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Equal rights for children under the law



Boys march at Camp Messiah

Credit: Dave McDermand, *Bryan-College Station Eagle*

Pastor and trainer charged with abuse at boot camp

In July a pastor and trainer at a Christian boot camp were charged with aggravated assault for allegedly tying a girl to a van and dragging her on her stomach down a gravel road.

Siobahn McClintock, 15, of Floresville, Texas, said when she fell behind her running group at Camp Messiah in Banquette, Texas, and started walking, trainer Stephanie Bassitt yelled at her and pinned her to the ground.

Reverend Charles Flowers, who founded the camp as a program of his Love Demonstrated Ministries, then tied Siobahn to a van with a rope, got in the van, and dragged her, affidavits said. A witness said the girl tried to stand up and fell at least three times as she was dragged.

She was not allowed to call home, her mother said. The girl still had scrapes and bruises on her face, abdomen, and limbs when she got home two days later and was hospitalized, an affidavit said.

Siobahn said she was also assaulted the day before at the camp's orientation center.

Bobbi Greer, a camp cook, witnessed and reported the abuses. "The torture to this girl went on all afternoon," she said. Greer was later fired.

Principles of Christ in military setting

Flowers and his wife are Air Force veterans. Flowers says he teaches "the principles of Christ . . . in a military setting" at the camp and points out that the word "disciple" is derived from the word "discipline."

Youths address him as "Commandant Flowers." They address each other only by last names with "Trainee" as a title. They live in barracks-style housing and have rigorous exercises and drills every day. Boys wear combat fatigues in the camp.

Is all discipline OK if done in name of God?

Nueces County District Attorney Carlos Valdez, who filed the assault charges, said, "Some people really believe that doing anything as long as it's in God's name is OK, but I think that's a really dangerous claim to make."

He asked, "How far can a person go in imposing discipline even if it is in the name of God?"

To enroll their children in the camp, parents must sign a consent form acknowledging that "the Christian Boot Camp is a strenuous, intense program" and that "the possibility of accident, injury or even fatality to [their] child does exist." They must release camp staff from all liability for injuries and deaths.

Valdez expressed shock that any parent would sign such a form and suggested some parents

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assumed that the camp's religious basis meant their child would be well treated.

Siobahn's mother said she never dreamed the pastor would hurt her child. "I counted on the Christian part," she said.

"You can't agree to have your child killed."

Valdez said the consent form should not hinder his prosecution of the camp officials. "Parents can't agree to have their child assaulted or injured," he said. "You can't agree to have your child killed. The actions taken at this camp are criminal, with or without a consent form."

His assessment differs strikingly from reported statements by Brad Bailey of the police department in Schertz, where Siobahn alleges she was also assaulted at the camp's orientation center a day earlier. He said the assault described as having occurred in Schertz isn't as severe as the dragging claim out of Nueces County.

"Obviously force was used, but the big question is whether or not it exceeded the force permitted by the parents," Bailey said, adding camp officials said they had parents' consent forms allowing them to use physical force to discipline their children.

Texas gives money to camp, but does not regulate it

Patrick Crimmins, a spokesman for the Texas Department of Family and Protective Services, said the Christian boot camp is probably exempt from state regulation. He said Texas licenses only programs that operate longer than 11 weeks. Flowers' program lasts 32 days.

Love Demonstrated Ministries "provides the faith-based component for the San Antonio Young Offenders Program," according to a city resource guide. The majority of the youths at the camp are sent there by the courts as an alternative to jail.

For 2005 LDM reported receiving \$100,000 from governments and \$214,673 in donations. Of its \$378,681 in total expenses that year, \$278,549 was for wages and salaries. Of the latter figure, only \$107,183 was compensation for those providing program services, while \$171,366 was for management.

In August more than 400 people attended a rally to show support for Reverend Flowers. Many were young people who said his program had turned their lives around.

Valdez was unimpressed. "If they say it's OK to tie up teens to the back of a car and drag them, then I'm interested. That's the only relevant question," he said.

Sources include the *San Antonio Express-News*, Aug. 11, 17, 18, 21, 2007; *ABC News*, Aug. 16, 2007; *Houston Chronicle*, Aug. 10, 2007; and *Court TV*, Aug. 21, 2007.

Texas mom sentenced to life in fatal discipline

In September a Texas mother was convicted of capital murder for the death of her 4-year-old foster son after hitting him, making him swallow hot spices and salt, and delaying medical help. She was sentenced to life without parole.

Hannah Overton, 29, of Corpus Christi, admitted to police that she was angry with Andrew Burd on October 2, 2006, and had made him drink two sippy cups of water mixed with Cajun spices to teach him a lesson and punish him.

After drinking the mixture, the boy threw up, fell on the floor, vomited, and lost consciousness. Hannah and her husband Larry then made several phone calls to friends and relatives, but never called 911 and waited more than 90 minutes before taking him to a clinic.

His death was caused by sodium poisoning.

Jury: mom guilty because of medical neglect

The jury was instructed that she could be found guilty either by intentionally or knowingly causing his death or by failing to seek medical care. All the jurors said they found her guilty because of her failure to get medical care.

Andrew was given to the Overtons as their foster child in June, 2006, and they planned to adopt him. The Overtons already had four biological children and a fifth on the way.

Siblings describe common punishments

Four of the surviving children each told police separately that being forced to ingest a mixture of hot spices, having their mouths washed out with soap, and having pepper put on their tongues were common punishments for all of them, but Andrew got it the most because he was "always in trouble."

They also told police that Andrew was often confined to his bed for long periods of time, had to “pee and poop” in the bed, and was never allowed to go with the family on trips.

Mom: boy vomits 8 times to make her mad

A neighbor testified at trial that Hannah told her on October 2 that Andrew was trying to anger her by making himself defecate and smearing the feces around the house.

Her sister-in-law testified that Hannah told her on October 2 that Andrew had thrown up eight times that day, but was not sick and was just doing it to make her mad.

A Child Protection Services caseworker visited the Overton home twice a week to observe and advise the family.

Also charged with murder of Andrew, Larry Overton is scheduled to go on trial in January.

Church blames CPS for child’s death

The Overtons’ church, Calvary Chapel Coastlands, has a website at www.freehannah.com proclaiming her innocence and soliciting donations to help with the family’s legal costs.

The pastor, Rod Carver, says that Andrew’s mother abused alcohol and illegal drugs while pregnant with him. The boy had speech and coordination problems, an eating disorder, symptoms of reactive attachment disorder, and five markers for diabetes, but CPS did not get a well-child evaluation or blood testing for the boy, Carver states.

“It seems a sick child was given to Hannah and when he died, CPS hid their negligence by accusing the mother of murder,” Carver charges.

According to Carver, Andrew had repeatedly smeared his feces around the house over several days and threatened to throw them at Hannah on October 2. Carver and the defense suggested that Andrew might have ingested toxic quantities of salt on his own volition as his eating disorder had him eating from the trash and on the floor and asking for more food after meals.

Judiciary must obey God’s law

In a sermon on the site Rev. John Otis states: This judicial tragedy is the inevitable fruit of an autonomous view of law as opposed to a theonomic view that exalts God’s law as expressed in Scripture. Every Christian parent in America

should be very concerned about this verdict. This woman was made out to be a religious sociopath by the prosecution. . . . What happened in Corpus Christi could have happened in any American city. A judicial system not governed by God’s law is a tyrannical entity. Presently, a godly mother of five young children is in jail with a life sentence without parole which is worse than Charles Manson. I am seeking to inform Christians throughout the nation. . . and to rally support to bring about true justice according to God’s law.

Nueces County District Attorney Carlos Valdez called the webpage “a shameless exploitation” of a dead child by the person who killed him and said it might violate the state’s notoriety-for-profit law preventing inmates from profiting from their crimes.

Comment

Mrs. Overton’s notions of discipline sound drawn from some fundamentalist theology that advises literally “punishing the tongue” for lying, backtalk, profanity, etc. In her book *Creative Correction*, for example, Lisa Whelchel suggests putting liquid soap on a toothbrush and rubbing it on the tongue of a disobedient child. She also recommends a drop of Tabasco sauce on the back of a tongue, making a child drink a cup of bitter juice, and pinching the tongue with a clothespin. She cites many Bible verses as authority for her advice, and her book is endorsed by the fundamentalist Focus on the Family organization.

We do wonder what the CPS caseworker saw and thought when she visited twice a week. Did s/he know about Andrew’s defiant behavior? Did s/he know the Overtons’ disciplinary practices? Did she approve of them? Did Hannah ask CPS for help? Did she take Andrew to a doctor during the four months she had him?

We expect to know more about this case after Mr. Overton’s trial when the prosecution is free to speak about it.

Sources include KRIS tv, Oct. 19, 2006, and Aug. 23, 2007; AP, Oct. 31, 2006; *Bryan-College Station Eagle*, Sept. 9, 2007; *Corpus Christi Caller-Times*, Sept. 13, 2007; and www.freehannah.com.

Tennessee medical neglect case back in court

Tennessee prosecutor Frank Harvey should get a gold medal for persistence in the case of a girl's death in a faith-healing sect. Felony abuse and neglect charges against the girl's mother and pastor were dismissed in 2002.

Misdemeanor neglect charges against both remained, but in 2005 the trial court dismissed them. The pastor, Ariel Ben Sherman, had no custodial duty to 15-year-old Jessica Crank, the court ruled, because he and her mother were not married. The charge against the mother, Jacqueline Crank, was dismissed because in 2005 the legislature had changed the neglect law to apply only to children under 13.

Some speculate that the judge thought a misdemeanor was not worth pursuing for years and tried to make it go away. Loudon County Senior Assistant Attorney General Frank Harvey, however, appealed the ruling.

Pastor may have duty to girl; law can't be applied ex post facto

On July 12, 2007, the Tennessee Court of Criminal Appeals reinstated the case. It held that the pastor could have a duty to the girl and that the law as it stood in 2002 when she died, rather than a law passed in 2005, governed the case.

Sherman, the Cranks, and at least nine other people in Sherman's New Life Tabernacle lived in a home in Lenoir City, Tennessee, near Knoxville.

In February, 2002, Sherman brought Jessica to a local chiropractic clinic because of a growth on her shoulder. A doctor told him her condition was serious and needed immediate medical attention. Sherman said he was taking her to a doctor in Boston, so the chiropractor did not follow up. In May Crank, who had no health insurance for herself or her daughter, took Jessica to a medical clinic. X-rays confirmed a "mass of some sort." Crank was advised to take Jessica to the University of Tennessee hospital immediately, and the clinic called the emergency room to expect her.

When Crank did not go to the hospital, the police were asked to investigate. It took seven weeks to find them, partly because Crank gave the clinic an Oregon address and phone number.



Jacqueline Crank

Oregon water causes tumors; prayer removes them

Sherman told the police there was nothing wrong with Jessica. Other Tabernacle members told authorities there had been a "problem with the water in Oregon" that had caused strange growths on their members. They claimed the growths later went away and that prayer would help Jessica also.

Jessica was immediately hospitalized under court order. She was diagnosed with Ewing's sarcoma and was told it was terminal.

In June the press reported that the tumor on Jessica's shoulder weighed 17 pounds and was the size of a basketball.

The defense asked the court for permission to take her deposition in the hospital to gather evidence that she herself believed in the New Life precepts and wanted to rely exclusively on prayer.

Loudon County Sessions Judge William Russell refused the request as an injustice to a dying child.

Jessica died in September.

Religious exemption raised as defense

Crank and Sherman have raised a religious defense to the charges currently against them. They cite Tenn. Code Annotated 39-15-402(c):

Nothing in this chapter shall be construed to mean a child is neglected, abused, or abused or neglected in an aggravated manner for the sole reason the child is being provided treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination by a

duly accredited practitioner thereof in lieu of medical or surgical treatment.

Child abuse at Sherman's Oregon commune

Ariel Ben Sherman first organized his sect in Massachusetts in 1973. In 1975 he and his Good Shepherd Tabernacle moved to Arizona and then Oregon. In 1976 they moved to California and in 1977 to Texas. In 1980 the church moved to Florida and California. By 1984 they had a commune in West Salem, Oregon. Fifteen of their children were taken into state custody because of reported child abuse. Children told of being confined for extended periods in dark rooms. They were forced to squat in a swimming pool, sometimes in cold rainy weather, and sprayed with cold water if they soiled themselves. Some children said they were suspended by ropes from the ceiling for hours with their toes just touching the floor. That type of punishment was sometimes imposed for days without a break even to use the toilet. The children said each had been given a peanut butter and jelly sandwich and a half-glass of water once a day while tied up.

Sherman's control over the adults in his church was striking. He planned and administered many of the punishments to the children. Also the state had at one point worked out an agreement with the parents for terms of regaining custody of their children when Sherman ordered them to reject it.

Sherman was charged with criminal mistreatment and assault. He fled Oregon, but was caught three years later in Indiana.

Charges against a minister for medical neglect of a child are rare, but not unprecedented. Harvey regards Sherman as having custodial responsibility for the girl because they lived in the same house, both he and Jacqueline (along with other followers) had signed a lease for the house, and Sherman assumed some caregiving of Jessica.

The mother's attorney, Gregory Isaacs, still claims Crank had a religious right in Tennessee law to withhold medical care from Jessica. "Once again, on the basis of Ms. Crank's exercise of her religious freedom under the spiritual healing exception to child abuse and neglect that existed at the time, we expect these misdemeanor charges to be dismissed," he said.



Ariel Ben Sherman

Taken in part from *Knoxville News-Sentinel*, July 6, Aug. 6, and Sept. 18, 2002; *The Oregonian*, Nov. 14, 1984; and the *Salem Statesman/Journal*, Apr. 25, 1985.

House of Yahweh healer sentenced in child's death

In May a Texas member of the House of Yahweh was sentenced to three years' probation for bodily injury to a child, who later died.

In 2003 Rebekah Hawkins and Deziree Gideon, of Clyde, Texas, tried to perform surgery on Gideon's 7-year-old daughter, Terri Silas.

Deziree Gideon, also believed to be involved with the House of Yahweh, pleaded guilty in 2006 to injury to a child by criminal negligence. She agreed to testify against Hawkins and was sentenced to five years' probation.

The girl had an infected area on her leg. Gideon took her to a hospital emergency room once or twice, and antibiotics were prescribed.

Unlicensed Yahwehites give drugs, do surgery

Gideon said she was giving the prescription to the girl but became dissatisfied with the pace of her recovery. She consulted her neighbor, Rebekah Hawkins, who is regarded by the House of Yahweh community as a healer.

They decided the infected area should be cut out. Hawkins gave the girl drugs to render her unconscious before their "surgery."

Gideon used a scalpel to cut into the leg. She owned a scalpel because she had once been a veterinary assistant.

Gideon and Hawkins also punctured the girl's leg with a needle and later patted styrofoam packing peanuts around their incision to stop the bleeding.

Terri, however, did not regain consciousness. Four hours after the "surgery," Gideon called 911, and Terri was taken to a hospital. Gideon first told the doctors that Terri might have gotten hold of her grandmother's medications.

Terri never regained consciousness and died a day later.

The Tarrant County Medical Examiner ruled the cause of death undetermined and testified for the defense at Hawkins' trial. He also could not determine what drugs Hawkins gave the girl.

The state took custody of Gideon's surviving children after Terri's death.

Callahan County Prosecutor Shane Deel said he could not file a charge of serious bodily injury or manslaughter because the cause of death was not determined. He considered charging the women with unlicensed medical practice, but decided against it because unlicensed medical practice is a very minor crime in Texas law.

Deel expressed disappointment with the sentence of probation given to Hawkins because she may continue her unsafe healthcare practices with other Yahweh members.

Taken from *Houston Chronicle*, Mar. 22, 2007, *Times-Record News*, July 27, 2005; and conversation with the prosecutor.

No charges in Texas baby's starvation death

Though questions linger, the investigation into a Texas baby's suspicious death last summer ended soon after it was ruled natural or accidental. Abilene police began investigating on an anonymous tip reporting the death of Rephayah Lindsay.

The father, Shaun Lindsay, admitted burying the baby, but refused to tell police where. Finally, they allowed him to retrieve the body by himself.

The parents, who live in Taylor County, told police that their one-month-old baby was sick, so

they took him for a car ride in hopes of making him feel better. During the ride he stopped breathing.

Religious beliefs cited for neglect

The parents belong to the House of Yahweh. It has a compound in Callahan County, where the baby died and was buried. The parents gave religious beliefs as the reason they did not take Rephayah to a doctor or report his death or burial.

Severe malnutrition

The final autopsy named protein-calorie malnutrition (also called kwashiorkor) and terminal asphyxiation as the causes of death. The word "terminal" here indicates due to natural causes.

Kwashiorkor is generally associated with poor sanitation, molds and fungi in food, inadequate protein, and high carbohydrates. It is rare among breastfed babies even in impoverished societies.

The medical examiner stated that Rephayah's body weighed 4.6 pounds and was 20 inches long. The baby had almost no fat and poorly developed muscle. His stomach was empty, and he had "virtually no contents" within any part of his bowel.

The medical examiner told the Abilene police that the baby was dead or nearly dead from severe malnutrition before any trauma might have occurred. He suggested the asphyxiation might have occurred after the baby died (from the parents' attempting CPR).

Medical examiner discourages charges for malnutrition

While letting a baby die of severe malnutrition could be considered criminal negligence in Texas and elsewhere, the police closed the case as a natural or accidental death upon the advice and report of the Tarrant County Medical Examiner's office, which was retained to do the autopsy.

Taylor County Attorney James Eidson said the Callahan County District Attorney should make the decision on filing charges because the baby died there. Eidson said he had not seen the investigation.

Callahan County Attorney Shane Deel wrote to CHILD that there were two possible theories for charging the parents: "one for physically injuring the child, which allegedly could have occurred in Callahan County, and one for neglecting and starving the child, which occurred in Taylor County."

Since he had no evidence the parents intended to injure the baby, Deel did not file charges.

While he might have filed charges for improper disposal of remains, it is a minor crime in Texas, so he did not wish to expend county resources on it.

Dallas pathologist calls death homicide

The *Abilene Reporter-News* asked an independent pathologist to review the autopsy report. Dr. Linda Norton, a board-certified pathologist in Dallas, said the case “clearly is a homicide.” She felt the parents knowingly starved the baby. She also said the report includes evidence that he was smothered to death.

A county official questioned how Norton could have such a strong opinion without seeing the body.

Were parents unreasonable?

Eidson said that getting a neglect conviction would require proving to a jury that the parents’ behavior was unreasonable. If these young, first-time parents got advice from church midwives or other trusted authority figures to do what they did, was it unreasonable for them to follow that advice, he asked.

The House of Yahweh follows the Old Testament dietary laws and claims God guarantees health through them. Whether its leader discourages members from getting medical care is not evident on his webpage, though some ex-members say he does.

Taken in part from the *Abilene Reporter-News*, June 10, 2007, and conversations with Texas prosecutors.

True believers still join House of Yahweh

Many followers of a Texas minister have left his compound in recent years. They became disillusioned by his demands for a 30% tithe to his House of Yahweh, polygamy, his failed prophecies, etc. Public records show, however, that the group has a net gain in membership.

Its leader, Yisrayl Hawkins, was named Buffalo Bill Hawkins by his parents. Hawkins dropped out of school in fifth grade. According to Robert Draper in *Texas Monthly*, Hawkins was a smooth-talking swindler even in adolescence, when he

killed cats and sold their flesh as rabbit meat. Hawkins viciously beat his children and his wife Darlene, Draper wrote.

Hawkins’ brother Jacob founded a sect called House of Yahweh in Odessa, Texas. Buffalo Bill persuaded his brother to ordain him as a minister and promptly founded his own House of Yahweh in Abilene.

The Old Testament-based sect worships on Saturday, mandates obedience to the 613 rabbinic laws in Orthodox Judaism, uses only “Yahweh” as the name for the deity, and celebrates Jewish festivals three times a year. Members wear holy headpieces, and men are required to grow beards.

Buffalo Bill becomes God’s witness, Yisrayl

In 1982, Buffalo Bill legally changed his name to Yisrayl. Then he told his third wife Kay that he and his brother were named in Isaiah 43 of the Bible as God’s two witnesses called upon by Yahweh to rebuild His temple in the end times.

When Jacob died in 1991, Hawkins and his trusted elders told his congregation that Isaiah 43 had been misinterpreted and that really Yisrayl was the only witness. Members were required to paste the new interpretation into their Books of Yahweh.

Two years later members were told that Yahweh sanctioned polygamy. Kay disputed that and was promptly excommunicated.

Hawkins uses the Sioux legend of White Buffalo Calf Woman to bolster his credentials as God’s anointed witness, who will restore peace and obedience to divine laws throughout the world.

Hawkins depicted in Sioux legend and Bible as White Buffalo redeeming mankind

He claims the Native American legend foretold that “the white buffalo would be born to white people in the center of the United States.”

His interpolations of Hebrew would be comical, were it not for followers’ being duped by them. He claims the Hebrew root word “ta” sometimes means “buffalo” and sometimes means “Yahweh hid him in order to restore the House of Yahweh.”

As for his middle name “Bill,” when the English vowel “i” is removed, then it becomes a form of “Abel” in phonetic Hebrew. “Abel” can mean “Abilene,” and Abilene, Texas, where Hawkins’ sect is headquartered, is precisely due west of Abilene, Israel, he claims.

Even “Hawkins” is in the Bible. After the vowels are removed and the name is “reverted to phonetic original Hebrew,” it means “priest.”

Thus, Yisrayl Hawkins, once Buffalo Bill Hawkins, is a priest in Abilene, who will restore the House of Yahweh and divine government on earth.

Other religions led by “preachers of Baal”

Hawkins prohibits his followers from attending other churches, even for family members’ weddings, and repeatedly denounces other religious leaders as “preachers of Baal.” He therefore adds that his use of the Sioux legend does not “promote” other religious teachings, but just shows that “other cultures recognize” to some extent that in the “Last Days. . . one man—Buffalo Bill Hawkins—the White Buffalo” will bring knowledge of the Creator Yahweh to all people on earth. (See “Prophecy of the White Buffalo” at www.yahweh.com.)

Followers prepare for end times

Like several other preachers, Hawkins rails against sin as evidence that we are now living in the prophesied end times. He has more difficulty, though, with the weather. With scripture predicting a drought during the “Tribulation,” Hawkins ordered stockpiling of food. A trailer was crammed with food and buried near the sanctuary. When winter rains rotted the food, Hawkins’ elders said the scripture really meant there would be a lack of “spiritual rain.”

In 2000 his Texas compound prepared for the end of the world. In 2006 the House of Yahweh in Kenya built underground bunkers to live in during the upheaval. Health and children’s welfare officials ordered the bunkers demolished and abandoned, charging they were a health hazard.

Obeying divine laws gives health

Hawkins’ attitude toward medical treatment is difficult to determine. Some ex-members say he discourages medical care, but he himself rarely speaks to the press. He certainly insists on obeying all the kosher dietary laws and implies that such obedience prevents illness. In his booklet “Health Yahweh’s Way,” he states that breaking the dietary laws will bring a “curse” on a person and “even the second death in the lake of fire,” while obeying them “brings physical and spiritual blessings, joy,

health, and long life.” Yahweh babies are usually delivered by church midwives rather than doctors.

Hawkins paints a grim picture of contemporary life. Incurable diseases of both livestock and people, violence, and pollution are everywhere and all caused by disobedience to Yahweh’s laws, he says in his “Prophecy of the White Buffalo.”

Hawkins says he was nearly dead when Yahweh “revealed His Health Laws” and was then restored to permanent good health by obeying them.

In a sermon he called modern science “mostly guesswork,” and said doctors “are amazed at what we’ve known for years,” Draper reported. A Texas county official thinks Hawkins is likely promoting herbal remedies and food products sold by his church as Yahweh’s way to maintain health.

Public attention generates more devotion

After over a hundred members died in two cults in the 1990s, a lot of media attention was focused on the House of Yahweh. This seemed to intensify the members’ devotion to their leader. During the 1990s some 200-300 members legally changed their last name to Hawkins and many added a “y” into their first name as Yisrayl Hawkins did.

Taken in part from Robert Draper, “Happy Domsday,” *Texas Monthly* (July, 1997), “Prophecy Of The White Buffalo” at www.yahweh.com, and “Health Yahweh’s Way” (1995).

About CHILD, Inc.

A member of the National Child Abuse Coalition, CHILD is dedicated to stopping child abuse and neglect related to religious beliefs, cultural traditions, or quackery. CHILD provides research, public education, and amicus briefs. It lobbies for equal protection of children within its limits as a tax-exempt organization. It also has a support group for ex-Christian Scientists.

For more information on CHILD and a membership application form, visit our web page at www.childrenshealthcare.org. Contact information for CHILD is on page 1 of this newsletter.