
Journal of the Task Group on Child Custody Issues

of the National Organization for Men Against Sexism

Volume 4, Number 1, Summer 1992 (Fourth Edition, 2001)
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Is a Convicted Child Molester Entitled to Unsupervised Visitation?

by Michelle Etlin

A month ago, flying back from Dallas to Philadelphia with a mother whose child was taken from her and handed over to her biological father/molester in a "custody battle," I tried to listen to the casual conversation of a Scandinavian family seated in front of us, rather than think about my most recent failures. "Airplane, airplane," said the bright flight attendant to the two-year-old dumpling child with big blue eyes. "Apay, apay," he answered. We all chuckled with appreciation, but my mind strayed again, and I heard myself say, out loud, "Airplane, airplane, truck, truck, train, taxi, key, computer, telephone, rape, HELP!"

Phone, phone. It rings and there is more pain, as long as I pay the bill that arrives inevitably with tones of ever-increasing indignation and scolding demand.

I remember the first call from Mary, the Antepenultimate Mother. Working as a legal secretary in a large, patriarchal law firm in D.C.

to support my habit of trying to help mothers of molested kids, I received calls during non-working hours — any hours. The story she told was typical (molested

child, custody battle, disbelief in the court system, punishment for the mother) with one exception — this particular father-molester was actually **convicted of child sexual abuse before the custody battle started!** After Mary, her attorney called me, and we spoke for a while about strategy. I thought there might be a possibility of a mandamus to force the judge to consider medical evidence showing that pre-school "Katy" had been molested, as had her older sister. I agreed to do some research. The attorney would call back the next day. When? she asked. Seven o'clock. In the evening? No, in the morning. I explained that my first call came in at 5:00 a.m. from my New Jersey colleague, then at 6:00 a.m. I would hear from the

Photocopy from the transcript of Dan's trial.

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1 THE COURT: Any arguments as to whether
2 or not the statement of facts is sufficient to
3 constitute the offense charged?
4 MR. KEARNEY: No, sir. Merely for the
5 record, I would make a motion for judgment of
6 acquittal since it is a not guilty.
7 THE COURT: Any argument?
8 MR. KEARNEY: No, sir.
9 THE COURT: Based on the statement of
10 facts, I am convinced beyond a reasonable doubt and
11 to a moral certainty that the defendant is guilty
12 of violating Article 27, Section 35A, that is,
13 child abuse, and a finding of guilty will be
14 entered. Based upon the agreement, I will order a
15 presentence investigation report, I will suspend
16 the imposition of sentence and for a period not to
17 exceed two years and place the defendant on
18 probation. During the interim period, conditions
19 of probation are that he is to be evaluated by Dr.
20 Scoville and to participate in the group therapy
21 program for sex offenders operated by the
22 Department of Health and Mental Hygiene here in
23 Harford County. And in addition, I would want an
24 evaluation report from Dr. Berlin. The treatment
25 there is optional as to whether or not he should

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Notes From the Editor

Greetings y'all,

In *Mothers On Trial*,¹ Phyllis Chesler asks:

Question: Is a Father Who Murders His Wife Still Entitled to Legal Custody of His Children?

Answer: Yes.

On August 29, 1978, in Illinois, Lonnie Abdullah bludgeoned his wife Anna, to death with a large kitchen knife. Mr. Abdullah was found guilty of first-degree murder and imprisoned for sixty years. The state moved to have his three-year-old son legally adopted. The imprisoned father contested the proposed termination of his parental rights. In 1980, the Illinois Supreme Court decided that a murder conviction was not sufficient reason to automatically deprive Mr. Abdullah of his paternal rights. ²

This issue of the Journal is devoted to an analysis of a similar question:

Question: Is a Father Who Is a Convicted Child Molestor Still Entitled to Unsupervised Visitation?

Answer: Yes, maybe, yes, yes, no, maybe.

Michelle Etlin [Mothers Opposing Misogynist Systems ("MOMS") 2114 Florida Ave., NW Washington, DC 20008 (202) 462-3197] presents a powerful critique of this question from her vantage point as prime advocate for the mother.

¹*Mothers On Trial*, Phyllis Chesler (The Seal Press, Seattle, 1986), p. 30.

² In re Abdullah, 80 Ill. App. 3d. 1144, 400 N.E. 2d 1063 (1980). In re Abdullah, 85 Ill. 2d. 300, 423N.E. 2d 915(1981). Reversed three years later.

Membership Information

An X after your name on the label means that your membership in the Task Group has expired (C means "Complementary"). Membership is \$10 per year. Back issues are available for \$2 each (2 issues for each of the last 4 years).

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physician in Philadelphia, so that by 7:00 a.m. I could deal with new mothers, but I had to be at work by 9:00. Mary's lawyer was shocked at that schedule, even more shocked that these cases were so rampant that I had to set aside two early morning hours for "new mothers." I thought about it for the first time in the five years I had been doing it — car, cab, phone, bus, metro, work, type, smile, phone, library of congress, phone, mandamus, rape, help! Then I wrote The Antepenultimate Mother.

Mary's ex-husband, the toxicologist, had molested the older daughter, been convicted and sentenced to probation and "therapy," and then been granted unsupervised visitation with the younger daughter while still on probation. This made me stop blaming myself for cases where I had not been able to gather enough evidence to save children from this kind of atrocity. Obviously, no amount of evidence — even conviction — mattered. The merits do not matter. As my guilt dissolved, it was replaced by a solid and irremediable misery.

The story:

Mary had two girls by a previous marriage when she married Dan, a resident of Harford County, Maryland. She was from Kentucky, a horse-show judge. Mary was pregnant with Dan's child when her younger daughter was molested. That child [we will use the name

The Antepenultimate Mother

By Michelle Etlin

"My colleague," I call the woman whose voice has become my 5 a.m. announcer. How many years have I depended on her call to wake me from the stupor I call sleep, that drugged escape from one mother or the other?

"My colleague got me a white beret," I brag, showing that a woman who has a colleague, and especially a colleague who buys her a hat, is quite substantial—even respectable. This is more, I think, than work, failure and misery.

Yes, mother by mother, my colleague and I climb hand over right-hand over left-hand achingly up the totem pole of sublimated motherhood, right hands not knowing what left hands suffer, each annihilated mother getting crazier and tougher.

"My colleague's calls" are harder, now, to tolerate. Since we've gained notoriety for our expertise, we use a brutal short-hand for the war-room talk: "It's-ritual." -Right- "The g-a-l's involved." -Got it.- "Prerogative Writ?" -Might try.- "Can she go pro se?"

We solemnly survey the bloody field, so littered that our clumsy triage stumbles us along, numbed, half the time dumbled, always bummed, and never resting. And oh, I forgot to mention to my Colleague that the ex of the antepenultimate mother is a toxicologist.

"Debbie"] was 11 years old at the time (July, 1986). She went to the garage to tell her step-father it was dinner time. He ordered her to take her clothes off, in a "soft but commanding" voice.¹ Dan is over six feet tall and weighs more than 200 pounds. Debbie obeyed him and undressed. Dan "began to lick her all over her body" with his tongue and then "fondled" her and told her she was "special." He penetrated her vaginally with his tongue and a finger; then he "let her go." Debbie was "confused" and didn't tell her mother at first. He apparently repeated this kind of behavior at least twice more, and then allegedly beat her on another occasion, all, it seems,

during the month of July.

Mary was scheduled for a trip home to Kentucky, and since she did not know about Dan molesting Debbie, she left the girls with him. Before she left, Debbie slipped a note into her handbag, saying "he molested me." When Mary arrived in Kentucky and discovered the note, she called home. Dan did not admit or deny the allegation, but asked her, "if you knew, why didn't you say something before you left?" She was convinced, by his reaction, that he was dangerous, so she had friends pick up her children (which he could not prevent because they were not his biological or legal property, being step-children) and keep them safe until she returned.

When Mary returned, she began to deal with the situation in the accepted manner. The immediate result was a separation and an indictment against Dan for four counts of child abuse. Three counts were for sexual abuse (in ascending order: child abuse, second degree child sexual abuse, and third degree child sexual abuse) and one for assault and battery. Dan was arraigned on February 17, 1987. On March 3, 1987 he posted \$20,000 bond with strict conditions: NO CONTACT with Debbie, the child witness; NOT TO GONEAR the house where Mary and the children lived on Churchville Rd.; NOT TO BOTHER, harass or threaten the family; and to support the family.

Two days after was arraigned, on

March 5, 1987, he brought a motion for visitation before Judge Maurice Baldwin. Judge Baldwin played a peculiar part in these proceedings from the start. A mere two days after his fellow judge **ORDERED** Dan to have **NO CONTACT** with Debbie and issued a restraining order against his approaching the house, Baldwin granted Dan visitation with her newborn baby sister in an "oral order." Mary was precluded from giving testimony in that hearing. The decision was made "in chambers," not in open court. Details of the logistics of permissible visits are absent from the file.

On April 11, 1987, when Mary went to the grocery store, Dan entered the house on Churchville Rd. and "came into contact with the alleged victim." Debbie's older sister "sought emergency assistance through 911." The police arrived, after which "the defendant [Dan] left the premises." The report said was "very threatening to 12-year old [Debbie]" and that his actions were "having a detrimental effect on her well being."

A Witness for the Defense Gets to be Judge

The prosecutor brought a motion to have the court revoke Dan's bond. Five days later, Dan's criminal attorney wrote a letter to the Clerk of the Court, enclosing the response to the bond revocation petition. (The Defendant had not been taken immediately from the child's house to jail, but allowed to return home to start more legal proceedings.) The letter requested that the matter "be assigned to Judge Baldwin, inasmuch as he has prior knowledge of prior orders of the court which directly relate to the matter requested by the State of Maryland. In the alternative, it is requested that the case be scheduled at a time that would be convenient for **Judge Baldwin to appear and testify should that become necessary.**

Michelle Etlin is . . .

I'm an uneducated and unpedigreed woman who spent more than 40 years traveling from one form of abuse to another, learning how abusers work, learning what to expect from their passive and active collaborators, including the courts, the press, the public, even the "children's rights" organizations. During that time I supported myself, my son, my beneficiaries (mothers and children) and my abusers by working as a waitress, a child-care provider and a legal secretary. I'm also an unpublished writer and poet.

Since 1980, I have helped mothers whose children were being taken away by misogynist courts. I have done this on my own, whatever way I could, ad hoc, funded out of my own pocket and by whoever else would take part in this crazed crusade. The reason I did it was that I was personally victimized in the

pro-abuser courts of Fairfax, Virginia and the abuser-enabler courts of Portland, Oregon. In the process I learned that **NOBODY HELPS THESE MOTHERS.** The most anybody does is give seminars and talk about how bad the situation is. **NOBODY GIVES DIRECT SERVICES.** In 1980, **NOW** told me they couldn't help me because they supported joint custody so mothers could work. In 1987 the Women's Legal Defense Fund told me they couldn't help me because I had "stolen" my child. In 1988 the Children's Defense Fund said they couldn't help me because they didn't have the resources to provide direct services. In 1990 the ACLU told me my son's first amendment rights weren't politically relevant.

I am the founding mother of "Mothers Opposing Misogynist Systems" and am now organizing "Survivors Unite, Say No." Moth-

Thanking you for your attention to this matter ..." A copy of this letter went to the prosecutor.

In other words, the judge who was asked to hear this bond revocation hearing was also being contemplated **as a witness for the defense** in the criminal case — Judge Baldwin, the very judge who took over the custody case and ultimately gave sole custody to the convicted molester, declaring that the mother had "serious psychological problems." Most shocking: Judge Whitfill, the judge who granted unsupervised visitation to the molester, was forced to withdraw from the case upon the mother's attorneys' request, since her attorney insisted he could not give her a fair hearing. He was

replaced by Judge Baldwin. A picture emerges of two judges playing a grotesque kind of touch-tag, involving the county mental health department, social services, and the prosecutor. The net result was that a convicted child molester has unrestricted **rights of access to a five-year-old girl.**

On April 14, 1987, Dan was back in court on the bond revocation hearing, but still his bond was not revoked. His written answer filed in response to the motion to revoke his bond said that he "acknowledge[d] that he was indicted ... by the Grand Jury ... for various offenses and that on March 3, 1987, the Defendant [posted] bond and conditions of pre-trial release were set ... That the

ers call me all day and all night. I try to help them. I was on trial with Kitty K (the “Norma Rae of the Mothers’ Movement”), in Iowa, in February of this year. I will be writing up that trial and its implications for the next newsletter, per Jack Straton’s most appreciated and most generous promise. I am now putting out a call for donations to get that issue into press as quickly as possible. This will also become the proposal for the book ON TRIAL WITH KITTY KRUSE that, I hope, will bring this case and cases like it to national prominence.

[bond] did, as alleged, contain the conditions [of no contact/no appearance at house].” Dan went on to insist that he was “specifically granted visitation by an oral Order of the Court [by] Judge Baldwin ...” He went even further. In April of 1987, less than a month before he admitted molesting Debbie, he filed papers saying:

“The instant case is an outgrowth of a domestic case ... and the Defendant **vehemently denies each and every allegation of the indictment.**”²

“That the instant charges were **precipitated by the Complainant [mother] as an attempt to force a more favorable settlement in said domestic matter.**

“That the State’s Attorney’s Office of Harford County is aware of the conflicting orders of Court concerning the **right of the Defendant to have visitation with his child.**”

That Answer wanted the court to continue his bond, and to deny the State of Maryland’s motion to revoke it, and furthermore, he had the unmitigated gall to ask the court to:

“**Allow the Defendant to have the current visitation as outlined by the Honorable Maurice Baldwin on March 5, 1987.**” ... and to “Grant such other and further relief as the nature of the Defendant’s case may require.”

Silencing Debbie

In other words, Dan was still seeking to use visitation to harass the family and to silence Debbie so he could avoid the criminal consequences **and** get a favorable settlement on divorce. The plan backfired only because Debbie was another man’s biological child, so the indictment went forward.

Obviously, felt he stood a better chance of cutting a good deal with these sympathetic (even helpful) judges if he appeared to admit his guilt than if he had to endure a speedy and public trial — which would be too public for his taste and could not be controlled as well as a plea bargain.

Interestingly, an order appears in the criminal file dated May 4, 1987, after the bond revocation hearing, signed by another judge, neither Whitfill nor Baldwin, but Judge Broadnax Cameron. It maintains the \$20,000 bond and adds, in **CONDITIONS: “OBEY ALL COURT ORDERS.** Absolutely stay away from [the house on] Churchville Rd. Stay away from [Debbie].” [Emphasis in original.] The criminal court was having a hard time

keeping away from his victim-witness. Neither Judge Whitfill nor Judge Baldwin, however, was particularly concerned about that problem.

After ’s lawyer failed to get rid of the criminal charges, the bargaining began. Three counts were dropped and was allowed to plead innocent on a “not-guilty statement of facts” — a special legal maneuver designed to encourage defendants to save the state money prosecuting them.³ Dan said very little in the plea and sentencing hearing — The not-guilty statement of facts was accepted instead of a guilty or nolo plea because, according to the judge, there would be “job repercussions” if Dan entered a guilty plea. He was agreeing, in effect, to let the judge **find** him guilty as long as his employer would not find out. The employer was the federal government.⁴ Dan now works for EPA, having been fired from the Aberdeen Proving Ground when working for the Army.

Dan’s criminal transcript reveals that he sought probation before judgment based on the fact that he admitted and acknowledged what he had done. **One month earlier he had filed papers “vehemently denying” it and blaming the problem on Mary.** When he failed to get suitable “visitation” and it looked like the charges could not be disposed of, he admitted he had done something to his step-daughter **once**, and was willing to go into therapy about it.

His sentence: **If** he obeyed all the pre-judgment probation rules for two years he would receive five years on supervised probation, when 15 years in prison was the possible alternative. The pre-judgment probation rules for two years:

- (1) He was to enroll and participate in the Harford County Mental Health program of group therapy for sex offenders run by Dr. Ralph Scoville. Judge Whitfill,

who was familiar with Dr. Scoville's techniques, told that he had to **talk** and participate in group therapy, not just sit there. The judge admonished him to be genuine in therapy, because Dr. Scoville "rates" his patients "on a scale of one to ten."

- (2) He had begun individual therapy with Dr. Fred Berlin of Johns Hopkins. He was to continue with Dr. Berlin **if Dr. Berlin recommended it**, and the Court expected a report from Dr. Berlin as to his recommendation.
- (3) He must not contact the victim-child, Debbie, without **both** Debbie's consent and the permission of the Court.
- (4) He was to have only **supervised visitation** (by the Department of Social Services of Maryland) with the new baby.
- (5) He must support his family.
- (6) He must pay for all therapy needed by Debbie and any other family members who needed therapy because of what he did.

If he did all this in the two years he was given to do it in, he could get five years' probation rather than 15 years in prison.

The record of Dan's therapy was spotty. The sentence was read on May 11, 1987 in Criminal Court #12467, Harford County. By August, Harford County Mental Health wrote to the court because had missed four weekly sessions within a two-month period. Another probation revocation hearing, another narrow escape, and evidently 's lawyer advised him to at least show up at therapy sessions. There is no report in the file of any contact with Dr. Berlin at Johns Hopkins — evidently he was originally seen as a possible witness, should the case go to trial, and when he did not appear cooperative enough for the molester

to call upon in the future, he was dropped. The Court did not follow up with Dr. Berlin, who apparently had diagnosed Dan as a "paraphiliac" but who did not want to get involved, when last contacted. He said that he would testify, if asked, that paraphilia is never "cured" and that no child was safe in the unsupervised care of a paraphiliac. But he then declined to testify at all, choosing the path of no involvement.

Dan's Real Sentence: "Choose any Therapist You Like"

By March 22, 1988, Dan came to court seeking relief from the order that he attend the group therapy program run by Dr. Ralph Scoville. He wanted, instead, to attend therapy with a person named Mary Derbyshire. Derbyshire is not a county employee, is not affiliated with the Harford County Department of Mental Health, but rather works for a private counseling center by the name of Riverside Mental Health Center. Yet the judge approved the switch from Dr. Scoville's program to allow Dan to "cooperate and participate in all treatment as recommended by Dr. Scoville and Mary Derbyshire and continue until released by Dr. Scoville and Mary Derbyshire or by the Court." In other words, the necessity to complete the program and earn "10 out of 10" with Dr. Scoville has now been eroded to cooperating and participating in something that the convict requested, to be released by any of three parties — the court, or Dr. Scoville himself, or this new person, Mary Derbyshire. There are no guidelines as to who must approve or report to whom. In spite of the cost to the taxpayers of the proceeding called People of the State of Maryland vs. Dan, they are not even informed about the danger or safety of this convicted criminal in their midst, even while he is still on pro-

bation.

Early in 1988, less than a year after his provisional sentence based on two years' compliance, wanted his criminal finding "stricken" so that he could be decriminalized although he had agreed that he committed the acts charged. In other words, rather than coming to a condition of admitting his crime and wanting to change his manners, he seems to have gone further into denial, wanting his criminal status changed as if he had never even acknowledged it. Now, in 1992, after spending years trying to gain unsupervised access to Katy (the child he had never even met when he was convicted), he has never, after all his "therapy," sought to mend his relationship with Debbie by offering his apology to her in a supervised setting with her therapist. In fact, he did not want to pay her therapist, and is surprisingly uninterested in demonstrating his "cure" by making amends in the life of his step-daughter.

Meanwhile, as indicated, no report from Dr. Berlin appears in the criminal file. Dr. Berlin is apparently a practiced expert witness, and it may have been that originally, wanted to call him for the defense but, since he diagnosed him as a "paraphiliac," chose not to do so. It appears likely that was trying different professionals to see who would be most favorable to him for testimony. Ultimately, Dr. Ralph Scoville of Harford County Mental Health was very useful. It is possible that Mary Derbyshire was more pleasant; apparently Dr. Scoville's group requires admission of the act in order to participate.

Each time the prosecutor brought in a violation of probation, the father asked for a further relaxation of the sentence, until finally, there was no sentence left to speak of, the probation was "unsupervised," and the criminal matter was politely "forgotten."

In February, 1992, Debbie's therapist wrote that her bills had still not been paid. She had contacted the father's lawyer, who "stated that he could not see why treatment was still occurring for [Debbie] for the sexual abuse." She recited her answer to the attorney, that these injuries took years to recover from, and advised that she could not "postpone taking action on it for much longer," because the bills were long overdue. Another probation revocation hearing followed.

In the paperwork, we find the following progression:

1. Dan was sentenced for child sexual abuse on May 11 1987.
2. On March 22, 1988, the Court struck the guilty verdict and entered probation before judgment, placing Dan on 5 years supervised probation with conditions.
3. On May 6, 1991, Dan made a motion to terminate his probation, and the Court placed him on **unsupervised probation** for a period of five years from March, 1988. (Thus the probation is unsupervised, but it does not end until March, 1993.)
4. Dan has refused to pay for his molested daughter's therapy.

That hearing ended; the State simply withdrew. Probably the upshot of the hearing was that Dan paid the bill, so the fact that he had refused and been forced to do so by putting everyone else through agony was again ignored. The pattern had been clearly established: Dan could deny his actions, refuse to obey court orders, manipulate the courts, and then use a **good offense** as his own **best defense**. In fact, he became so offensive with his **good offense** that he managed to get the compliant court to help him with the standard **good offense** in custody battles: the "crazy mother offense."

The "Crazy Mother" Offense

The "Crazy Mother Offense/Defense" goes like this: any objection the mother makes to the father's behavior is evidence of her craziness. This is a direct result of this culture's belief that a good, sane mother is subservient, so objections to paternal behavior are evidence of maternal misbehavior and insanity. This paradigm was used even in the case, where the father's crime resulted in criminal conviction. Even though the crime of child sexual abuse was documented, it was minimalized so efficiently that within a year, the case came to be regarded as a custody case with respect to the baby daughter.⁵

Instead of saying the allegations were false, the father's position was that the conviction was irrelevant because the father was cured, so the mother was paranoid for not wanting to give him access to Katy. The County Departments of Mental Health and Social Services were both complicit in exposing Katy to the danger of (and probably the act of) being molested. The Department of Social Services failed to properly investigate the risk and actual damage to Katy, although Mercy Hospital in Baltimore reported suspected child sexual abuse to them. As to the Department of Mental Health [sic], Dr. Ralph Scoville, Clinical Director, director of the program in which Dan "served his sentence" for molesting Debbie, testified in court on January 8, 1992, in answer to the question of whether Dan had been or could be rehabilitated, as follows:

"I mis-spoke. His treatment has been completed and he has been rehabilitated." Transcript, 1-8-92, p. 39.⁶

This cleared the path for Judge Whitfill to order the unsupervised visitation the mother opposed, seemingly because of her "paranoia" or

"vindictiveness."

Visitation Between a "Father" and a Child With Whom he is Unacquainted: Biological Property as the Judicial Norm

The following quotes from Judge Whitfill are taken from transcripts of his various decisions giving Katy to her biological father in increasingly dangerous unsupervised settings:

3/15/91:[The judge ordered unsupervised visits starting immediately in the middle of taking testimony on the wisdom of such an order. Granting a continuance, he allowed interim **unsupervised** visits.]

* * *

"I made previous findings that there was not a basis to deny visitation, other than the fact that [Dan] **was not acquainted with his daughter since he had never met her**. . . . We have now had 16 supervised visits. . . . [No problems were reported.] . . . There is no reason to subject [Dan] to this [continued supervision of his visitation with Katy.] [page 139]

6/13/91:"I recognize [the mother's] fear, and I quite frankly am convinced that a substantial part of the problem is fear. . . . Mr. Roosevelt said there is nothing to fear but fear itself. Sometimes fear is totally overpowering. . . . It is interesting to me that the only evidence of touching, [the mother] , and what I feel is inappropriate, is by you.

. . . Your checking this child out to see if she was abused is totally inappropriate. I think it creates additional

problems for the child. [the mother said that when she diapered Katy for the night, she unobtrusively checked for redness or irritation.]

[Judge Whitfill then criticized the mother for teaching Katy not to ask for help in the bathroom during visits to her father — to do it herself. The judge said that would scare Katy and make her suspicious of the father without cause.] “I don’t downplay the fear you have, but if you’re scared, this child is going to be scared.” [The mother is blamed for any fear on the part of the child.] * * *

“So, if the only thing important in life, if there was only one objective, and [that was to] go through life without being sexually abused, then life would be fairly easy. **Put the child in a locked cage and have several people to open the door and feed them and what have you, and then they wouldn’t be sexually abused, and that would be it.** . . .

“But when that becomes the overriding criteria, I saw the child a couple of times yesterday. She’s an active child. She’s not afraid of me. I stuck my head in the jury room door and I said ‘hi,’ and she said ‘hi’ back. When I started into the courtroom she came to say good-bye. **So, she’s not afraid of men.** ... **So, I think that we have got a pretty healthy child here at the moment,** and I think that [if] we evaluate this child, we may destroy her with that. [Health is equal to a good relationship with men; evaluation is danger-

ous to her continued good relationship with men.]

* * *

“If she lives out the rest of her life and only sees her father in a supervised setting, she will be screwed up.” [pages 5 - 8]

10/7/91: “Everybody knows there will be other adults there during the visits, and please, somebody help with the kid when she needs to go to the bathroom. Don’t leave a four-and-a-half year old out there having to tend to herself for that. * * * We had a study on gender bias. I have read some recent studies. There is a substantial amount of abuse committed by females. . . .

“In terms of who is there, I am not going to —. [Dan’s] son is acceptable at the moment. The probability of abuse here is low under the information we have got now. When you put another adult there, you further reduce the probability. . . . There may be some conspiracy of [Dan] and his son to go out and trail little children, but I have no evidence of that. Just as likely that Mrs. is the secret abuser, the closet abuser.”

[Now the judge has revealed his attitude about child molesting. He regards it as a **sexual preference**, not a crime. Since Dan has already admitted that he molested Debbie, he has status as a person with a certain sexual preference who should not be discriminated against. The mother, however, may be a “closet abuser,” so she is actually more suspect in terms of risk to the child than the admitted child molester. This is an example, albeit an extremely bi-

zarre one, of the general technique of inversion blaming, wherein the innocent, preferably the victims, are to be blamed for unacceptable behavior committed by patriarchally-immune persons, **if the unacceptable behavior can even be proven.** This discourages proof.] * * *

“So, we have reduced the chances so low, let’s don’t get paranoid about it. . . . I have trouble with what justifies, other than fear, [supervising the visitation]. ... I don’t say to anyone what I will do guarantees anything. I usually say it greatly reduces, and if I really believe that, you know, everybody talked about Dr. being an intelligent man and the ability to manipulate, and what have you. That intelligence says don’t get yourself sent to prison. . . . The need for gratification, that he would go out and abuse this little child while being watched by this many people, certainly, the psychiatrist should be able to identify the man’s insane, and nobody’s diagnosed him that. . . . Even Dr. Raifman didn’t diagnose him as having any personality disorder or any mental condition recognized by the DSM III. [The DSM III was out-dated by the time of this transcript, and the DSM III-R was almost out-dated. The current volume, DSM IV, recognizes paraphilia, the diagnosis given by Dr. Berlin of Johns Hopkins.] He found one that Dr. Berlin has come up with that’s not been recognized by the DSM III. ... So, this man has been evaluated. He is not mentally ill. He is not suffering from a personality disorder. He has been convicted of and pled guilty to sexual abuse. And we are dealing with intelli-

gent people here. . . . So, I am not inclined to come back and impose the stranger's participation [visitation supervision, that is]." [pages 10 - 19] . . . "I just don't believe there is justification on all the evidence we have had of placing that additional burden [of supervision] on this relationship [between father and child]." [page 20]

2/18/92: "The only reason I had not transferred custody to Dr. long ago was because of his having had the conviction of child abuse. We have had independent evaluations conducted by Dr. Gombatz [brought in to evaluate father **and mother** when father wanted unsupervised visitation in spite of still being on probation for molesting Debbie] finding the only reason Dr. required any supervision was to protect **him** from charges [by] Mrs. In terms of risk to the child, they found absolutely none. . . ."

Meanwhile, In the Real World

This describes the legal situation. The events in the real world that took place parallel to the court case are as follows:

Jul. '86: Dan molested Debbie several times and beat her once. She was afraid to tell.

Aug. '86: Debbie let her mother know Dan had molested her. Both girls were removed from the home and protected by friends until Mary returned from Kentucky.

Late '86: Dan and Mary separated. Mary sued for divorce — **after** the incident of incest,

because of it, not before it.

Jan. '87: Grand Jury handed down an indictment, 4 counts of child abuse against Dan.

Feb. '87: Dan was indicted, 4 counts of child abuse.

Mar. '87: Dan was arraigned and the bond was placed with conditions, including no contact with Debbie and restraint from going near the marital home.

Mar. '87: Dan got visitation immediately and went to the house to "exercise visitation"; apprehended by the police.

Apr. '87: At the bond revocation hearing, father's lawyer requested Judge Baldwin or, in the alternative, to have him testify as a witness on the defendant's behalf.

May '87: Unable to get rid of the charges or intimidate the witness, Dan plea bargained down to conviction for one count of child abuse. "Sentenced" to therapy with Scoville, no contact with Debbie, only supervised contact with the infant daughter Katy.

Aug. '87: First violation of probation hearing for absence from therapy.

Mar. '88: Dan wants his conviction stricken and relaxation of the requirement to participate in the sex-offender group. Granted relaxation.

1989-90: Dan got supervised visitation with the baby and wanted unsupervised visitation with her. Mother opposed it.

1991: Dissatisfied with the psychological testimony given to date, the judge called in a new psychologist (with the collusion and cooperation of Social Services) who had never treated Dan for sex offense — a Dr. Gombatz (not an M.D.), from Annapolis. Obviously he was brought in to write one of the common anti-mother reports downplaying the father's actual abuse of the daughter and concentrating on the mother's perceived "psychological impairments" for objecting to the abuse. Gombatz tested Mary as well as Dan, as though there were some reason to evaluate a mother to find out if a father was still likely to molest children. In taking the MMPI, since Mary has eye trouble, she asked that the questions be read to her so she could answer them in the right slots and not mix up the test score. Gombatz refused. She had to come back two days to complete the test. She told Gombatz she had put one whole page of answers in the wrong column, and wanted to correct it. He refused and "diagnoses" her as "histrionic and paranoid," saying custody of the four-year-old should go to the father — gradually, step-by-step — because the father was not diagnosed **by him** as having any illness. Of course, the diagnosis by Dr. Berlin of **paraphilia** (which, like alcoholism, can never be "cured" but only "controlled") was ignored. Judge Whitfill ordered unsupervised visitation. The mother complied.

May '91: Katy came back from an unsupervised visit with genital injuries. Mercy Hospital

The Paid Mother-Blamer

in Baltimore diagnosed “abnormal genital exam consistent with but not conclusive for fondling of external genitalia. Possible healed genital sexual injury.”

June '91: In court, the mother reported the evidence of abuse, but the judge excoriates her for looking at her daughter's genitals, and orders more unsupervised visits.

Aug. '91: After more evidence of child sexual abuse, the mother fled with the child.

91-92: Judge Whitfill, and later Judge Baldwin (who was originally proposed as a witness for the defense in the criminal trial), blamed the mother for escaping the obvious exposure of her daughter to risk of child-rape, tried to criminalize her legal actions, and tried to order out-of-state law enforcement officials to jail her and send the child to the father she hardly knew and who probably had molested her. Meanwhile, the litany the father and his attorney repeated was that the mother was crazy and that nobody should make an issue of child sexual abuse because it was not realistic to regard this “cured” man as a child-molester.

Activists Turn Up the Heat

On May 21, 1992, the Alliance for the Rights of Children, Inc. (ARCH) joined three other organizations and drew up an Amicus Curiae petition asking the Court to have the father evaluated and reported on by Dr. Berlin of Johns Hopkins Medical School before any further attempts to place Katy in his unsupervised care. Judge Baldwin, formerly identified as a witness for the defense in

SUGGESTIONS FOR INDIVIDUAL ACTIVISM [Please note that this newsletter is over 16 years old, so a number of these suggestions are inappropriate now. Ed 2008.]

By Michelle Etlin

1. Write to the Governor of Maryland, calling for a special prosecutorial investigation of the case. Also write to Congressperson Constance A. Morella (R-Maryland), 1024 Longworth Bldg., Washington, DC 20515, asking her to contact Shannon Royce in the office of Senator Charles Grassley (R-Iowa) to join his staff calling for federal investigation.
2. Write to the American Psychological Association and demand investigation of Dr. David Gombatz from Annapolis, MD. and any program with which he is associated; Dr. Ralph Scoville and his program with Harford County Mental Health, and a Mary Derbyshire at Riverdale Mental Health in Aberdeen, MD.
3. Write to the Judicial Disabilities Committee of the State of Maryland demanding that Judge Whitfill and Judge Baldwin be removed from the Bench immediately, and that

Dan's criminal trial for child sexual assault, turned down the petition point blank, even after almost 60 citizens of Harford signed it that very morning.

It was clear that the court had one intention: to hand Katy over to a convicted child molester, not to evaluate the possible results of such a fool-hardy act. The court was also prepared to blame the victims of this disgraceful proceeding — the mother and ultimately the child — rather than taking responsibility for the mismanagement of a criminal and civil case. Joining the court in

Judge Baldwin be investigated for prosecution for criminal fraud.

4. Call the Harford County Mental Health Department and demand the right to present men's anti-rape awareness training to the participants in the various sex-offender groups they conduct, and insist that these be presented by qualified facilitators who are accountable to rape survivors, such as women from the Washington, D.C. Rape Crisis Center (DCRCC) and men from the Ending Men's Violence Task Group of NOMAS. Demand that the prosecutor never allow a participant in these programs to “graduate” without a conference with a DCRCC- or NOMAS-approved facilitator in open court.
5. Call EPA and inquire as to what “job repercussions” there would be if Dan were guilty of molesting a child, and inform them of criminal case 12467 in Harford County, MD.
8. Write letters to the editors of the Lexington, Kentucky newspaper and the Baltimore Sun, decrying the actions of the guilty in this disgraceful proceeding, and naming names.
9. If you can, write a check to *Mary's Help Fund* (PO Box 12902 Lexington, Kentucky, 40583-2902) to

a refusal to act responsibly and, in our opinion, in criminal acts of child endangerment, were:

- Harford County Mental Health, especially Dr. Ralph Scoville
- Harford County Child Protection Services
- Dr. Gombatz, obviously a “hired gun” for sex offenders
- Jay Robinson, Harford County Prosecutor's Office
- Mary Derbyshire
- Others, named and unnamed, who use one excuse or another to

cover some of the expenses of the organizations assisting Mary and her daughter Katy.

10. Call your local judges and courts, asking them to convene the judges and prosecutors at a time when you can offer them a training in this case and the ramifications of this case.
11. Convene a "library forum" in your public library one evening to discuss this case and others like it to the public, to educate them about the threat to women and children from courts and prosecutors who enable and excuse incest.
12. Call the professionals in your area and ask them to discuss this case with you. Take notes of their reactions and suggestions, and send the information to Alliance for the Rights of Children (ARCH, PO Box 3826, Merrifield, VA 22116, 703-225-2643). If they respond in a refractory manner or tell you that this may have been a case of a vindictive ex-wife or a "crazy mother," let us know who they are for our "WATCH OUT" list.
13. Write to the American Academy of Child Psychiatrists and ask them to hold a regional meeting in Kentucky and another regional meeting in Maryland to discuss this case and identify the problems their profes-

enable persons like Dan to manipulate, misuse and abuse the court system to grant them access to victims in the name of "parental rights" and "custody."

About a dozen ARCH members and board members immediately set about calling and speaking urgently to the various professionals involved, to back up the impact of the demonstration in front of the courthouse. Mothers from Kentucky who had heard about the proceedings and others who had attended the

sion has been involved in, contributed to, or tried to solve. Ask them to write up the results of these meetings and to publish them widely.

14. Call the Harford County Circuit Court and demand that the Amicus Curiae Brief of the Alliance for the Rights of Children be ruled on in open court at a time announced, and ask the Circuit Court to itself subpoena Dr. Fred S. Berlin from Johns Hopkins to the hearing.
15. Call or write to Johns Hopkins Hospital (600 N. Wolfe St., Baltimore, MD 21287, 410-955-5000) demanding that they hold an open, public seminar where Dr. Berlin and his staff answer questions from the public about paraphilia, about incest and other forms of child sexual abuse, and about what Johns Hopkins has, as an institution, done to deal responsibly with the problems it apparently leads the professional field in studying.

Mothers' Day March for the Children in Washington, D.C. began to "phone blitz" the Harford County officials who were responsible for this situation, and the Kentucky Cabinet on Human Resources and Kentucky Attorney General's office, as well as the press, demanding that the situation be remedied and the child be protected. The issue turned into a giant public embarrassment for the Harford County pro-abuser contingent. I had personal shouting matches with recalcitrant and cowardly bureaucrats in the Harford County Department of Mental Health. Everyone seemed

to want me to see their position — which was, uniformly, that they weren't responsible or accountable for anything and, of course, the court will do whatever is right in the best interests of children so action is not necessary. Meanwhile, Kentucky officials said they wanted to help and were appalled at what had taken place in Maryland, but they felt unable to act because of the Maryland courts — they were unwilling to encroach on the turf of another state.

Kentucky Steps In

I followed leads developed by the Kentucky group. On the morning of May 22, 1992, I spoke with attorneys in the Kentucky government. I informed them about the Farley v. King case, where the child protective services division of Charleston, South Carolina intervened and took legal custody of a child away from the mother **specifically because the child had been molested in Virginia and, since the Virginia court and CPS would not act to protect the child, the mother was expected to "endanger" her child by sending her on visitation with a molester.** I described the actions of guardian ad litem Jania Somers from Charleston, her courage, her forthrightness and most of all, her legal creativity faced with the imminent danger of her client, the child, facing a molester on an unsupervised visit in Fairfax, Virginia, where the prosecutor, the judge, social services and the county mental health agencies were well-known for supporting molesters' rights.

In one fateful conversation, the attorneys involved and a victims' rights advocate suddenly galvanized their collective concern into action, and the next day Masten Childers, Esquire, general counsel to the Cabinet for Human Resources of Kentucky (which comprises one-third of the government of that state) flew into National Airport to attend an emergency noon-time hearing be-

fore Judge Baldwin.

Childers argued eloquently that, should Judge Baldwin not relinquish control of the situation to Kentucky, this child would be driven so far underground that the father, for whom the judge was now an open advocate, would never see her again. He pointed out that, if Kentucky were empowered to receive this child and guarantee her safety, the father could have supervised visitation with her almost immediately. Openly, shamelessly, Dan puffed his cheeks in disdain and said, audibly, “humph!” clearly showing that he did not even **want** to visit his daughter if there was going to be a supervisor in the room with him. **He only wants Katy where he can have her alone and in his control.** He only wants his daughter with nobody watching. He has not seen her in nine months and he has not seen her older sister since he molested her and he doesn’t care, if he can’t get his hands on her. Nobody visibly reacted to Dan’s open showing of disrespect for decency or disdain for his biological child.

At the end of the hearing, there was a palpable feeling in the room of seething anger, outrage, and the power of patriarchy being challenged. I flashed back to a moment on Monday morning, May 5 1992, at our demonstration in front of the Department of [In]Justice after the Rodney King decision. Those of us who wanted to take part in civil disobedience had blocked the road, but the police stood about six feet from the crowd as we chanted NO JUSTICE, NO PEACE and there was a drum roll. The line of police officers stood still in the early morning rush hour, making no arrests, and eventually all the traffic, including metro buses and tractor trailers, turned around and drove out of the cul-de-sac created by the protesters. A cheer went up. I heard the laughter in the crowd after I shouted to the cops, “You have 81 seconds,

let’s see what you can do.”

Stand off. People willing to do anything, really, anything, to back down the abuser. That is what it takes, I heard myself think. We are winning this one because we are here in force, here in numbers, so enraged that they are actually afraid. Child molester Dan sat still and looked malicious as the judge declared a 30-day stay on his order that the molester could freely “pick up” Katy off the street and take her — wherever he wanted. 30 days for her to “come in” to Kentucky. The Cabinet for Human Resources in Kentucky would, it said, stretch out the arms of the Commonwealth to receive the child in “from the cold.” The cold of being outside the jurisdiction of a court. The cold of being unable to have contact with her child-molester father. The cold of being with her mother. But also, the cold of not being able to go to a doctor when necessary, dentist, the cold of having no money, no access to human services, no entitlements in this nation that has legislated her visitation with Dan .

Judge Baldwin Relinquishes Control over this Child to Kentucky

We put “the word” out in the network that Mary had received the reprieve she sought in the court system, that I would personally appreciate contact from someone who could set up a conversation. I arranged to be at a public phone that I had not previously used, at a time certain. A conference call would be arranged by two separate people in two separate states, so no individual knew where or who all the others were. I would get a call, if Mary agreed, at this phone booth.

It was dark and warm when I heard Mary’s voice. I told her about the poem “The Antepenultimate Mother.” She remembered our

conversations, and we chatted for a minute about old times and the progress of her case and her life in Hell. We spoke of the chances of Kentucky turning on her, falling for the “crazy mother” position, selling Katy down-river. We spoke about the conditions we lived in, the risk, the ever-present danger, the persistent no-win situation, the lack of alternatives, the lack of money. We spoke about safety as if we were both madwomen — there is no safety. We spoke about a common terror, and the mundane details of terroristic accommodation — how to behave when they do this, how to respond when they do that. I tried not to feel my feelings because there was a victim-mother on the phone, and I needed to serve her the best way possible — that would not admit my need to scream, to kill, to cry (in that order). Was it safe to travel over land? No, nothing is safe. Was it safe to fly? No, nothing is safe. Was it safe to try to continue protecting the child I heard demanding Kool-aid in the background? Nothing is safe.

Kentucky Buys the "Crazy Mother" Line and Deprives Katy of her Mother

Mary turned her daughter in to Kentucky social services early in the morning on June 1, 1992. Katy was immediately taken from her mother and placed in foster care — this is a given. No mother may keep her child if a father has staked a claim against her based on her own anti-father defense. The best the child may hope for is relatively benign foster-care. Katy was upset. She had understood (with a child’s inability to understand the unthinkable) that she was going on an “overnight,” not that she was being taken away from her mother. When the foster care placement gained a feeling of permanency, she was “not doing well.” The next step of the Kentucky Department of Social

Services (obviously receiving propaganda from the Maryland anti-mother contingent) was to have the mother tested and/or interviewed for psychological impairment (no mention of her daughter's precarious emotional condition upon separation from her psychological parent). The day Mary was tested, her visitation was abruptly cut down from daily supervised contact with her child to three supervised visits per week — no explanation given.

A fist closed around my heart last night at midnight when I received a call from my colleague, Dr. Leora Rosen, who heard that Mary feels the Kentucky Department of Social Services is going along with the "crazy mother" number. She is being removed from her child as punishment for having tried to protect her from rape. Through my mind flash scenes of 11 smug social service "workers" lying about my child in Virginia, eight such persons testifying under oath in Iowa about Kitty K's misbehavior, the refractory face of the New Jersey guardian ad litem saying six-year-old Sandra Vigorita "**might**" have been raped by her custodial father, the Maryland psychiatrist saying Elizabeth Morgan was an unfit mother because she was back in surgery four weeks after her child was born, scenes of liars, abusers, bystanders, scenes of Los Angeles burning. I'm doing a slow burn. Why did I encourage Mary to come in from the cold?

— UPDATE — Kentucky Relents Slightly

Mary is trying to reach me on a phone that is not compromised, to talk about the fact that the State of Maryland has apparently issued some kind of criminal process for her. This is insane, but not unexpected. I will try to arrange a time later this week for us to talk in a safe — ha! — place.

Mary says, through the network, that the Kentucky proceeding is not as bad as it seemed at first: the social workers are firmly convinced that Dan is a dangerous child molester (thank goddess for small favors) and they have recognized the fact that Katy is very depressed without her mother, and allowed the visitation to be increased in the child's best interests. This child has had to get visibly depressed to allow her more access to her psychological, biological and legal mother, all because she was forced into danger with a biological father by an obviously corrupt and dishonest court that demands, and gets, respect from other courts and agencies nationwide. **I am in the deepest contempt.**

References

- ¹ I will use quotations when referring to wording found in the file.
- ² In a conversation on May 29, 1992 between this author and Jay Robinson, the prosecutor on the case, Robinson informed the author that never had genuinely admitted molesting Debbie. He claimed that the father admitted only to the mother, and not to the police or the prosecutor, even while he bargained his plea. This represents a major fraud on the court.
- ³ As late as May, 1992, Harford County prosecutor Jay Robinson told this author that never did truly admit his guilt.
- ⁴ Interestingly, Dan must have failed to support his family, because a wage-withholding order was signed when worked at the Aberdeen Proving Grounds, but Judge Baldwin [to the rescue] signed an order vacating it shortly after it was signed by another judge.

⁵ Dan could never get court approval for visitation with Debbie because she was not his biological or legal child. However, he had more of a paternal relationship with her (as perverted as it was) than with the younger daughter, who was not even born when he separated from his pregnant wife. This baby, Katy, would not know that she had a biological relationship with a man named Dan. Lack of visitation would not harm her in the least, inasmuch as no bond was established which could be harmed.

⁶ I do not contest this "finding" because I think it impossible for a person to avoid repeating a crime for which they have once been sentenced. I contest it because all experts in the field unanimously agree that paraphilia, like alcoholism, is not something that can "go away." Rather, managing paraphilia is a life-long process. Like alcoholism, the primary requirement for a recovering person is to avoid situations that induce the behavior. Alcoholics simply must not drink. Paraphiliacs must avoid being alone with children. Any genuinely recovering paraphiliac would refuse to be placed in an unsupervised setting with his child. Ω

WHAT IS VISITATION?

by Michelle Etlin

What are the dynamics of “visitation,” the various degrees of “visitation,” and “access” with respect to a child who has been molested? [I think the word “access” is more accurate, since it really does semantically imply the reality, that is, the adult has **access to the child**, much as if the child were a prostitute or a service-provider or a piece of property to which that adult has rights.] It is commonly assumed that a child **must** visit her father, even if he has molested her, perhaps with some safeguard in place (for a brief time, at least) to prevent him from molesting her again.

What happens in our courts in the general case of a father accused of sexual abuse of his own biological or legal offspring? First, perpetrators are routinely advised by their lawyers to immediately sue for custody of the child when an accusation is made, so they can cast the problem as a “false allegation made to gain advantage in a custody dispute.” The only reason this did not work for Dan was that he was the step-father, not the biological father, of Debbie, so he couldn’t sue for custody. Still, it was essential for his strategy that he not only act as if his victim was his own child, but as if the accusation was precipitated by divorce. Most important, he had to visit the victim, for two reasons: one, he could make contact with Debbie to intimidate her so she would recant her allegation; and two, as long as he acted like a father and the mother wanted to prevent him from visiting, the allegations could be blamed on the mother (part of a custody/visitation battle) and denied.

At any point between revelation of the abuse and the final outcome of all court proceedings, visitation between a child and her named mo-

lester is almost a guarantee that the child will recant and the molester’s version of the situation will dominate. Since, however, no charges have been proven against the molester during this period of time, access to the alleged victim is seen as his absolute right.

Let us examine the effects of visitation, unsupervised or supervised, upon a child who has been molested by a father or father figure.¹ First, I will consider unsupervised visitation. Even a five-minute unsupervised visit with the abuser (as long as he has denied the abuse) will be fatal to any attempt the child might make in the future to defend herself, in court, with social services, or in person. Obviously, since this visit has been permitted and she has been exposed to unsupervised contact with the abuser, there will never again be a guarantee that she will not be again turned over to his tender mercies, should she persist in pursuing her allegations. Any shred of trust she might have had in the system being able or even interested in protecting her is annihilated in an instant. All a molester needs to do with **one minute alone with that child** is to say, “see, you’re here with me alone. If you continue to **lie about me like your mother told you to do**, then next time we are alone — and there will be a next time — you’ll be sorry.”

If this scene seems extreme, ask yourself if a man who has already molested a child and called her a liar would have any problem inflicting

this kind of intimidation on her. Ask also whether this kind of intimidation is believable when we think, for instance, about interactions between people involved in organized crime. They have no more to lose than a molester, if his victim is believed. Yet this sort of criminal coercion is believable to us when we attribute it to members of a brutal semi-foreign system we call “the family” — meaning the Mafia. We’re used to seeing them on TV intimidating and terrorizing their prey and each other. We are not used to seeing, on TV or elsewhere, a child abuser acting this way with his own biological child. But no member of the Mafia is under more control by his Don than a child is under control by her abuser parent.

What, then, can be expected from supervised visitation with a molester who does not admit what he has done, and thus wants his victim’s revelations to be disbelieved? First of all, supervised visitation sets up a paradigm for the child to follow. In the past, contact between the abuser and victim was unsupervised, and the abuser did something he made the child feel **part of**. The primary thought in a child’s mind when she is being molested is — **how should she act?** Then she must carefully design how she should act **every single minute after being molested, because she never feels normal and natural again**. Mark these words: nothing, nothing, ever feels normal and natural again for a child who has been molested. So, when a

supervised visit occurs, the supervisor is seen as a powerful, authoritative figure defining — **not how the abuser should act but how the child must act.** This is the case because a child is not accustomed to anyone defining adult behavior (especially if she has been molested, and obviously adult behavior is completely unpredictable and uncontrollable and out of bounds) — she's used to adults defining children's behavior. Therefore, a visitation supervisor is perceived by a child as someone who lets her know what interactions are acceptable and valid — for her. Since the supervisor does not discuss the parent's abusive actions with him and the child, the child learns they are not to be discussed. Since the supervisor does not display outrage and anger toward the adult, the child learns they are not acceptable. Since the supervisor covers over the reality of this enforced access, and pretends things are normal, the child's reality is altered and her need to "pretend normal" is insidiously reinforced. Since the supervisor facilitates the availability of the child for the pleasant pastime of the adult, the child's belief in her own status as a commodity — as a prostitute, really — is sealed.

Supervisors are often members of the abuser's family, friends, allies, or other persons completely acceptable to and supportive of him. This reinforces in the child's mind not only the father's right of access to her but the apparent approval of the molester and his behavior by other adults. Visitation supervisors who are cordial, at least, and encouraging, at most, of the molester's pa-

rental role with the child become major forces to be considered by her in deciding how to conduct herself. If the supervisors are not family and friends of the molester but, rather, official persons such as social workers, they are seen in the child's mind as defining how she is to behave in the presence of other official persons (social workers, prosecutor-interviewers, police, judges, lawyers, courts). Since the visitation supervisors uniformly adopt a bland and **accommodating attitude** toward the molester, **as if nothing happened**, this is a powerful message to the child that when she is with such authoritative and official persons, she is required to do likewise.

Supervised visits with a molester also set up a clear preference for the **pretend good visit** interaction and the fake smile, something that causes rapid psychological deterioration in any child who has already suffered child sexual abuse. During visits, the supervisor acts as if nothing had happened wrong between father and child, and as if the father loves the child and the extra person is there to enforce a certain kind of protocol upon, and to bless, the interaction. The protocol is cool, dishonest, fraudulent and deadly. The supervisor invariably acts in a polite and **accommodating manner** to the father, setting an example for the child as to what is socially acceptable in the circumstances. What this does to the child's fragile psyche is to remove permission from the child to be angry, withdrawn, afraid or honest about her feelings. She is supposed to, and does, act as if the offense had not occurred — return-

ing her to the condition she suffered during the abuse. At worst, every supervised visit is an emotional replay of the disassociative feelings of being molested; at best, every supervised visit tells the child, very clearly: **ACCOMMODATE THE ABUSE!** You are to pretend nothing happened because Daddy pretends nothing happened and even this stranger who has authority agrees that **we all pretend nothing happened.** This is the correct way for everyone to behave.

Yes, **supervised visitation**, in its own subtle psycho-tyrannical manner, **is more invalidating to the child victim** than any other form of coercion.

Any clear thinker must realize that pleasant socially-approved contact with a person who has not only grievously injured a child but who also has denied he did so and called the child a liar, is contraindicated if we truly wish to support the victim-child's mental health and emotional strength, and particularly if we look forward to her being able to testify, continue to heal, and/or defend herself in the future.

The only non-harmful supervised visit I can imagine between a molested child and her molester would go like this: the supervisor would first tell the child that nobody's comfort or feelings are important except the child's, and that if she is uncomfortable, the visit will end instantly. The molester would enter the room and the visitation supervisor would turn to the molester and say, "do you admit that you hurt [the child]?" If he denied it, the supervisor would

turn to the child and say, “do you feel comfortable?” If the answer was no, that would end the visit. Anything else or further is invariably and undeniably invalidating, because the only real message that should be given to the molester in denial is this: your denial is not acceptable or accepted. The child’s revelation is 100 percent acceptable and accepted. She has every right to be angry and you have no right to interfere and most important, you have no **“right” of access to her.**

Incidentally, if we were not all half brain-washed by the nonsense that is published about children and best interests, we would realize that it would be crazy-making to entertain a child and her molester with a smile on, making small talk and not mentioning the little “problem,” rather than saying to him, in her presence, **“HOW DARE YOU EXPECT HER TO PLAY WITH YOU WHEN YOU MOLESTED HER AND REFUSED TO EVEN APOLOGIZE! GET OUT!”**

Therefore, any visitation with a molester is abuse of the child unless and until the child has healed from the trauma and genuinely **wants contact** for her own reasons, on her own terms, and in her own time. That would occur, if at all, completely outside the issue of “parental rights.” The

only thing visitation can do, if it is requested by the parent rather than the child, is to oppress and psychologically damage the child. The only thing visitation between a victim-child and her perpetrator can do is to further empower the abuser to silence the child. Unsupervised visitation between an indicted molester and his named victim is a clear opportunity for the accused criminal to threaten the witness. **Visitation is the key to re-establishing control over the victim child and, in the context of a criminal proceeding, it is the key to breaking down the child witness.**

The dynamics of the case illustrate the model for **litigation**, as a “custody battle,” **of the right to rape** — that is, the prototypical and omnipotent father’s right. A father, any

father, has an undeniable, indeed inalienable right to access to his biological property. This case illustrates how paraphiliac convicted child molester Dan’s right to rape was litigated and enforced.

Reference

- 1 I am aware that there are female molesters and male victims. The majority of cases with a single perpetrator, however, are still father/daughter incest cases. I am using this for ease of reference in this article, bearing in mind that our language does not at present have a means for me to express these ideas with greater gender neutrality without sacrificing readability.

