

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

Box 2604, Sioux City IA 51106  
Phone 712-948-3500, FAX 712-948-3704  
Web page: [www.childrenshealthcare.org](http://www.childrenshealthcare.org)

Number 1, 2007, © by CHILD, Inc.  
E-mail: [childinc@netins.net](mailto:childinc@netins.net)  
Written by Rita Swan

*Equal rights for children under the law*



*Gwen Shamblin, Remnant Fellowship Leader  
Photo by Steve Harman/The Tennessean*

## Parents get life plus thirty years in fatal beating

In March, 2007, Sonya and Joseph Smith of Mableton, Georgia, were sentenced to life in prison plus 30 years in the beating death of their 8-year-old son Josef. A Cobb County jury convicted them of murder, manslaughter, aggravated assault, cruelty to a child, false imprisonment, and recklessness.

The Smiths belonged to Remnant Fellowship, a church in Brentwood, Tennessee, that recommends severe corporal punishment of children on biblical grounds. They are now in jail, and their surviving children are in foster care.

In Henry County, Georgia, Smith's daughter by a previous marriage had filed a report of suspected

abuse in May, 2003. She described Josef as "demon-possessed" with "his eyes rolling in the back of his head as if he were going through some transformation." The boy called himself Legion, which means "many demons." He wrote on the walls that he was going to kill everyone. He heated a fork and stuck it down a sibling's pants, causing a permanent scar. She reported that the parents also claimed the boy was demon-possessed, had placed video cameras around the house to observe him, and were providing no mental health services.

The Henry County Department of Family and Children's Services (DFCS) relayed the report to Cobb County DFCS and requested a visit to the Smith home. Weeks later Henry County repeated its request.

After Josef's death Cobb County DFCS said the request had gotten misplaced. The Department also claimed, however, that the Henry County memo contained no allegations of abuse or neglect.

"There's nothing in that memo that says the parents might beat a child to death," Cobb County DFCS Director Catherine Anderson said.

Another teenager who babysat for Remnant Fellowship reported that Smith ordered her to hit Josef "hard" because he was crying. When she refused, the father took him to another room, and

### INSIDE

Belief in demons maims and kills.....	5
Quack doctor charged in autistic boy's death .....	6
Georgia parents convicted for starving son.....	6
Idaho suit over baby's treatment goes forward .....	7
Transplant supported over religious objections .....	10
Charges dismissed in toddler's death.....	11
Serenity or dissociation? .....	12
Christian Science church advice to UK members..	13
CS boy dies of diabetes; no charges.....	14
Church tells members to raise the dead .....	14
Encyclopedia articles .....	16

then she heard the boy wailing more loudly.

She quit her babysitting job the next day. She and her parents reported the incident to the Tennessee Department of Children's Services, which declined to investigate, saying there wasn't enough information to suspect abuse.

### **State does not suspect abuse after baby's death**

In July, 2003, the Smiths' son Milek, age 17 months, died at home with no medical attention. The medical examiner gave cardiac dysrhythmia (irregular heartbeat) as the cause of death.

The death did get Cobb County DFCS out to the home. Mrs. Smith would not allow the workers to talk to her children. They noted that the home and the surviving children, all home-schooled, were clean and orderly. They found no reason to suspect child abuse or neglect and closed the case.

Eleven weeks later Josef died. Mr. Smith told police officer Steven Gaynor the next day that Josef acted demon-possessed. Smith claimed his eight-year-old son was so strong that he could knock an adult out, often spoke in strange voices, and told them he was "a soldier of the devil," Gaynor wrote.

### **Whipping sessions and isolation for days**

Mrs. Smith told the police that she "normally" gave the children their whippings in increments of ten blows each and that Josef had gotten several of those whipping sessions on the day of his death.

The police reported that the Smiths locked Josef in his room to pray to a picture of Jesus on the ceiling and in a closet for days and even weeks. He was given only a bucket for a toilet. An older son sometimes held Josef down while the parents beat him with implements.

### **"No remorse"**

Smith "jokingly told me. . . if he [Josef] ever goes to the hospital, they're going to drag mommy and daddy to jail," Gaynor reported.

Another police officer said the father told him after Josef's death, "I'm not going to lie to you—he's bruised."

The parents "showed no remorse" and were "very defensive about their religion" and its recommended discipline methods, the police wrote.

Josef's older brother, Mykel Booth, age 16, testified in court that Josef was frequently hit with foot-long glue sticks, coat hangers, belts, and an extension cord. Everyone in the family was afraid

of him because he was so destructive and claimed to be "a soldier of the devil," especially when the family engaged in religious activity, Mykel said.

### **Family terrified of demon-possessed son**

On October 8, 2003, the family was watching a webcast church service of Remnant Fellowship when Josef began "screaming, cursing, and carrying on," Mykel testified. "Every time we prayed, he tried to do things to my little brother James [age 2]."

The Smiths told Mykel to put Josef inside a wood-lined chest. It was not as large as a cedar chest; the boy would have fit snugly in prone position. After Mykel got Josef into the chest, he tied the lid closed with an extension cord because Josef kept "popping his head up."

Mykel testified that Josef continued cursing inside the box, yelling, "I'm going to kill all you motherf—s when I get out. James is the first one on my list. I'm going to slit his throat."

Ten or fifteen minutes later, he stopped yelling. Mykel cut the extension cord and opened the chest. Josef was unresponsive.

Mr. Smith ran to the chest, pulled his son out, attempted resuscitation, and called 911. Josef died in a hospital a few hours later.

### **Eczema or bruises?**

Medical examiners testified that Josef died of blunt force trauma in "acute and chronic abuse" and positional asphyxiation. Autopsy photos showed his body covered with abrasions and bruises as well as brain swelling.

Citing a high white cell count in Josef's blood, two doctors testified for the defense that Josef died of an infection rather than blunt force trauma. A dermatologist testified that marks on Josef's skin were because of eczema rather than bruising.

The jury did not believe them and convicted the parents on all counts. The judge said their crimes deserved the maximum punishment of life in prison plus thirty years.

Church members paid for their bail and legal defense and crowded the courtroom. Church leaders said the child's death was an accident from hitting his head on a banister. They described the Smiths' discipline methods as "traditional spankings and groundings of a child to his bedroom" and denied they were abusive.

Remnant Fellowship was founded by Gwen Shamblin, who wrote *The Weigh Down Diet*. The

book, which claims obesity is caused by self-centeredness, has sold more than a million copies. Remnant Fellowship claims about 1,000 members in some 130 cities.



*Remnant Fellowship Church*

Photo by Jeanne Reasonover/*The Tennessean*

After the 9/11 attacks Shamblin circulated e-mails comparing herself to the Old Testament prophets and saying she had been trying to warn America. She claimed that only those who joined her church would be saved from the coming catastrophe.

Remnant's materials emphasize obedience above all else. Its webpage had a testimony by a woman who was first hesitant to hit her kids, but later she did it "in order to save their souls from hell rather than being concerned about their flesh."

"The Bible says that if you do not discipline your child, you are 'a willing party to his death,'" Remnant's webpage claimed.

A recording of a conference call between Shamblin and her staff and "the scattered saints" on February 3, 2003, is chilling evidence of the danger the Smith boys were in.

Shamblin holds up her own children as models of obedience. More than twenty years old, these children still cling to her and beg her for advice on how they can serve the Lord better. They are "afraid" to disobey her, she bragged. She has told her adult son that she can "get on a chair and knock him in the head."

### **Disobedient children will burn in hell**

Remnant children can sit through a 2-½ hour service without making a sound, Shamblin says. If

children open their eyes during prayers or hymn singing or break any other rules, Remnant staff come to the parents during the service and whisper that the child must be removed from the sanctuary and spanked enough to make them too sorry to break the rules again.

If children do not obey their parents the first time or if they're slow to obey, they will live for only a few years on earth and have a horrible afterlife in eternal damnation, Shamblin claimed. Parents have only a small window of time to get their families in order because the refiner's fire is coming through, she added.

Her associate, David Martin, told about his three-year-old daughter's willfulness. "We had a real showdown with her. We had to give her leg spankings over and over and over again for three weeks," he said, but now they "hardly ever have to spank her."

### **Spankings atone for parents' sins**

"We are making little vessels for God to be King," he said. "Love God more than you love these children. Then you will get a chance to correct all the sins you have struggled with. . . . God will rule and you will get to correct everything you did wrong in your own life and break the power of sin."

Shamblin chimed in that hitting your kids is a way to cancel "past sins," to "break the curse of sin through the generations of your own family."

"You don't have to do 'these little pats,'" she added. "We want a real showdown with the child."

Sonya Smith then came on the line. Her son Josef had destroyed everything of hers that he could reach and tried to burn the house down. "He strangled one of my babies, well, attempted to," she added.

### **Boy locked in room with Bible**

Following the church's advice, Smith said, "We spanked him on the sides of his thighs. We took everything out of his room and locked him in his room with only his Bible from Friday to Monday."

Now he's a model child and always obedient, Smith claimed. He comes to her three or four times a day to ask how he can help his mother.

### **Mom didn't want "the world" involved**

If it weren't for Shamblin, Smith said, "I would have had to go to the world—like the police."

Shamblin then called for everyone to praise God because Josef had gone from “bizarre” to “in control.”

Kids can’t be allowed to think about themselves, Shamblin said. They must orbit around God and His children. “You’re raising kids who will never be on Prozac, never be depressed, never feel sorry for themselves,” she proclaimed.

### **Mental health treatment condemned**

Ex-members charge that Shamblin’s opposition to professional mental health services and psychotropic medication may have kept the Smiths from seeking medical help for their disturbed child.

Shamblin claims that depression is just self-pity and selfishness. She advises members to think about “poor God and His needs” instead of getting therapy.

“Satan has really got a hold of the world right now with [anti-depressants],” she said. She calls worshipers to stand up in her church and say, “Get off Prozac.”

### **“You die! So what?”**

In a webcast Remnant co-leader Ted Anger chastises members suffering from depression: “There is nothing to be concerned about. What’s the worst thing that happens? You die! So what? You go to heaven.”

Remnant leaders told a member to take anti-depressant drugs away from his wife and flush them down the toilet.

Shamblin admitted the incident to the press, but said they “were only responding to the couple’s cries for help.”

She said Remnant does not coerce people to give up medication and even has a psychologist on their staff. However, as Nashville Channel 5 reporter Phil Williams said, “There’s no evidence that their staff did anything—other than encourage the Smiths to get tougher on their troubled child.”

### **“We don’t leave marks.”**

In the same interview Shamblin called corporal punishment of children a “loving, time-tested ancient teaching from the Bible.” She said their punishments were not abusive because “we don’t leave marks.”

Anger claimed the corporal punishment recommended by the church was only “a pat on the bottom,” “a last resort,” and always done “in love.”

### **All publicity benefits church**

Like the Christian Science church and some other sects, Remnant claimed the prosecution of members was an opportunity to spread their faith. Shamblin told Channel 5 that questions about Josef’s death were God’s way of getting out word about the New Jerusalem to come. “God is making public what we are doing,” she said.

The reporter asked her if it was OK to “lie for God’s sake.”

“I believe if God calls you to, you’d better protect Jerusalem,” she said, pointing to her Bible. Many people in the Bible were rewarded when they “did that very thing to protect Jerusalem,” she said.

### **What has been learned?**

In an op-ed column, Georgia Juvenile Court Judge Tom Rawlings, now the state Child Advocate, wrote that social service systems need to be more alert to the mental illnesses of children and provide services when they receive reports of a child behaving like Josef Smith.

CHILD contacted several Georgia child welfare officials with our concern about the Cobb County DFCS publicly stating that the reports on Josef did not contain “accusations of abuse or neglect.” We asked how Georgia’s child protection workers are trained on reports of child’s violent, bizarre behavior that parents attribute to demon-possession. We would like to know whether the workers consider that the child likely has a severe mental illness that urgently needs treatment or consider demon-possession to be a religious belief that the state should not interfere with. We got no answers.

Taken in part from *The Atlanta Journal-Constitution*, March 18, 2004, Feb. 5-9, 2007, Feb. 13-17, 2007, and March 28, 2007; *Nashville Tennessean*, Feb. 8, 2007, and June 30, 2004; Nashville WTVF Channel 5 reports, Feb. 4-6, 2004, and June 1, 2004; and a CD of a conference call between Gwen Shamblin and her followers, Feb. 3, 2003.

---

## **Belief in demons continues to maim and kill**

In August an Indiana pastor-in-training was charged with battery and false imprisonment after performing an 11-hour exorcism on an autistic boy.

The boy's mother said she asked the student pastor, Edward Uyesugi, only to pray for her 14-year-old son, but Uyesugi said she asked him to exorcise a demon from the boy.

According to the mother and other witnesses, Uyesugi told the mother to remove the boy from the group home where he lived and bring him to her home in Bloomington for the ritual.

### **Exorcist assaults and yells at autistic boy**

Uyesugi was loud and boisterous, according to their affidavits, and the boy tried to flee the room. Uyesugi grabbed the boy, pinned him to the floor, punched him several times, and yelled, "Come out, you filthy demon!"

Uyesugi restrained the boy on the bed for hours and stuck his fingers into the boy's mouth repeatedly, causing him to vomit. Once blood was seen in the vomit. The mother expressed concern, but Uyesugi denied it was blood and called it Satan, according to her affidavit. Uyesugi said he put his fingers into the boy's mouth to "pull out" the evil spirits.

Hours later Uyesugi declared that the boy's name was changed to Israel. But the boy refused to call himself Israel, so Uyesugi announced the demons were still there and began the ritual again.

The next day the mother drove her son to Cherry Hill Ministries in Bloomington, where Uyesugi worked. She showed the senior pastor that her son's face was swollen and bruised. He also had black eyes.

The mother told police she thought Cherry Hill Ministries knew of the exorcism and consented to it.

The church, however, denounced Uyesugi's "unauthorized and unsupervised exorcism" and asked him to resign his church membership.

### **Arizona police save toddler from exorcism**

In July police interrupted an exorcism in Phoenix, Arizona. After prying open a barricaded bedroom door, they saw Ronald Marquez choking his 3-year-old granddaughter. Her mother was standing by the bed chanting, naked and covered in blood, the police said.

Officers had to use a stun gun to force Marquez off of the girl, who is now in state custody.

### **Texas charges father for burning child in oven; mom blames devil**

In May a father severely burned his 2-month-old daughter by putting her in a microwave oven,

but the mother blamed the devil instead of the father. Eva and Joshua Mauldin had moved to Galveston, Texas, the day before because they believed Joshua had been called by God to be a preacher.

Mrs. Mauldin said that Satan attacked her husband because he saw Joshua as a threat to his power.

Later, though, she said "Satan" was "working through [her husband's] weaknesses" and described those weaknesses as a mental disability for which she had not been able to get help.

The infant, Ana Marie, was hospitalized with burns on her face and hand. The state has temporary custody of her, but the mother vows to fight to have the baby returned to her.

Joshua Mauldin remains in jail and has been charged with injury to a child causing serious bodily harm. Judge Susan Criss ordered him examined by a psychiatrist.

### **Exorcism kills autistic boy in Wisconsin**

In 2003 an autistic boy in Milwaukee, Wisconsin, died after enduring many "healing rituals." He was beaten, held down to the floor, and yelled at to drive out a devil. He died of asphyxia due to chest compression as the minister lay on him and shouted for "unclean spirits" to come out.

Sources include *The Chicago Tribune*, Sept. 5, 2003; *Galveston County Daily News*, May 22-25 and Aug. 16, 2007; and *The Indiana Daily Student*, Aug. 2 and 6, 2007.

### **Doctor charged in fatal treatment for autism**

In August, a Pennsylvania doctor was charged with involuntary manslaughter, child endangerment, and reckless endangerment in the death of a 5-year-old autistic child. Abubakar Tariq Nadama went into cardiac arrest during chelation therapy in 2005.

The Nadamas moved from England to Pittsburgh so that their son could have chelation treatments from Dr. Roy Kerry, owner of the Advanced Integrative Medicine Centers in Greenville and Portersville, Pennsylvania.

### **No evidence that mercury causes autism**

Many people still believe the mercury preservative once used in vaccines causes autism,

although several research studies indicate that it does not. Furthermore, autism is a neurological disorder that cannot be remedied by removing any chemical from the body.

Chelation removes heavy metals and calcium from the body. It is approved by the U.S. Food and Drug Administration to treat lead poisoning, but not to treat autism. Nevertheless, an estimated 10,000 autistic children are given mercury-chelating agents every year in the U.S.

Acting on Kerry's directions, a medical assistant gave Abubakar the chelating agent by an intravenous "push" within a few minutes whereas such drugs should be administered slowly over hours.

The boy began crying, went limp, and died after cardiac arrest due to hypocalcemia.

Dr. Mary Brown, Chief of the Lead Poisoning Prevention Branch of the Centers for Disease Control and Prevention, said that Dr. Kerry should have used calcium-disodium EDTA in the chelation instead of disodium EDTA. The two are "look-alike/sound-alike" drugs, she said, excusing the child's death as a "medical error."

Quackery opponents are outraged that Brown appears to give her blessing to any chelation treatment for autism. There is no credible scientific or clinical evidence that chelation cures or alleviates autism, they report.

They also point out that chelation proponents recommend disodium EDTA for treatment of autism on their webpages.

Sources include the *Somerset Daily American*, Aug. 23, 2007; *Pittsburgh Post-Gazette*, Jan. 18, 2006; Paul Offit, "Thimerosal and vaccines—a cautionary tale," *New England Journal of Medicine* 357 (Sept. 27, 2007): 1278-9; and [www.oracknows.blogspot.com](http://www.oracknows.blogspot.com).

---

## Georgia parents convicted of starving son

In May, two vegan parents were given mandatory life sentences in Atlanta for starving their infant son to death. A Fulton County jury, including four vegetarians, convicted them of malice murder, felony murder, involuntary manslaughter, and cruelty to children.

Prosecutors argued that the baby was intentionally murdered and the parents' vegan diet only a ruse.

### Parents opposed medical care

The parents, Lamont Thomas, 31, and his girlfriend, Jade Sanders, 27, testified that they did what they thought was best for their first child, Crown Thomas. The baby was born in their bathtub at home and got no medical attention when alive because they believed hospitals were infested with germs.

The parents told three different stories about what they were feeding him. At first they said it was only soy milk and apple juice. An empty soy milk carton in their apartment said that it should not be used as a substitute for infant formula or breast milk. They had only one bottle for the baby and all their cupboards were empty when he died.

### 3.6 pounds, 6 weeks old

Crown was dead when his parents took him to a hospital across the street from their apartment in 2004. At six weeks old he weighed just 3.6 pounds and was so emaciated that doctors could count his bones through his skin.

The parents were living in Buckhead, one of the most affluent communities in the nation.

The parents did not claim to be following any book, leader, or religion in their vegan diet, but insisted on their personal sincerity. "We're against animal cruelty," said Lamont Thomas. "So why would I be cruel to my son? We're against animals being murdered. Why would I be cruel to him and try to do something to his body?"

Their attorney said the apple juice might have acted as a diuretic and prevented the baby's body from absorbing nutrients.

Taken in part from the *Atlanta Journal-Constitution*, May 3, and WSB TV news, May 9.

---

## Idaho suit over baby's treatment goes forward

In February the Idaho Federal District Court ruled that parents may proceed to trial on some of their complaints about a lumbar puncture and medication given to their baby against their wishes.

In 2002 Corissa Mueller of Boise sought a naturopath's care for her feverish five-week-old daughter, Taige. The naturopath, Dr. Karen Erickson, had delivered Taige in the Mueller home and provided follow-up care. Taige had not been seen by a medical doctor.

Erickson recommended that Mueller take Taige to a hospital as a precaution and explained that physicians there would want to "automatically start her up on an antibiotic regimen and perform a spinal tap" in order to check for meningitis.

Mueller did so, and the examining physician, Dr. Richard Macdonald, recommended a full septic workup, including lab tests, a lumbar puncture (spinal tap), and antibiotics to check for meningitis and sepsis. He said babies with Taige's symptoms "can go from bad to worse very quickly."

### **Naturopath advises mom in hospital by phone**

Mueller agreed to the lab tests, but, under Erickson's advice via several telephone calls, asked to wait for the test results before agreeing to drugs or the spinal tap. In her deposition, she said that, based on her "own research," she thought the chance of meningitis was 1% and the dangers of a spinal tap outweighed the benefits.

When the lab tests came back, they ruled out ear and urinary tract infections, but not meningitis. Macdonald explained to Mueller that doing a spinal tap was the only way to rule out meningitis.

In the meantime Taige had been given fluids intravenously and her temperature dropped. Mueller then felt the baby was getting better and refused again to consent to a spinal tap and antibiotics.

### **Mom: standard care dangerous**

Dr. Macdonald then consulted with a board-certified pediatrician, who agreed that for five-week-old infants with Taige's symptoms the standard of care was to do a lumbar puncture and administer antibiotics and who recommended contacting a social worker if Mueller continued to refuse to consent to the spinal tap and antibiotics.

Macdonald told Mueller she could obtain a second opinion, but she refused, saying she was already getting the naturopath's opinion.

Child Protection Services and police officers came to the hospital. Dr. Macdonald told an officer that if Taige left without treatment, she could become increasingly ill and die before Mrs. Mueller could return to the hospital.



*Corissa and Taige Mueller*

Photo credit: Brad Talbutt, *Idaho Statesman*

At one point Macdonald told CPS and police that treatment would have to be started within 45 minutes to prevent harm from meningitis or sepsis.

The police talked with Mueller three times, but she continued to refuse consent because, she said, the risks of treatment outweighed the risks of illness. She said that the spinal tap could cause paralysis, brain damage, severe headaches, and infections, even meningitis itself, from the needle puncturing the spine.

Nearly four hours after Taige's arrival at the hospital, the police declared Taige in imminent danger. A spinal tap was done and antibiotics and steroids administered over the strenuous objections of the mother. The baby did not have meningitis and was not harmed by the spinal tap.

Mueller was then allowed to be with the baby in the hospital and nurse her. Full custody was returned to the parents at a court hearing the next day.

### **Parents file federal suit**

Corissa and her husband Eric Mueller sued the doctor, hospital, city, and police in federal court, claiming their constitutional rights were violated. The Washington, DC-based Center for Individual Rights represents the Muellers.

Idaho Federal District Judge Lynn Winmill set forth the parents' constitutional rights in the following analysis:

The Due Process Clause of the Fourteenth Amendment protects the right of parents to

make medical decisions for their children. *Troxel v. Granville*, 530 U.S. 57, 66 (2000). This is the “oldest of the fundamental liberty interests recognized by [the Supreme Court].” *Id.* at 57. At the same time, the State has a *parens patriae* interest in promoting the welfare of children and ensuring their physical safety. See *Santosky v. Kramer*, 455 U.S. 745, 766-67 (1982).

The parents’ rights and the State’s duty are not necessarily equal in strength, however. So long as the parents are fit—as is the case here—“there will normally be no reason for the State to inject itself into the private realm of the family to further question the ability of that parent to make the best decisions concerning the rearing of that parent’s children.” *Troxel*, 530 U.S. at 68; see also *Parham v. J.R.*, 442 U.S. 584, 602 (1979). (holding that “our constitutional system long ago rejected any notion that a child is the mere creature of the State . . .”). [Note: The Court uses the term “fit” here to mean that there is no evidence that the parents are abusive or neglectful in any way, and the sole focus is on their refusal to permit treatment.]

More specifically, when fit parents decline medical treatment for their minor child, the Due Process Clause clothes them with a presumption that they are acting reasonably. *Troxel*, 530 U.S. at 68; *Parham*, 442 U.S. at 602. If the State wants to compel the minor child to undergo a medical treatment over the parents’ objections, it is the State’s burden to rebut that presumption at a judicial hearing by showing that no reasonable parent would decline the treatment. *Id.*

### **How should risks and benefits be weighed?**

The state may intervene to provide treatment when the “risks of forgoing treatment substantially outweigh the risks of treatment,” but not when “the risk of harm is slight” or when “all options pose risk,” the judge held.

“A difficult choice—a choice that poses risks either way—should never trigger intervention by the State,” he continued. “With no obvious safe alternative, the State has no *parens patriae* interest, and hence loses all claim to make decisions for the child. It is now the grim duty of the parents to make the call.”

### **Judge summarizes parents’ constitutional rights**

Winmill’s ruling had the following summary of the parents’ constitutional rights:

(1) The officer must determine if there is reasonable cause to believe that the child is in imminent danger of serious bodily injury. *Wallis v. Spencer*, 202 F.3d 1135 (9<sup>th</sup> Circuit 1999).

(2) In so doing, the officer must consider all relevant factors, including the desires of the parents, their fitness, the risks of treatment compared with the risks of forgoing treatment, how soon the harm will occur, whether there is time to contact a judge, and any other factors given the circumstances.

(3) This balancing test may not be ignored simply because a doctor recommends the emergency treatment.

(3) Both parents are entitled to pre-deprivation notice (that the officer is considering whether to deprive them of the custody of their child without a court hearing) unless there is some overriding justification for dispensing with such notice, such as emergency medical time constraints, the unavailability of a parent or parents, a reasonable belief that notice may pose a danger to the child, or similar reasons.

(5) If the officer finds the child in imminent danger, and turns the child over to the Idaho Department of Health and Welfare, the State has authority to consent to only that medical treatment that is necessary to avoid the imminent danger to the child found by the officer. *Wallis v. Spencer*, 202 F.3d (9<sup>th</sup> Circuit), 1135.

(8) Both parents are entitled to immediate post-deprivation notice along the same lines as the requirement for pre-deprivation notice discussed above.

(9) The State must ensure that the duration of the seizure of the child (*i.e.*, the child’s stay in the hospital or other medical facility) be strictly limited to accomplish the purposes of the treatment that formed the basis for the imminent danger determination, and that the child be returned to the parents immediately upon the cessation of the imminent danger.

### **Should steroids have been given?**

Winmill ruled that Child Protective Services violated the Muellers’ constitutional rights by con-



senting to steroids and by not returning custody of the baby to the parents as soon as the spinal tap results were available and established that the baby was not seriously ill. He also granted qualified immunity to CPS because those rights were not explicit in prior case law.

Steroids are commonly given along with antibiotics to reduce the risk of inflammation, which may cause hearing loss and other serious injury to a child with meningitis, according to CHILD's medical consultant, Dr. Seth Asser. The judge, however, wrote that the hospital and doctor offered no evidence that they asked the Muellers for permission to give steroids or that steroids contributed to removing the risk to the baby.

### **State can protect child from 5% risk of harm**

The parties disagree on whether Dr. Macdonald told the police that Taige had a 5% chance of dying or a 5% chance of having a bacterial infection.

The Muellers argue that a 5% risk, even of death, let alone an infection, is "so miniscule (*sic.*)" that the officer had no right to find the baby in imminent danger. The court disagreed and reiterated that the test was whether the risk of harm without treatment substantially outweighed the risk of treatment.

The court also, however, allowed the parents to raise at trial the issue of whether Macdonald intentionally exaggerated the risks of Taige's condition to get the state to intervene so he could treat her.

Also, the issue of whether the police officer had reasonable cause to believe the baby was in imminent danger of serious bodily injury is a fact question for the jury to decide. If he did not, then he violated the Muellers' constitutional rights.

The Muellers said they filed their case in federal court "because it's a national issue." They called the ruling a landmark decision for parents' rights.

Winmill's ruling has some ominous implications for children and medical practice though they may not be insurmountable obstacles at trial.

Of greatest concern to CHILD is his finding that the state cannot intervene to protect the child when "all options pose risk." Nearly all decisions and actions in life pose some risk. His earlier statement that the risk of harm from forgoing treatment must "substantially outweigh" the risk of treatment sets forth a better standard that we hope the trial court will follow instead.

It should not be hard for the defendants to prove that the risk of the baby's having meningitis was far greater than the risk of harm from a spinal tap.

### **Was mother negligent?**

CHILD is also concerned about Judge Winmill's concept of child neglect and parental fitness. He says of the Muellers, "There is absolutely no evidence of abuse or neglect, and no allegation that either parent was in any way unfit."

Withholding needed medical care can, however, be adjudicated as neglect in Idaho (see Idaho Code 16-1602(25)) and other states.

In 2003 the Muellers testified in the Idaho legislature for H240, a bill that would further restrict the state's authority to order medical care for a child. It required a judge to find that the parent's "refusal of treatment is not made on rational consideration of the risks involved" and that "the refused treatment is immediately necessary to save the child's life or to avoid unacceptable risk of complication of the child's condition" before ordering medical treatment.

### **Idaho judges must "consider" spiritual treatment for child**

When parents choose "natural or other non-medical treatment," the bill required the judge to take into consideration "the relative risks" of the "treatment proposed by a medical physician" versus the risks posed by the parents' preferred treatment.

This last was arguably a small concession to naturopathy, considering that Idaho already requires the judge to "consider. . . any treatment being given the child by prayer through spiritual means alone, if the child or his parent. . . are adherents of a bona fide religious denomination that relies exclusively on this form of treatment in lieu of medical treatment." Idaho Code 16-1627(3)

### **Naturopaths now licensed providers**

H240 was defeated, but in 2005 Idaho did license naturopathy as requested by the Muellers and the naturopaths.

Taken in part from slip copy *Mueller ex rel. Mueller v. Aufer*, 2007 WL 627620 (D. Idaho); *Idaho Statesman*, Feb. 25, 2003; and *American Medical News*, April 9, 2007.

---

## **UK judge supports bone marrow transplant over religious objections**

On July 18 a UK judge supported a National Health Service application to perform a bone marrow transplant on a baby against the parents' wishes.

### **Disease fatal without transplant**

The 7-month-old girl suffers from hemophagocytic lymphohistiocytosis, which attacks vital organs. She will die without a bone marrow transplant, most likely by age one.

For eight weeks the baby, identified only as A, received painful and damaging medical treatment. Since then, she has been at home. She looks and acts normal and happy.

NHS doctors say, though, that the disease will return and will not be controlled by medication.

### **Risks of bone marrow transplant**

A bone marrow transplant, doctors testified, has a 50% likelihood of a permanent cure with a high-quality life. There is a 10% risk of death during and because of the procedure, a 30% probability that the body will reject the graft and the patient will eventually die, and a 10% risk that the patient will have significant neurological damage even though the transplant is successful.

Transplanting bone marrow requires about two months of conditioning and drug therapy. It is a very invasive procedure with a very high likelihood of causing infertility.

### **Hope for miracle is one reason for refusal**

The parents refused consent for the transplant because of the suffering they had seen their daughter already go through with medical treatment, because they did not believe the transplant would be successful, because they wanted their daughter to enjoy her present quality of life, and because they hoped for a miracle.

The mother testified, "We strongly believe that God has the ability to heal her. We hope fervently that He will do so. Our belief in a miracle gives us the ability to make decisions for her quality of life... In the short term she has an excellent quality of life.

### **Infertility "incredibly sad"**

The likelihood of infertility was especially distressing to the mother. "Part of the expected

benefit and privilege of being a woman which A [the girl], by God's grace, will become, is derived from the ability to bear children," she wrote.

"Infertility is incredibly sad. It is something that if you can avoid you should avoid," she said in court and broke down in tears.

The parents do not reject all medical care on religious grounds. The mother said she believes "God works through the medical profession."

### **Miracles irrelevant to judge's decision**

The judge ruled that faith was irrelevant to the decision he had to make. "I must decide this case on the basis of medical knowledge and experience, the evidence, and reason," he wrote. "By definition, a miracle defies medical science and all known experience and reason. Whilst I respect the faith of the parents, I must leave entirely out of account any possibility of a miraculous cure."

His ruling concludes as follows:

If a BMT could only prolong by a relatively short period her life; or if it would leave her alive but probably seriously impaired (e.g. significantly brain damaged) then I would or might take a different view. But in my view a 50 per cent prospect of a full, normal life (even though infertile) when set against the certainty of death before the age of one or one and a half, does in this case outweigh all other considerations and disadvantages. If the opportunity of a BMT is not taken, a very real prospect of a full life, weighed against certain death, will have been lost for a few more months of babyhood. A is more than merely a baby. She is a living human being, with a future as well as a present, to whom, despite her disease, modern medicine and science may be able to give a full life. In a case which includes a strong reference to God and religion, I am deeply conscious of my fallibility. But I am convinced that A should be given that opportunity. I hope that the parents will feel able to accept my judgment. Whatever her future and outcome, A and her family will remain deeply in my thoughts.

### **Parents respect judge's ruling, intend to give consent voluntarily**

The court held that it was "lawful" for the doctors to treat the baby "notwithstanding the parents' refusal to consent." But the NHS did not petition the court to order the parents to bring her to the

hospital for the procedure nor to remove her from their custody. The parents said they would “most probably” follow the court’s recommendation.

Source: *NHS Hospital Trust v. A* [2007] EWHC 1696, Family Division, High Court of Justice case # FD07P01051.

---

## **UK charges dismissed in death of Christian Science toddler**

On February 14 a Guildford Crown Court judge in the United Kingdom dismissed charges of willful cruelty against a Christian Science mother, 34, in Esher, Surrey. The court prohibited the British press from publishing her name.

In January, 2006, the mother put her 17-month-old daughter in a bathtub that had no non-slip mat and was half full of water. She left the bathroom to check phone messages and play music. When she returned, the baby was submerged and not breathing.

### **Mom calls trust officer and spiritual healer**

The mother, who is from South Africa, told police she did not know the emergency number to ring for help in the UK. She is the assistant administrator of the Christian Science Trust in Great Britain and called her supervisor, David Pratten, age 84. She said she asked him to call for help, but he testified later that he could not hear anything she said. She tried to give her daughter mouth-to-mouth resuscitation. Six minutes after calling Pratten, she called a Christian Science practitioner and teacher, Fenella Bennetts.

Only after talking to Bennetts did she call 999 (the British equivalent of 911).

When the paramedics arrived, they found two church members already in the home. They took the child to a hospital, where she was pronounced dead. Later, testimony indicated that she was likely dead before her mother took her from the tub.

One paramedic told the jury that the “atmosphere [in the home] was unusually calm, almost dismissive of the severity of the situation.”

Nicola Merrick, for the prosecution, also told the jury that the mother had not been very cooperative in answering the paramedics’ questions about the girl.

## **No willful neglect; mom’s behavior after baby’s death irrelevant**

Judge N.A. Stewart ruled that the mother’s neglect of the child was not “willful” or intentional. It may have been only one or two minutes that she left the baby unattended, he said.

Medical testimony indicated that a baby could drown within a minute. The judge pointed out that “neglect” applies only to failure to care for a living person and therefore the mother’s behavior and demeanor after the child died are irrelevant.

The parents are prominent Christian Scientists. The father is an executive with business operations in Africa. Their surviving child attends Claremont School for Christian Science children. The Christian Science Trust, a registered charity, reported income of 4,836,221 pounds sterling in May, 2005.

Sources: *The London Times*, Feb. 14, 2007; Judge Stewart’s ruling in *Regina v. SST* in the Crown Court of Guildford, Feb. 14, 2007; and online searches.

---

## **On Christian Science “calm”**

The paramedic who testified in the trial (above) found the Christian Scientists in the little girl’s home “unusually calm, almost dismissive” of her death.

To the general public, such composure seems strange and perhaps callous. For Christian Scientists, though, it expresses their conviction that sin, disease, and death are unreal because God is good, omnipotent, the only cause and creator, the only “Mind,” etc. For them, God does not know about sin, disease, and death, and they should not either, because God is the divine Mind and gives them all their thoughts.

This theology often requires much tortuous wrestling with one’s “mortal mind” to persuade the mortal mind that it and its “suggestions” of sin, disease, and death are unreal. Nevertheless, serenity is the ideal.

### **Healed of grief by denying death**

In a church magazine a woman wrote about losing her first child: “I refused to believe the child had died, and I did not attend the funeral, nor have I ever been to the grave. Later I was to learn that it

was this firm stand and my acknowledgement of God as Life that resulted in my being healed of any grief whatsoever.” (*Christian Science Sentinel*, June 20, 1970, p. 1083)

### **Mom is calm, but baby dies**

Lest the public assume that such a stand belongs only to the ancient past, Charlie Bedell in Knighton, Wales, wrote to the *London Times* in February, 2007, about the paramedic’s observation:

I also am a Christian Scientist and lost my baby on January 11<sup>th</sup> this year at 1 month old. I was advised to be induced on the 8<sup>th</sup> December. My son was not born until the evening of Monday 11<sup>th</sup> December by emergency section. Throughout this time I remained very calm, this was seen by all the medical profession as a plus not a negative as indicated by the above article. My being “unusually calm” impressed the midwives to the extent that they were looking up Christian Science on the internet and told me that I had been wonderful to work with, due to my composure throughout the 4 days. I understand from the staff if I had not been so calm things could have been different. Throughout the whole experience they respected my religion which enabled me to stay calm.

The baby died at one month old, but the Christian Science mother spends 90% of her letter bragging about how calm she was during his birth and how impressed the medical professionals were with her faith.

### **CS mom refuses to have labor induced**

A U.S. medical student doing her ob/gyn rotations recently gave another example of Christian Science serenity in her blog:

37 year old 3 weeks post-partum. She is a christian scientist who doesn’t believe in modern medicine. She ended up going into labor at 42 weeks after refusing to be induced. She delivered a beautifully healthy baby despite there being no heart beat. the only thing that killed this baby is that it wasn’t delivered on time. While talking to her, she told me that her baby was doing well, and that she has even started walking. At this time i thought i was talking to the wrong patient because i knew that her baby had died. Nope i had the correct patient, she

was just a little off center and she felt her baby was with her spiritually.

The intern cites the Christian Scientist as one of four bizarre cases she saw that week, which made her feel that she had gone down the rabbit hole with Alice-in-Wonderland. See [smarkle.blogspot.com](http://smarkle.blogspot.com).

## **What does the church advise in the UK?**

In the United States the Christian Science church fights state-by-state for the right to withhold medical care from children. Its booklets on state laws for members have often given misleading advice by omitting laws that require medical care of children and quoting religious exemption laws without context.

In the United Kingdom the church is much more cautious. There the child protection laws are national laws, and leading cases established long ago that parents who withheld necessary medical care from children on religious grounds could be convicted of serious crimes.

The UK has no religious exemption laws pertaining to medical care of children. Failure to provide adequate medical aid is defined as child neglect in the Children and Young Persons Act.

### **UK church members should call doctor for kids**

In 1960 the Christian Science lobbyist and public relations manager for London told the press, “We advise Christian Scientists to call in a doctor for their children whenever any reasonable careful parent who is not a Christian Scientist would do so.” (*London Observer*, March 20, 1960)

This is exactly what the church should tell its members everywhere in our view, but the church has never given comparable advice anywhere in the United States to our knowledge.

Even in Britain, however, the church’s advice has a misleading element. Commendably, the 1980 edition of the church booklet, *Legal Rights and Obligations of Christian Scientists in the United Kingdom*, tells members that the Act “has the effect of imposing an obligation on Christian Scientist parents or guardians to call in a doctor to attend a child or young person under 16 years of age in cases where, in similar circumstances, a careful and re-

sponsible parent who is not a Christian Scientist would do so.”

### **“Normally” parent can wait to call a doctor**

However, the church goes on to say:

Although a serious accident or sudden severe illness would necessitate the immediate calling of a doctor to attend a child in obedience to this law, a decision in the majority of other cases does not have to be made in a hurry, and there is normally sufficient opportunity for a healing to be brought about quickly through Christian Science treatment.

Normally, the church is saying, you should hire a Christian Science practitioner to treat the child with prayer and normally the child will be healed before you have to obey the law and call a doctor.

### **Danger in waiting for Christian Science healing**

One danger is that the Christian Science method of treatment requires convincing yourself that the disease is unreal. It requires denying that alarming symptoms are present and even that you can be aware of them. The Christian Science parents who are trying so ardently to get their child healed with affirmation of God and denial of disease may not know when they should give up on spiritual treatment and get medical care.

### **Theology discourages planning**

Most UK parents register their child with a particular physician so they will have easy and quick access to medical advice and care. But Christian Science theology holds that disease is caused by sin, which includes fear and doubt. It claims that knowledge of disease causes disease. It discourages contingency planning. Christian Science teacher Herbert Rieke even told his students not to buy life insurance or make wills because doing so was an admission of mortality.

The church’s 1980 advice booklet points out that British law does not require parents to register their children with a physician.

When the Christian Science mother (see “UK charges dismissed” above) found her daughter submerged in the bathtub, she did not know what to do. Though she had lived in the UK for years, she did not know the emergency number to call. She did not have a physician with whom she had established a trusting relationship. She turned instead to her 84-

year-old boss at the Christian Science Trust, but he could not hear her. Such are the disadvantages of pretending that disease is unreal until a crisis arrives.

---

## **No charges in Christian Science child’s death to diabetes**

No charges will be filed in the 2003 death of a Christian Science child due to untreated diabetes.

For years Norfolk District Attorney William Keating in Massachusetts said the case was still being reviewed. He pointed out that there was no statute of limitations for homicide charges. Whether he considered lesser charges is not known.

Eben Tryon, 7, complained of stomach pains and went home from school early on a Friday. On Sunday morning at about 4 a.m., his parents, Marilyn and Bruce Tryon, rushed him to the hospital, where he was pronounced dead shortly after his arrival.

The cause of death was found to be diabetes. The Tryons told authorities their son had not been diagnosed with diabetes, and they thought his illness was just flu. Though practicing Christian Scientists, they said they would seek medical care in “cases of extreme illness.”

### **Mom is Christian Science nurse**

Marilyn Tryon works as a Christian Science “nurse” at the church nursing home, Chestnut Hill. Bruce reportedly works at church headquarters as a security guard.

As in a more recent UK case (see “UK charges dismissed” above), the parents’ employment may have influenced their behavior during their children’s healthcare crises.

### **Many prohibitions for church nurses**

In particular, Mrs. Tryon’s work as a church nurse created special obligations. Insulating these nurses from charges of unlicensed medical practice is extremely important to the church. They have been told not to report suspected communicable disease because doing so could be construed as medical practice. The church forbids the nurses to give “any physical application beyond the normal measures of cleanliness.” They cannot use a fever



*Chestnut Hill*

thermometer or take a pulse to assess illness “materially.” The church used to have a first-aid course in its nurses’ training program, but later cancelled it.

### **Nurses must not give first aid in public**

A former Christian Science nurse told CHILD that she once saw a patron choking on food while she was eating at a Midwest restaurant. She went to him and performed the Heimlich maneuver, which stopped his choking. The next day she got a phone call from the Christian Science Mother Church in Boston warning her never to do that again in public.

The Mother Church put out a statement on Eben’s death reading in part, “While our knowledge of events is limited, we can say this Church remains committed to the very best health care available for children.” CHILD rejects that as semantic subterfuge. Church periodicals often say that their spiritual treatments are the best health care for children.

Sources include *The Boston Globe*, Nov. 19, 2003, and two church publications: *Legal Rights and Obligations of Christian Scientists in Minnesota*, 1976 edition: 14, and “Facts about Christian Science,” 1959 edition: 9.

---

## **On raising the dead and the strange era of Virginia Harris**

In January, 2007, just before a Christian Science mother went on trial in England for child neglect, *The Christian Science Journal* encouraged church members to trust Christian Science to raise the dead. Tony Lobl, the church’s lobbying and public relations manager for Greater London, wrote in an editorial, “The immortal Christ, the very ex-

pression of Life itself, can restore the dying and dead to life, as Jesus and his disciples proved. And this is entirely realistic today for spiritual healers following Jesus’ example and adhering to the laws of God, just as Jesus did 2,000 years ago.”

### **Meek Christian Scientists raise dead today**

Church director Tom Black wrote in his article, “Raise the Dead,” that “in spite of almost universal doubt, the dead are being raised today through prayer alone.” He gave two examples of Christian Scientists raising the dead and said such healings “are as natural as birds singing.”

He also said they must be “childlike, innocent, humble, and meek” in order to do it.

Gradually all humanity will become aware that “death is not inevitable, terminal, or even actual,” but “an illusion,” he said.

We can only speculate on the timing. It seems to us that the church was trying to saddle the members with an impossible mission in order to distract them from a Christian Science failure in England.

### **Charismatic woman leads church again**

In 1990 Virginia Harris was elected to the board of directors of the Mother Church in Boston. The five people on the board elect their own successors, have no term limits, and govern the church throughout the world.

Harris entered when the membership was in turmoil over criminal prosecutions of Christian Science parents and the board’s expenditure of nearly half a billion dollars on a failed television channel.

Harris soon became chairman of the board. She was a dynamic, strong, almost charismatic figure in an uncharismatic church with a demoralized membership. She appeared twice on *Larry King Live*. She lectured at Harvard Medical School’s “Spirituality and Healing in Medicine” conferences organized by Dr. Herbert Benson, thus enabling members to say she was on the Harvard Medical School faculty and medicine was moving in their direction.

Harris tried to make Christian Science broadly palatable as another entree in a New Age smorgasbord. A *Boston Globe* article called it spirituality without a denomination. Harris told the press that everyone should study Christian Science because it would make one a better Catholic, Jew, or Protestant. As author Caroline Fraser said, Harris “brilliantly married healing-through-prayer to the trendy

diction of popular alternative therapies while suppressing the most radical element of Christian Science: its rejection of medicine.”

### **Non-denominational self-help book**

The church advertised its sacred text, *Science and Health with Key to the Scriptures*, as a self-help book without mentioning the religion. Members were told not to refer to the book as their “denominational textbook.” The church’s periodicals were splashed with color photos of the authors and biographical sketches to turn them into regular modern folks. They carried articles about other faiths and encouraged Christian Scientists to join interfaith organizations.

Under Harris’s leadership, the church softened its theological rejection of medical care. Writers began to mention in the church periodicals that they had obtained medical care beyond that traditionally allowed by the theology.

Fraser predicted that Harris’ makeover would fail. “For a group of that size to alienate some of [its] core membership in an unproven attempt to reach out to people who know nothing about the tradition indicates how really desperate they are,” she told *The Boston Globe* in 2003.

Harris led the building of a \$50 million project called the Mary Baker Eddy Library for the Betterment of Humanity. Despite massive favorable publicity, the visitors to the library soon dwindled.

Furthermore, many church members were uncomfortable with the repackaging of their religion as psychobabble. They complained that it was being blended into popular culture and losing its identity.

### **Old hardliners return**

In December, 2004, Virginia Harris suddenly left the board. Old hardliners Tom Black and Nathan Talbot were brought back to Boston and put on the board. The new board announced that henceforth the chairmanship would be rotated annually.

### **Raising dead sets church apart from others**

At the church’s next general membership meeting in June, 2005, there was a strong emphasis that Christian Science was indeed a very distinctive theology. Board member Mary Trammell told the audience that they should be able to raise the dead.

Black added, “What would set us apart as a denomination more than the raising of the dead?”

Talbot enjoined that members have to “admit that it’s realistic” for them to be able to raise the dead and “then we will do it.”

Another board member, Victor Westberg, who was a church lobbying and public relations manager in California when three Christian Science children died of untreated meningitis there, assured members that “healing is as possible [today] as it was in the ‘old days.’”

A few months later CHILD’s medical consultant, Dr. Seth Asser, hosted an internet radio program interviewing Christian Science spokesman Brian Talcott, another of the church’s lobbying and public relations managers for California.

Seth read from the church directors’ statements about raising the dead and asked if he believed it was possible.

Talcott said it was and some of his own relatives had raised the dead.

“How about Mary Baker Eddy?,” Seth asked.

Talcott said Eddy had raised the dead several times.

### **Why church doesn’t raise Eddy from dead**

“No, I was asking about raising Mary Baker Eddy from the dead,” Seth said.

Talcott sounded very flustered. The purpose of Christian Science is not to prolong life, but to destroy death, and Mary Baker Eddy has gone on to another plane of existence, “so we wouldn’t try to bring her back,” he finally replied.

In February, 2006, the Mother Church’s second reader, Suzanne Cowin, died.

On June 5, 2006, the Mother Church’s incoming president, David Reed, died during the annual meeting. With thousands of members present in the auditorium and with a camera webcasting the meeting to the membership worldwide, the outgoing president introduced Reed and others. Reed did not appear, but she continued conducting the meeting entitled “A Church of Healers,” with no mention of what had happened to him.

According to the police report, Reed went into cardiac arrest at 1:13, but no-one called for medical help until 1:33.

By 1:35 an ambulance and fire truck were at the church of healers, but Reed was dead.

We’ve been told that the introduction of Reed was deleted from the church’s online webcast a few days later.

We outsiders can only hope that the ascendancy of church hardliners will not lead many to practice “radical reliance” on Christian Science when children are seriously ill or injured.

Sources include Caroline Fraser, *God’s Perfect Child: Living and Dying in the Christian Science Church* (NY: Holt, 2000):409; Naomi Schaefer, “Spiritual but not religious? On a church-sponsored website, Christian Science goes New Age,” *Boston Globe*, Oct. 5, 2003; and “Annual Meeting 2005,” *Christian Science Journal* (Sept. 2005):39.

---

## Swan publishes in encyclopedia

CHILD President Rita Swan has two articles in the *Encyclopedia of Domestic Violence* (NY: Routledge, 2007): “Religious attitudes toward corporal punishment,” 205-208, and “Medical neglect related to religion and culture,” 475-83.

---

## Late news: polygamy leader convicted as accomplice to rape

On September 26 Warren Jeffs, authoritarian leader of the polygamous Fundamentalist Church of Latter-Day Saints was convicted as an accomplice to rape in St. George, Utah.

The Salt Lake City Tribune has riveting articles about this case and the FLDS at [www.sltrib.com](http://www.sltrib.com).

---

## Last impressions by Rita

The articles in this and the subsequent issue show extreme disparities in how society regards children. In Georgia parents were sentenced to life in prison for letting their baby starve to death. In Texas no charges were filed when a malnourished baby died. A pathologist in private practice reviewed the Texas baby’s autopsy report and called the death a “homicide” while the pathologist who did the autopsy called it “natural or accidental” and the district attorney said the parents might not be held responsible if they were directed by church authorities.

Law enforcement in adjacent Texas counties had sharply different views of abuses at a boot camp. One said “the big question” was whether the force used on a 15-year-old girl “exceeded the force permitted by the parents,” who had signed a consent form allowing corporal punishment. The district attorney in the next county said, “Parents can’t agree to have their child assaulted or injured,” and filed charges.

In a third Texas case an unlicensed folk-healer was sentenced to only three years’ probation for giving a child drugs and doing surgery on her.

There were no charges filed when a Christian Science child died of diabetes in Massachusetts. Indeed, there was almost no publicity given to any of the four deaths of Christian Science children reported in this issue.

The one we picked up in the blogosphere raises the thorny question of what a doctor should do with a non-cooperative patient. The only leverage the doctor had was to refuse to deliver the baby on the Christian Scientist’s terms.

The dangers to autistic children are also highlighted here. Some parents are persuaded that an autistic child’s irrational outbursts are evidence of demon-possession and turn to terrifying and abusive rituals to cast out demons.

Many other parents believe that mercury in vaccines causes autism and get chelation treatment for their child to remove heavy metals from his system.

Our belief systems about children need always to be tested by the laws of science and of love.

---

## About CHILD Inc.

CHILD is a national membership organization dedicated to the welfare of children, particularly when religious beliefs or cultural traditions lead to child abuse and neglect. CHILD provides research, public education, and amicus briefs. CHILD lobbies for equal protection of children within its tax-exempt limits. CHILD is a member of the National Child Abuse Coalition.

For more information on CHILD and a membership application form, visit our web page at [www.childrenshealthcare.org](http://www.childrenshealthcare.org). Contact information for CHILD is on page 1 of this newsletter.