violence in Seattle.

Gaylor's book may be ordered from the Freedom from Religion Foundation, P. O. Box 750, Madison WI 53701 for \$10.00.

Ohio Sex Cult Involved Minors

A Dayton, Ohio man convicted of seven counts of child sexual abuse was the leader of a sex-religion cult made up of children, according to the prosecutor in the case.

Arthur Dean Wells, 42, routinely had sex with at least a dozen children of both sexes over the past seven years to fortify himself to fight demons and other threatening figures, said Terry Seeberger, assistant Montgomery County prosecutor.

Seeberger said Wells, known as Kip, persuaded children that having sex was needed to remain in God's good graces.

"Kip was supposedly the right hand of God," Seeberger said. "One of the ways in which Kip and others could build their demon-fighting powers was to engage in various activities, both heterosexual and homosexual." Kip told his followers he would someday have to do battle against Charles Manson, Seeberger said.

Wells's attorney, Dennis Lieberman, objected to classifying Wells's activities as a "cult," saying that only one child in the case mentioned a cult.

Taken from Cult Awareness Network News, November, and Akron Beacon-Journal, September 9, 1988.

Sonja Boden: Victim of Quackery?

Sonja Boden, 18, of St. Clair Shores, Michigan, died November 17 of Hodgkins disease. As reported in our summer 1987 issue Sonja and her parents went to court for the right to treat the disease with macrobiotic diet, acupuncture, massage, and positive thinking as promoted by the Perfect Health Institute, instead of chemotherapy. The disease is 80% treatable with conventional medicine.

Review of Faith Movement

The Cultic Studies Journal, v.5, 1988, carries Rita Swan's review of The Health and Wealth Gospel by Bruce Barron. Barron's book discusses the faith movement or Word movement, a branch of Pentecostalism developed by Kenneth Hagin and Kenneth and Gloria Copeland. Barron focuses on three major doctrines: faith healing, prosperity, and positive confession.

Hobart Freeman, founder of Indiana's Faith Assembly, promulgated similar doctrines. After unnecessary deaths in Faith Assembly received widespread media coverage, Hagin denounced Freeman's teachings. However, we have seen "positive confession" as a factor in faith deaths in many sects. For example, Larry and Lucky Parker, featured this spring in the docudrama Promised a Miracle, attributed their diabetic son's death to positive confession.

The Health and Wealth Gospel is available from Intervarsity Press in Downers Grove, Illinois, at \$6.95.

CHILD Member Publishes on Quackery

CHILD member Dr. Merlin Nelson, assistant professor of pharmacy at Wayne State University, has published an article in the March/April 1988 issue of Journal of Pharmacy Technology. Entitled "Health Professionals and Unproven

Medical Alternatives," it provides references to key articles and books on more than a dozen types of quackery. Reprints may be ordered from Merlin Nelson, Pharm.D., Department of Pharmacy Practice, Wayne State University, 1400 Chrysler, Detroit MI 48202.

60 Minutes Feature on Prosecution for Death of Christian Science Baby

"Here are these religious fanatics as some people would seem to think. They let their child die. They didn't do anything. Well, we didn't do anything a doctor would do; we did what a Christian that turns to prayer would do." Those were David Twitchell's opening words in the lead story on CBS 60 Minutes December 4.

David and Ginger Twitchell, both 32, have been charged with involuntary manslaughter in Boston. As Christian Scientists, they allowed their two-year-old son Robyn to die of a bowel obstruction and peritonitis without medical treatment.

Both the Twitchells and their church practitioner contacted Nathan Talbot, manager of the Christian Science lobbying and public relations network, for legal advice days before Robyn died. According to 60 Minutes, a judicial inquest found Talbot negligent as well as the Twitchells. The judge was quoted as saying, "The court found on the whole record that Mr. Talbot supported and encouraged all concerned to rely exclusively on spiritual healing and declined to suggest any other options."

About CHILD Inc.

CHILD, Inc. is a nonprofit tax-exempt organization dedicated to the rights of children. CHILD speaks out against all forms of child abuse and neglect associated with religious practice. CHILD opposes all religious exemptions from parental duties of care. CHILD believes that no one has a religious right to cause or allow injury to children. CHILD is an affiliate of the National Council against Health Fraud. Membership is by application; dues are \$18 per year.

Watch for feature by Chris Phillips on Rita Swan and CHILD in the Feb. 28th issue of Woman's World

Christian Century Interchange

The June 22 issue of Christian Century carried an article by Stephen Gottschalk entitled "Spiritual healing on trial: a Christian Scientist reports" defending the right of the Twitchells and other Christian Science parents to withhold medical care from children suffering life-threatening illnesses. In a nutshell, Gottschalk argued that Christian Science should have equal status with medical care because there is no "clear evidence that it is ineffective."

The August 3 issue carried three brief responses, all critical. The October 19 issue carried longer criticisms from a chaplain and Rita Swan plus a final statement by Gottschalk.

"Dying Children" Column in Major Newspapers

The December 8 Chicago Tribune carried an excellent column by Stephen Chapman on "Dying Children and the Limits of Religious Freedom." In contrast to Gottschalk above, Chapman holds the burden of proof to be on the church: "the successes claimed by Christian Science don't validate spiritual healing. Placebos often work too. That's why medical science insists on rigorous testing of new drugs and treatments to prove their effectiveness. Until Christian Science proves its methods by objective standards, it has to be treated with great skepticism." The column was also carried by the Columbus Dispatch.

Address Corrections, Please

You can help both us and yourselves by informing us promptly of changes in address. When we have to learn them from the post office, it costs us money. Also, you don't get your newsletter if the address is not correct because our bulk mail is not forwarded.