

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

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## Equal rights for children under the law



*The Rossiters arraigned in faith death*

Credit: Jessie Skoubo, Albany Democrat-Herald

## Religion-based medical neglect kills another Oregon child

Oregon members of the Church of the Firstborn have been charged with first- and second-degree manslaughter for depriving their daughter of medical care.

Syble Rossiter, 12, died of untreated diabetes in February, 2013. Her parents, Wenona and Travis Rossiter of Albany, provided no medical care and presumably relied on prayer and ritual instead as many other members of the Church of the Firstborn have done.

Wenona is the daughter of Christina and Loyd Hays, who were charged with manslaughter and criminally negligent homicide for letting their 7-year-old son Anthony die of acute lymphocytic leukemia without medical care. Loyd was convicted of negligent homicide in 1996 and sentenced to five years probation. Jurors said they acquitted Christina because she was dominated by her husband.

Wenona was 18 when her brother died. She surely was aware of his illness and death and the criminal proceedings afterward.

In 1981 the Hays family was also in court during a seven-month losing battle to keep infant Sara Jensen from getting medical treatment for

hydrocephalus. Sara is Christina's sister and Wenona's aunt.

CHILD has information on 89 Church of the Firstborn children who have died since January 1, 1975, nationwide. Anointing with oil, laying on of hands, and fervent prayer by many fellow church members are the families' preferred way to heal disease.

At Hays's trial their attorneys reported that the denomination had about 100 U.S. churches with between 16,000 and 20,000 members. Most are west of the Mississippi River.

The defense attorneys also reported that Firstborn members refuse military service "because the Bible forbids killing."

## Does church tell members to notify state agencies?

The website [www.firstborn.info](http://www.firstborn.info) states, "If you choose not to take your child to a doctor, then we urge you to immediately notify the county health department and the state department of human services using our [sick child notification forms]." The rationale apparently is that the state can then intervene and get the child medical care and the parents' status with God won't be tainted by making their own decision.

Following that directive would save lives of some children though not all, given the limited abilities of state agencies. If the parents know their child is sick, they should be the grownups and take the child to a doctor themselves.

The press has reported this statement as the denomination's directive to members. However, the Church of the Firstborn has no central denomi-

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national authority and does not put out an official webpage. We've been told by a former COF member that the author of the website is Norman Retherford, who is not considered an orthodox spokesman by most church members. He has been a pastor of two tiny breakaway groups. He was "odd" and "never seemed to quite fit in" with "mainstream" Church of the Firstborn attitudes, we were told.

### **Oregon: from worst to among best**

As CHILD members know, we are very proud and grateful for what we accomplished in Oregon. Both in 1999 and 2011 CHILD was the entity that initiated the bills to repeal Oregon's religious exemptions from providing medical care for sick children. Oregon went from being the worst state in the country—with religious exemptions from homicide by abuse or neglect, manslaughter, criminal mistreatment, criminal non-support, neglect and failure to provide—to being one of six states with absolutely no religious exemptions from a duty to provide medical care to sick and injured children.

We fervently hoped no more Oregon children would die from religion-based medical neglect after Governor Kitzhaber signed the second repeal bill into law in June, 2011.

### **2009—last child death among Oregon Followers**

Oregon's last Followers of Christ child fatality was premature infant David Hickman, who died in September, 2009. Given that two Oregon FOC children died in 2008 and a third was neglected for months while a tumor was displacing her eyeball, we feel that the new laws have changed the behavior of the Followers and saved lives of children.

Another likely reason for the change in their behavior is the stiff six-year prison sentence given to the Hickmans.

Some Followers have reportedly reacted to the new laws by moving to Idaho where twelve FOC children (that we know of) have died without medical care between 2011 and 2013 and authorities do nothing about them.

However, while the Followers of Christ remaining in Oregon are reportedly getting medical care for their children now, two Oregon children have died in another faith-healing sect since the new laws were enacted. Austin Sprout, 16, died of peritonitis after his appendix ruptured in December, 2011. His family belonged to a Church of the

Firstborn in Lane County and provided no medical care during his suffering. And now 12-year-old



Syble Rossiter has died of untreated diabetes. Her family belonged to a Church of the Firstborn in Linn County.

My husband and I are deeply saddened by these deaths. The Firstborners have computers and televisions. Surely they knew about the recent prosecutions of four sets of Followers of Christ parents and the six-year prison sentence given to the Hickmans. They can read the scores of comments in the media by Oregonians incensed at their injuries to children.

### **Prosecutor worked to educate Firstborners**



In 2012, Erik Hasselman, Lane County Asst. Dist. Atty., met with leaders of Austin Sprout's Church of the Firstborn and explained the laws passed the year before that clearly required all

parents to obtain medical care for their children regardless of their religious beliefs. He also sent a letter that church leaders told him they had distributed to all members who had minor children or were of childbearing age. The leaders said they believed the members would obey the law.

So Austin's parents were allowed to plead to a lesser charge and were sentenced to five years probation with strict conditions on getting medical care for surviving children.

Hasselman told the press that the congregation was "very receptive" to complying with the law and that, hopefully, with the "public education" his office accomplished, such a death was "unlikely to ever happen again."

Yet only fifty miles away and less than a year later, 12-year-old Syble Rossiter has died of untreated diabetes in another Church of the Firstborn congregation.

## Why?

For some observers these deaths indicate that true believers will act out their religious beliefs regardless of the law. It is a mystery to us that the six-year prison sentence for the Hickmans and the massive publicity given to the Followers of Christ did not make an impression on the Church of the Firstborn.

The only explanation we can think of is the myopic elitism in many fundamentalist sects. If the Firstborners were convinced they were on the one true path to salvation, they may have been unwilling to learn from the experience of their faith-healing cousins in Oregon City less than a hundred miles away.

## Purpose of law and punishment

We still insist that the law is important as a statement of societal values. We believe it can change religiously motivated behavior of many people. For those who flout the law, stronger enforcement may be necessary to persuade a subculture to provide children with the necessities of life.

The first-degree manslaughter the Rossiters have been charged with has a mandatory minimum ten-year sentence. They are prohibited from contact with their two surviving minor children except as supervised by the Oregon Dept. of Human Services.

In Oregon only public and private officials are required to report child abuse and neglect. Or. Rev. Stat. 419B.005. CHILD would like Oregon to add to the list of mandated reporters anyone called to render aid or assistance to a child. Dozens of church members are often in a sick child's home praying and performing rituals. They should be required to report.

Sources include [Albany Democrat-Herald Aug. 31, 2013](#) and Feb. 20, 2014.

## Evolution of church's testimonials

The previous issue of the CHILD newsletter reported on CHILD's history over its thirty-year existence. In this issue we look at some published Christian Science testimonials before 1980 and what is different about recent ones.

The testimonies in Christian Science periodicals are a bulwark of their faith, offered as proof that the religion is a perfect science, which always works if you understand the rules. The church claims that a sizable percentage of the healings described are verified by medical doctors, but the church will not make any medical records in its possession available to the public. Readers must take the writer's word that the doctor diagnosed a certain disease and pronounced it as dire or fatal without treatment or maybe even medically incurable and then Christian Science heals it.

Other possibilities are that the writer misunderstood what the doctor said or had a convenient memory which bolstered his faith that he was healed supernaturally.

## Miracles or horror stories?

Before the extreme amount of negative public attention the church got from our media appearances and several courtroom trials between 1979 and 1993, many of their testimonies about healing children had graphic description of symptoms and sounded to outsiders more like horror stories of endangering children than miracles to be emulated. Many also had a clinical, detached tone with parents referring to their children as "the boy" or "the child."

In the 1978 issues of *The Christian Science Sentinel* were stories of a child eating paint, a child drinking cleaning fluid, and a baby swallowing broken glass.

A Connecticut mother wrote that her baby daughter had great difficulty breathing, coughed all night long, and seemed to be passing on. The baby was unable to eat for two weeks before Christian Science healed her.

A New Hampshire mother wrote that her two-week-old baby choked on a lump of cereal, ceased breathing, and turned color. All "human" efforts to revive the baby failed, but then a Christian Science practitioner began "treating" the baby with prayer, and the baby revived.

A little boy in Illinois was unconscious for over 24 hours because of a toboggan accident. He was not diagnosed or treated by a medical doctor.

A New Jersey mother wrote that all her children got the measles. Their fourth son (under two

years old) was “very fevered.” She put him back in his crib, and he was much better the next day.

A child in California was healed of undiagnosed pneumonia and spinal meningitis.

### **Mom commands son to walk on sprained ankle**

Most disturbing is the testimony of Maryl Walters in St. Louis, Missouri. Her son sprained his ankle, and she commanded him to walk on it. She writes, “I was very impressed by his childlike willingness to accept what I said to him, ‘You can walk,’ in spite of the apparently very real and unhealed condition of the ankle.”

### **Very afraid her child would die**

When her youngest son was eleven months old, he became suddenly very ill with a high fever. She prayed for him during the night and the next day. She says, “During the next four days the physical picture became very frightening. The fear that he might die was great.”

The baby could not keep down any food or liquid for what sounds like weeks while Mrs. Walters worked out “errors” in her thinking. The baby lost a great deal of weight and had to learn to crawl and walk all over again. *Christian Science Sentinel* June 12, 1978: 947-950

Walters is now a Christian Science practitioner and teacher making her living by encouraging others to take similar risks with their children.

### **Do practitioners report medical neglect?**

Several of the states where these testifiers live have laws requiring Christian Science practitioners to report cases of suspected child abuse and neglect. It is likely that none of these cases were reported since the testifiers do not mention any inquiry from Child Protection Services. Indeed, we have never heard of a practitioner reporting medical neglect of a child to CPS.

In the *Christian Science Journals* before 1980 are many testimonies where writers say their children appeared to be dying but they still did not get medical care. A Colorado mom writes that her toddler “became quite ill with all the symptoms of pneumonia. . . . One day he cried out, and when I picked him up he became limp in my arms, and the small body began to stiffen. I called the practitioner, telling her that the baby had passed on.”

The mom walked the floor holding the baby and declaring the Truth until she felt “a little quiver, and life returned to the small body. The practitioner came and spent the night with [them]. The child was in a semiconscious state.” During the night he was healed. *CSJ* Aug. 1969:442.

### **Severe pain, protracted illness, symptoms ignored**

Testimonies describe children being in severe pain or sick for weeks. They brag about “looking away from the body” and ignoring the child’s symptoms. When a baby has psoriasis, the healer tells a Montana mother not to watch the baby’s “body for material improvements.” *CSJ* Jan. 1973:44

“The healing of a ruptured rectum in our young son,” a Chicago mother writes, “was one that required constant turning away from the mortal disorder and holding fast to the perfect man made in God’s image and likeness. This healing was not a quick healing.” *CSJ* Apr. 1971:218

### **Parents’ concern for child is wrong**

A St. Louis mother writes that her daughter “had a high fever that left her listless for days,” but “it was a time of great spiritual growth for the whole family.” The practitioner “treating” the girl “told us to free her by freeing ourselves of any false sense of responsibility for her well-being.” *CSJ* Sept. 1974:552

A New York woman writes that her daughter “had been suffering for days from a very high fever and pain throughout her body. After much praying and purification of self, and at the very time when the illness seemed to be at its worst, I humbly [asked God] what to do. The answer came almost audibly, ‘Rebuke the evil spirit.’ This I did, silently ordering the evil out of her consciousness.”

Of course then “the little girl jumped from her bed and started dancing around the room.” *CSJ* Sept. 1967:485

A New Jersey mom writes about her “very young” son having an “organic malformation” for over a year despite earnest Christian Science work on the problem. Then she gets an inspiration that heals him. She hopes her testimony will encourage perseverance in Christian Science when healings do not come quickly. *CSJ* Dec. 1967

### **Classic Christian Science methodology**

Among the most disturbing to me was the testimony of Albert J. J. Van Lutsenberg Maas in St. Louis. He tells of his young son's hitting his head on a concrete floor. Over three weeks Mr. Maas rejected all the "false claims" of the symptoms. For example, "material sense tried to convince us that the healing was not complete while half of our son's face was expressionless and immobile," but the family knew that "nothing could paralyze our joy and gratitude" to God. Then the little boy's healing "was complete." *CSJ* Feb. 1973:102

The testimony is boilerplate Christian Science: handle guilt/parental responsibility, handle fear, take each symptom and "prove" its falsity by reversing it with an opposing spiritual truth. Be joyful and grateful all the time.

Although this "metaphysical work" is inspirational to Christian Scientists, it looks mechanistic to me now. It is easy to think up the doings of abstract spiritual forces.

### **Daughter's death does not faze parents**

The reason this testimony offends and disturbs me, however, is that I know that eleven months before it was published Mr. Maas's 12-year-old daughter Christine Elise was taken to a hospital dead on arrival. She had had no medical care, but the medical examiner did not do an autopsy. He simply wrote on the death certificate that she died of "unknown natural causes" and the duration of her illness was "unknown." The Principia K-12 schools for Christian Science children are in St. Louis, and powerful church members live in the area. Christine's twin sister Paulina and other relatives continued to attend Principia after Christine's death.

### **Mom forgets child's existence**

Maas conveniently overlooks the death of his daughter to maintain his conviction that Christian Science heals every disease by infallible divine laws. He's right on par with Ruth Price Brewster, a Texas practitioner, who states in her testimony: "Rearing four children with total reliance on God for healing was a joy. I cannot remember an activity missed because of illness." *CSJ*, Jan. 1984:49

In fact, however, Mrs. Brewster had five children. She forgot that her daughter Nancy died at age 7 of what the coroner guessed was cancer. The

child's severe physical suffering, without even palliative care, and emotional abuse are described by her sister Janis on the victims' page of our website, [www.childrenshealthcare.org](http://www.childrenshealthcare.org).

In the May, 1958, issue Gwendolyn Hobson of Vancouver BC, has a shocking claim:

When our first child was four months old she became unable to retain her food, and there was a strong fear that she would not recover. The great question I faced was whether I would still love the truth and work for the cause of Christian Science if the child should not live. At last I was able to answer, "I shall only study the harder to be better able to help others in the future." Then I went to bed and slept peacefully. In the morning the baby was as well as ever.

### **Less reckless behavior seen in testimonies today**

Testimonies about children's healings in Christian Science periodicals today are less dramatic. They do not describe suffering or dire symptoms. They certainly don't have testifiers saying that their child's death would not bother them. Some parents write that they intend to go to a doctor if their child does not get a Christian Science healing quickly. And some even admit that they did go to a doctor of their own free will though of course in the published testimony they don't credit the doctor with getting the child healed. In pre-1980 testimonies children who had medical care usually got it because of pressure from a non-Christian Science relative.

### **"No hierarchy"**

Several recent testimonies also deprofessionalize the practitioner. The writers say they called a practitioner to "pray with me." The parent and the practitioner are just a couple of friends both doing the same thing: praying. The church's public relations manager, Phil Davis, said in 2010 that the practitioner and the patient are "equals. There's no hierarchy in Christian Science." *CSJ* Feb. 2010: 38

This is, in our view, a strategy to protect the church and practitioner from civil liability. (In legislatures, meanwhile, the church claims to have a health-care system with professional providers and an excellent track record that should be reimbursed by government and the insurance industry.)

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September 18, 2013

**John A. Kitzhaber, M.D.**  
**Governor**

Rita Swan, Ph.D.  
President and Co-founder  
Children's Healthcare is a Legal Duty

Dear Dr. Swan,

It is my pleasure and honor to congratulate you and thank you today on behalf of the State of Oregon, for your important and honorable work—done mostly alone, against powerful forces—that now protects Oregon's children from crimes committed against them under the guise of religion. Because of you, more than any other person, today all of Oregon's children, regardless of their parents' beliefs, can go to sleep at night feeling safe, and awaken to healthier, happier lives. They are protected, finally, by not just the love of their own parents, but by the laws of this state.

This was not always the case. In 1998, during my first term as Governor, Oregon was one of forty states that let child abusers hide behind religion, and was one of only six states that allowed a religious shield against homicide. Oregon had the most damaging religious shield law in America, and more than seventy children had died in one Oregon City church alone.

Within one year, your work with the Oregon Legislature and the Governor's Office resulted in a law that made massive improvements in Oregon's protection of its children.

Your work, as always, quickly had a ripple effect throughout America, inspiring important changes that you helped guide in the religious shield laws of Colorado, Maryland, Massachusetts, Hawaii, Rhode Island, Delaware, Arizona, Minnesota, and North Carolina.

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For the next nine years, there were no credible reports of faith-healing abuse in Oregon. But in 2008, children in an Oregon City church again began to suffer and die. This time, though, our state laws held the perpetrators responsible.

Even so, nothing could bring back the lost lives of three of our state's children — Ava Worthington, Neil Beagley, and David Hickman — or fully relieve the blindness of little Alanya Wyland. These are children that most people in Oregon public life still remember, and that remembrance is due to you.

When these crimes occurred, you left your home and moved here with your husband and colleague Dr. Doug Swan, working once again to ensure that Oregon's laws fully protect our children. In 2011, it was my privilege to sign into law the complete repeal of Oregon's religious shield law. The bill was passed unanimously by both houses of our Legislature, a rare occurrence for an important law, and a remarkable achievement for any law dealing with religion. Oregon progressed from having the worst religious shield law in America to one of only six states that have none at all.

This is a source of great satisfaction and enduring peace of mind to all of us who were involved.

Fifty years ago this summer, President John Kennedy made one of his most heartfelt proclamations when he said, "For in the final analysis, our most basic common link is that we all inhabit this small planet. We all breathe the same air. We all cherish our children's futures. And we are all mortal."

Of these most shared human traits, the only one that brings universal joy is our love for our children. The state of Oregon, therefore, thanks you for helping us to manifest this love in a way that will last, generation to generation, long after our children become parents, and their children do, too.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Kitzhaber". The signature is fluid and cursive, with the first name "John" being the most prominent.

John A. Kitzhaber, M.D.  
Governor

JAK/sp

## **Distracting members from failures**

We also believe the church uses testimonies to distract members from failures. After our son's death from meningitis became publicized, many testimonies were published with healings of meningitis. We believe if the testifiers or their children really had meningitis at all, it was the viral form, which is not treated with medicine and is usually self-limiting, rather than the bacterial form, which is usually fatal without antibiotics.

After toddler Robyn Twitchell died of a bowel obstruction, an adult woman testified that she didn't have a bowel movement for three months and then Christian Science healed her.

The church has a harder time finding healings of diabetes to talk about, but the front cover of the *Christian Science Journal* for July 26, 1999, proclaims "diabetes healed" in big letters. The church has a zap strategy: one healing cancels one failure.

## **One healing proves system scientific**

What continues to be disturbing about the modern testimonies is that church members believe one anecdotal healing is evidence that Christian Science is a scientific system for healing everything. One James Heiland testifies that he went to a Christian Science Sunday school as a child even though his parents were not Christian Scientists. At eight years old he woke up one morning unable to move, so his parents took him to a hospital, where he was diagnosed with pneumonia and a collapsed lung. They were told "the collapsed lung had to be removed so surgery was scheduled for two days later." The child prayed during the night and was healed. The healing was confirmed by x-rays and the boy was sent home.

"After this healing I knew that Christian Science was the best way to follow," Heiland writes. He has raised his four children in the faith and has become a church-accredited practitioner promoting exclusive reliance on spiritual treatment. *Christian Science Sentinel*, Sept. 22, 1988:1773-4

Medical doctors simply do not remove a child's collapsed lung. The lung may reinflate on its own or with use of a catheter. The child surely misunderstood what the doctors told him.

Pneumonia does not resolve overnight; that was either a misdiagnosis or another misunderstanding. Waking up one morning unable to move does not

sound like a symptom of pneumonia, especially not the first symptom one would notice.

You cannot, however, shake a Christian Scientist's faith in this ostensibly medically-verified miracle. The church reprinted Heiland's testimony after I publicly criticized it as very misleading, and a church apologist complained that I had "mocked" the "healing."

## **What's changed and what has not**

In final observation on the church testimonies, the modern ones are less offensive in their style and in what appears to be happening to children. However, they are designed every bit as much as older ones are to show that Christian Science is a perfect, reliable system for healing all disease and, ironically, by claiming verification from physicians.

## **Withholding information prevents free and rational choice**

As ethics professor Margaret Battin points out, the Christian Science church has no controlled studies to indicate the probability of its healing anything. It does not report or keep track of its failures; the testimonies are full of "false positives" giving the faith credit for healing self-limiting conditions. The church "compromises the possibility of autonomous choice" by withholding information and base-rate data. "The basis on which a Christian Scientist makes a choice [for spiritual treatment] is not rationally defensible," she concludes. Battin, *Ethics in the Sanctuary*:96-99.

To an outsider with critical thinking abilities the testimonies do not prove that Christian Science heals disease and certainly not that it is safe to rely on when a child is sick. Church members, however, are predisposed to believe that God heals and those testimonies are how God becomes real to them. Their power is also enhanced by the fervent sincerity of the testifiers and the veneer of science.

## **Gifts from Atheists for Human Rights**

CHILD gratefully acknowledges gifts from the Minnesota-based Atheists for Human Rights. For the past two years this organization has chosen CHILD to receive the offering it takes up at its winter solstice gathering.