
Journal of the Task Group on Child Custody Issues of the National Organization for Men Against Sexism

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Should Survivors of Sexual Assault Visit Their Rapist on Weekends?

A workshop with Nancy Copelan-Aldridge, LCSW, Wayne Dow and Jack Straton

Presented at the 15th Conference on Men and Masculinity of the National Organization for Men Against Sexism (NOMAS), entitled *Ending Men's Violence: Pathways to a Gender Just World*.

June 1, 1990

Oglethorpe University, Atlanta, Georgia

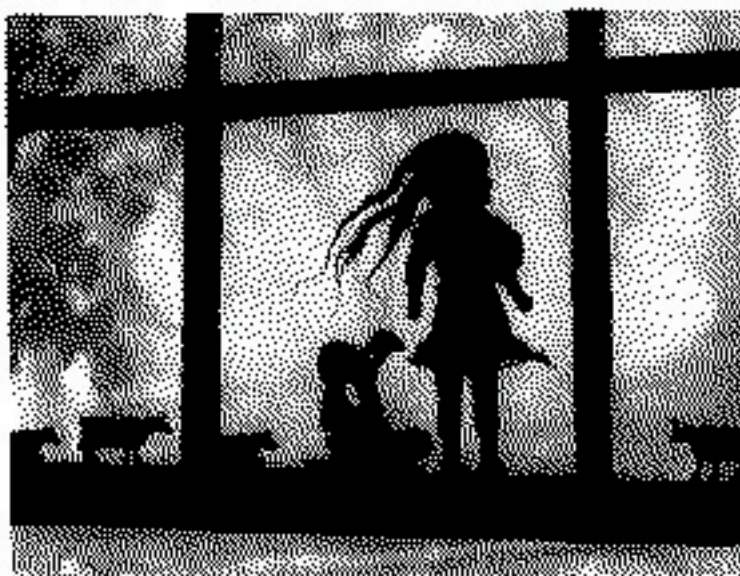
Child Sexual Abuse Accommodation Syndrome

Nancy Copelan-Aldridge (NC-A): I work with the Georgia Center for Children, and our task is to evaluate, assess and treat sexually abused children. These children have been sexually abused in De Kalb County and/or live in De Kalb County, and we treat these children at no cost to them.

When I talked with Jack about doing the workshop, my understanding was that I was to talk about some of the effects of children

being abused. And because of the title of our work-

shop, of course I am particularly interested in how we are evaluating these cases where there are child sexual abuse allegations that arise during domestic disputes, and how we can in fact make a change in the court systems when this does occur.



Have any of you heard about or are aware of the Child Sexual Abuse Ac-

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Notes From the Editor

This Fall issue departs from recent issues of the Journal that have recounted ongoing nightmares of domination, humiliation, and control of children and women by men. Child custody resolution is going right in De Kalb County, Georgia, and perhaps we can use it as model for creating some sanity in our parts of the world.

On June 1, 1990, at Oglethorpe University in Atlanta, Georgia, our task group sponsored a workshop entitled *Should Survivors of Sexual Assault Visit Their Rapist on Weekends?* Nancy Copelan-Aldridge, LCSW, of the Georgia Center for Children (211 Grove St., Decatur, GA 30030), spoke most eloquently about her experiences in De Kalb County, and others of us including Wayne Dow (Georgia Council on Child Abuse, 1401 Peachtree St., N.E., Suite 140, Atlanta, GA 30309) contributed to a comprehensive airing of the topic. This issue of the Journal contains the text of that workshop, transcribed by Theresa Sayles and edited by Jack Straton.

Jack Straton
Task Group Coordinator

commodation Syndrome? Whenever I talk with a group, when I talk with a jury or talk with a judge, it helps to identify what it must be like for a child to be sexually abused. And I think, with that in mind, then we can talk about what it must be like for this child to have to visit with someone who's assaulted them.

Roland Summit is a psychiatrist and he is an assistant professor at UCLA in Torrance, California. He developed over 10 years ago what is called the Child Sexual Abuse Accommodation Syndrome. What he did is he looked at over 2000 children that had been sexually abused and he compared their

behavior to children that had not been sexually abused. And he determined that there was a difference in the behavior of a child that had been abused. [From this differentiation he catalogued] typical behaviors of a child that has been abused. If any of you have heard him at workshops, and I know that Wayne has, he will definitely tell you that this is not a diagnostic procedure. You cannot diagnose a child from this. This is not to validate that this child has been abused. It is only to help you understand what it must be like for this child and to walk in this child's shoes for a while.

The accommodation syndrome

consists of five different points or phases, or stages if you wish.

Secrecy

The first one is *Secrecy*. And we know that when a child is sexually abused, for the most part, the child is abused when no one is around. No one sees this; no one knows about this except the child and the abuser. This is the typical case. As we work more in this area we are more aware of the multi-victim cases, the cases that involve many children, the day-care cases, children who are abused by a family member and more than one child in the family is abused. But typically, what we see is that the

abuse occurs alone. The child perceives from this that there must be something wrong with it, but most of the time the child is told "Don't tell." Even if the child isn't told not to tell, the idea of connecting sexuality with something that is done in private is very frightening to the child. And they interpret from that that they shouldn't talk about this.

But in most of the cases, a child is told, "If you tell, something will happen." And this is one of the things that I look at when I am evaluating children: Have they been told to keep this a secret? Children are told everything from "You're special to me, you know," "You and I are alike," "No one will understand this, this is our own special little relationship, and just let's don't talk about it." And we have this on one end, which is just so confusing to the kid because they are identifying with this person, they think that they are special to this person, and then at some point they realize that they were abused by this person and taken advantage of, and exploited.

All the way over to the other end we have children who are told horrible things will happen: "Your mother will die," "I'll kill your pet," "I'll be taken off to jail," "You'll be put in a foster home." So whatever happens, whatever that child is told, that child really believes that they can't talk about this. So if they don't talk about it they feel safe, but if they don't talk about it they also feel the abuse will continue. What

does happen, as we know, is that children rarely tell about the abuse, and that when they tell it is usually about two years after the abuse has occurred. During that period of time a lot of things have happened. That child has not only gone from being abused, and going through the secrecy, and feeling that they can't tell, what occurs next is the stage that we call *Helplessness*.

Helplessness

Once the abuse begins, the child feels overpowered by the abuser. Sexual abuse has a lot to do obviously with sexuality and sexual gratification, but it has a lot to do also with power and control. So this child feels very dependent on this person, they feel they have no authority over this person, and whatever this person defines the relationship as, the child has to believe that. So the abuse has begun. Typically when you ask a child, "After it happened the first time what did you think?" the child will say, "I was confused, I didn't know what was going on, I didn't understand it, but I didn't think it would happen again." What we are talking about here today has to do with inter-familial child sexual abuse. You don't have an assailant who wants to visit with the child in a stranger on stranger relationship. For the most part what we have is that someone has been abused in a family relationship and we have [a case of] incestuous child sexual abuse. So, the child is in an ongoing relationship with this person. They are seeing this person all the time, and when

the abuse begins it is hard for it to stop.

So what happens is the children try to figure out a way to protect themselves during that Helplessness stage. Kids will tell you things like, "I knew it would happen in the afternoon when I came home from school, and Dad was in the house because Mom hadn't gotten home from work, so I stayed outside and I rode my bicycle. And when Dad called me I didn't want to go in, and I tried to find out a way not to go in, and I'd go to a friend's house." But the kids are trying their own little ways to protect themselves. What we typically see, too, is that abuse occurs at night. And the child will be asleep in their bed, in their bedroom, in their own house, and the abuser will come in. And the first incidence could be that the father, or the mother, or the stepmother, or the stepfather will come into the child's room at night, and the child is asleep, and the child will be awakened by a hand or a mouth or the man's privates on them. And this will wake the child up. At first the child is very confused about this, and what we as adults think that would happen is that this child would squirm, the child would cry out, that the child would resist in some kind of way. This does not happen. The typical reaction of a child that this is occurring to is that that child will pretend to be asleep. They will play 'possum. They will pull the covers up over them, they will squirm around, and they'll turn over. But they don't cry out. Even when their sibling could be

asleep in the bed beside them, or their mother could be asleep in the room next to them, children typically do not cry out.

When a child is being abused by a father, mother or stepparent, in their own home, this child has no one to turn to, and they have no place to run to. It is happening in their own home. The average age of disclosure is around eight years. The average age that abuse begins is five. It can begin as early as infancy. We have had children a few weeks old that have been victims of abuse. Of course a child can't tell you that; the child was found with semen in their mouth. This goes all the way up to 18 years of age. But because the typical age of disclosure is around eight, what we know is that these kids have yet to form peer relationships outside of the home, they are still very dependent on the parent to take care of them, and to guide them and direct them. So the child literally has no place to go unless they are told by school, teachers and counselors, and other members of the family that it is O.K. to tell.

Entrapment and Accommodation

When the child hasn't told, the next point is called Entrapment and Accommodation. What occurs at this phase of the accommodation syndrome, is that the child no longer is trying to figure out how not to be abused, the child is trying to figure out how to put up with it; how to do damage control. And this is where we begin to see some defenses form. When there

is ongoing contact between the abuser and the child, the abuse is usually repetitious. What can begin as an impulsive behavior will develop into something that is compulsive and addictive. The person abusing the child will find that it is fairly easy to abuse a little child. [For many of the children I talk with,] there are no threats. It makes perfectly good sense to me that with a small child who believes in their parent and depends on them, the only thing that parent has to do is to say "Lie down and take your clothes off" and that child is going to do it. So this child's abuse is ongoing.

There's lots of abusers about. The typical abuser may be called regressive if the abuse is situational or an ongoing abuser where we see the suppressed or repressed abuser. Those terminologies are not exactly accepted anymore. The FBI sees that it is different now. What we have in the Diagnostic and Statistical Manual of Mental Disorders are the exclusive and non-exclusive types of abusers. We have people, most of the time they are male, but they are also female, who are only sexually attracted to children. These are the exclusive abusers. The non-exclusive abusers are the ones who are attracted to children and also to age-mates. But when we see people in a family situation, and these people are abusing the child, what we typically see is the regressed offender. Someone who has reached a stage in their life where they have developed fairly normally, and during some type of stress, they will regress and

they will abuse a child. I'll talk about this in a few minutes when we will be looking at divorce and custody, because I think that is one of the things that causes a lot of stress in people, and they are more likely to abuse when they are going through a divorce.

Acting-out or acting-in

The person who is abusing the child may be racked with guilt, they may be remorseful, they may tell the child, "I'm sorry, this will never happen again." But it does, and it keeps on happening. So the child is learning to accommodate, what can they do to put up with this, to live with this. And what we have at this time is what I call either *Acting-out* or *Acting-in*. The acting-in is when a child will withdraw, they will become depressed, they will become a loner, and they will have difficulty concentrating. And on the other extreme we have acting-out where the child will begin actually to have difficulty in school, they will become truant, you will see behavioral disorders, you'll see substance abuse. This is generally what we see in the beginning, when the child is trying to adjust to an abnormal situation. And a lot of times we think that this is abnormal behavior, it's not, it is normal behavior to an abnormal experience.

We see this, the anxiety, the fear, the regression, the depression, the nightmares, the withdrawal. All of these are what we call the initial effects. As the child continues to try to accommodate to the abuse,

what we begin to see more and more is the beginnings of dissociation which will continue on to the multiple personality disorders, which we are really calling now more the dissociation, rather than the multiple personalities. But this begins at this stage, and what will happen is that during the abuse children will typically say things like, "You know I was -- it was like I was up on the wall and I was looking down, and I saw this little girl there, and she was being hurt, and she was crying, and she looked like me, but I wasn't feeling anything." And so it is like in the third person, they begin to separate from the experience. Children will tell me when I say, "What were you thinking about when this was going on?", they'll say, "I was thinking about riding my bicycle or swinging in my swing." So children will begin to split, they will try to cut off the feelings. And what you will see in the drawings too of these children is they will draw their head and their body and there will be a big separation. Their head won't be connected to their body. So you see the separation between the mental process and the gut feeling.

Children will also talk about that they numbed part of their body, that they anesthetize part of their body. Generally from the waist down and particularly in the genital area. So when the abuse is occurring they are not feeling this. This is the beginning, and then the dissociation will continue. The child will take the abusive incident and put it way back in their mind. It is like putting it in a deep freeze, and it stays back

there and when the abuse is not occurring; they don't think about it. And when the abuse occurs, they are thrown back into it again. What children don't understand is that what is right now protective, which the dissociation is (it is adaptive, it is helping them cope with the situation), will later become maladaptive. It will numb them later on to experiences and they will be diagnosed as mentally ill or emotionally handicapped. What we see is that these kids are actually protecting their psyche, but later on it becomes a very damaging process and they require a lot of therapy to get over this.

So during the Accommodation and Entrapment period the child is accommodating to it, they are developing defense mechanisms to cope with it. And what they are also realizing during this phase is that they are having to adapt to escalating sexual demands, because when there is ongoing sexual contact most of the time we see a progression. The sexual abuse may begin as a non-intrusive voyeurism type thing where the abuser will watch the child undress or dress. It will begin to escalate to some touching, and then usually there is oral contact before there is actual penetration with penis, finger or objects. So the child has to accommodate to an increase in intrusive behavior. Also this child is getting a little bit older and they are realizing that "this person who is abusing me is a person who is supposed to love, care, and nurture me, and this person is using me as a sexual object." So this is very confusing for the child. The

child learns in whatever way to cope with the situation.

Delayed, Conflicting, and Unconvincing Disclosures

As I stated, the abuse usually goes on for about two years, and during a period of time the child, for whatever reason, will decide to disclose. And we have intentional disclosures and accidental disclosures. The next point is what we call *The Delayed, Conflicting, Unconvincing Disclosures*. What happens at this point in the syndrome, is that a child will disclose, but typically they will disclose at a time that they are not believed. With adolescents this might occur when they have run away from home, they have gotten in trouble at school, the father wants to discipline them because they have done something bad, and the child will begin to blurt out, "If you hit me with that belt, I'll tell." Or if the child got in trouble at school and comes home and the parents get upset with the child the child knows that he or she is going to be in trouble, the child will yell out, "The reason I'm in trouble at school is because I can't keep my mind on what's going on because I'm being abused."

At this time what we think is this child is just trying to get out of trouble, that this is not a child that has been abused. And what typically happens with this child also is that this is a child that has had a lot of behavioral problems, has lied, has been promiscuous, has run away. So what you see is this is a troubled child who is just

trying to make an excuse for his or her behavior. Younger children are the ones I'm sure Jack and I have more contact with, or have had more contact with the court systems. For preschoolers, Mom and Dad have been living together, Mom decides to divorce, or Dad decides to, and the kid goes for a visit. The child comes home and Mom and Dad are in the midst of a big custody battle, the child is being pulled back and forth, and the child will tell the non-offending parent, "I'm being abused." The non-offending parent, is probably already very upset with the alleged abuser. She or he is the one who makes the outcry, and this is taken to be suspect.

And we'll talk more about that in a little while, but this is the problem that we have when the child discloses. Because for a child to be abused on Sunday night and to walk in Monday morning and tell a teacher or counselor they were abused doesn't happen that often. By the time the child does disclose, many times (fortunately in a way) there's no medical evidence. In about 80-85% of the cases, anyway, there [is no objective] physical or medical evidence. If a child does not disclose anywhere near the time when the abuse occurred, then we might not have any. And when we do have the medical evidence, when there is gonorrhea, or tearing or laceration of the vaginal area or atrophy of the rectal/anal area, what it tells you is that this child has been abused, but it doesn't tell you by whom. Of course a child may identify, "It only happened when I went to Daddy's house, this is the room I

was in, this is what he had on, this is what I had on," but still you've got the medical evidence and you have to connect it with the assailant. When a child does disclose immediately after the abuse, possibly we can get a semen analysis, fiber analysis, something to connect the assailant with the victim, but as I said, this rarely happens. If we do have a child who does get pregnant from this we can do the DNA studies, we can get the blood samples. But even with the DNA studies, they are very, very expensive and it is very hard to get a 99.9% assurance. And anything less than that, there is always a question mark there.

Retraction or Recantation

So, we go through the delayed disclosure, the next and the last point of the accommodation syndrome is what we call the *Retraction or the Recantation*. What happens is that after a child discloses, they've been told, as I talked about in the beginning, "If you tell, something bad will happen;" "You will be taken out of the home;" "You won't be believed;" "I'll be put in jail;" "People will ask you about all these details." The child discloses and exactly what the child was told would happen, happens. The child is taken down, a medical examination is completed, the child is interviewed by an investigative officer, possibly the child is taken for a videotaped interview. If the child makes a clear statement, possibly that may be all that the child has to talk about, but most of the time the child does not immediately make a clear state-

ment, particularly if it is a very young child. They tell you about the abuse in bits and pieces, and they will tell you a little bit, and it may take three sessions before you get all the information from the child, at least enough information to pass onto the D.A.'s office to determine if they can make an arrest or prosecute in this case. So the child is questioned many times. And then what could happen is that if Mom and Dad are fighting about this the child could be taken out of the home. Then we've got a juvenile court hearing where the child is either determined to be a deprived child, or the child is placed back with Mom or Dad. So the child possibly is questioned again. The child may not be placed back with either parent, may be in foster care for a while, and the child is even more frightened. At this time, if the child is not receiving support, if the child is not told that he or she is believed, then the child might retract, might recant, might say, "Well, something happened, but it wasn't all that bad." And the child will then revert back to saying, "The abuse was bad, but this is worse." And for very young children that are in a dependent relationship the abuse is horrible, but for a child to be taken away from their parent is the worst thing that can happen to a child. They fear this more than they fear any type of abuse.

So these are the points of the Child Sexual Abuse Accommodation Syndrome. This kind of tells you what it is like for a child that has been abused, and what they go

through.

Child Sexual Abuse Allegations in Domestic Disputes

What I want to talk about next is child sexual abuse allegations in domestic disputes, how we are evaluating these cases, and what we can do with them.

I think there has been some misinformation about this area, number one, and I wanted to make some disclaimers. Because I do evaluations of children everyday, all day, and many of the children I evaluate have made a disclosure when Mom and Dad are in the midst of a divorce and a custody dispute, I've testified in numerous hearings involving this exact type of problem. What I was hearing before I went in and researched the literature is that we are just having an increase in child sexual abuse allegations that are occurring during the time of divorce and custody disputes. This, in fact, is not true.

We have had more cases that come about when Mom and Dad are divorcing, but when you look at it, we are having more reports of child sexual abuse across the board. If you look at the number of reported child sexual abuse cases in general, you'll see that the number of child sexual abuse allegations that are coming about during domestic disputes are equally proportional to the other cases. We are not seeing any more of those than we did before the 80's. What did occur in the early 80's was that there did appear to

be an increase. And I want to just tell you a few statistics about that because I find it interesting. If you look at all the cases where people are divorcing, only about 10-15% of all divorce cases involve custody at all. If you take those 10-15% of the cases where Mom and Dad are divorcing and there is a custody dispute, only 6% of those involve child sexual abuse allegations. So what we are down to now is 8 out of 1000 cases of divorce may involve child sexual abuse allegations. To me that is a lot, but still is not as many as we were led to believe.

What was happening also in the 80's, is that people were stating that not only were there more cases of child sexual abuse that were coming out around domestic disputes, but there were more false allegations, that children were making statements that they were sexually abused when in fact they were not. They said there were more of these around custody disputes.

In fact there was a very good study done in the mid 80's. This study was done by the National Legal Resource Center for Child Advocacy and Protection, which is a program of the American Bar Association. This was in defense of children who make the disclosure around the time that divorce is occurring. From this study we found [that the increase in allegations could be due to] many things, but I will just list three of these. One of those is deliberate false allegations made to influence a custody decision or to hurt

an ex-spouse. These do happen, but knowledgeable professionals report that they are rare. Second, allegations may arise only after a custody study or other court actions have begun. This timing is no reason to believe they are false. Many parents hope to divorce, gain custody and restrict visitation without mentioning sexual abuse or inviting Child Protective Service agencies to be involved. Number three, abuse may begin only after a divorce. Cases alleging such behavior should not be dismissed as implausible.

So we were [told of] having this really big problem that the child was making the disclosure, that the non-offending parent was in some kind of way enticing this child to make these disclosures, and that these disclosures were fictitious or false. And another thing that was happening was that all the cases that were unsubstantiated were considered false. These were cases that were reported in which they cannot prove that anything happened. There was enough evidence -- they were not determined false -- they just could not be validated. But all these cases were being lumped into the [category of] false disclosures.

There are two very good studies in this area, both of them have been done by David Jones. In the first study, he took 576 reports of child sexual abuse that came through Denver, Colorado's Protective Service agency in one year. And they looked at all of these kids. And these didn't involve child sexual abuse allegations in do-

mestic disputes per se, [although] some of them did. This was just all the reports that came in that year. What they found was that only 8% of these cases were false (or "fictitious"). Eight percent of 576 cases. Now what they did from that study was they took 20 cases that occurred during the time of custody dispute. And of these 20 cases, they found that 14 were true. They were validated and substantiated. They found that there was one that they could never decide on. They found that one of the fictitious or false reports occurred from a child, and only one of these occurred directly from the child alone, with no one else influencing this child's disclosure. And this child had been sexually abused by someone else, and the child made the disclosure that they were in fact abused by the parent when they had not. The other disclosure came from the mother and the child making the disclosure together, and then the other one came from the mother alone.

So what we have is that we've gone from saying that children never lie about being sexually abused to saying that children rarely lie about being sexually abused. So with this idea that whenever a child does make a disclosure we have to look at this case very seriously, and we have to evaluate it. And this is where we are trying, at least here in De Kalb County, to make a difference with these cases.

Why Abuse May Occur During the Divorce.

And a theory that I have, that I try to look at when I'm evaluating, is "could a child be abused before the divorce occurred, or could a child only be abused after the divorce has occurred?" Because a lot of times what we have is the child has gone to visit the parent, comes home and says to the non-offending parent, "Something happened over the weekend." We've got several things that happen here. One is that Mom and Dad could be divorcing because a child has made a disclosure. The child has stated that he or she was being abused, and the parent has left. We can also have that Mom and Dad are divorcing, the abuse was occurring before the divorce, but the child never made the disclosure, but because Mom and Dad are divorcing the child sees the non-offending parent as empowered by the very fact that they are separating and the child feels that they can then come forth and tell the non-offending parent. What also could occur is that we are having a child that has been being abused in the family home and is now told, "You've got to go visit with the alleged offender alone." And this child gets very frightened about spending this weekend alone with this alleged abuser. The child might begin to exhibit behavioral indicators before they go to visit -- regressive behavior, bed-wetting, sleep disturbances -- and so someone begins to talk with the child about what is going on, and the child might disclose. Or the child might go for several

visits and the child might come home one Sunday afternoon. When the child comes home, upset and crying, and runs to their room; then begins the process of disclosing that they have been abused.

The other area to look at comes from studying David Finklehor. Are you all familiar with him? He is a sociologist out of New Hampshire and he just does a lot of research of the literature. He has written four or five books. He's just really very, very knowledgeable in this area. One thing he looked at are preconditions of sexual abuse. And I think they are very, very helpful, because it talks a little about the abuser, and it also talks about the child, when the child is abused. The first of the four preconditions for abuse to occur is that you have a person who has a deviant sexual arousal, or who is aroused to children. They have a predisposition towards abusing children. There could be numerous people who are walking around every day who have this predisposition and they never abuse a child. We have that first precondition combined with the second one, and that is, that normally you've got some inhibitors that prevent you from doing things. This person who does have a tendency toward abusing, or a predisposition to abuse, has inhibitors that prevent him from abusing that child. During a period of time when this person is either abusing alcohol or drugs, or going through a stressful time in their life, these inhibitions could

¹D. P. H. Jones and J. M. McGraw, J. *Interpersonal Violence* 2, 27 (1987).

²D. Finklehor and S. Araji, J. *Sex Research* 22, 145 (1986).

be lowered and they may use poor judgment.

To me when a person is going through a divorce, that is a time of stress. I do a lot of pre- and post-divorce work and people have told me that they do things during the time of divorce that they would not think of doing any other time. So we've got the precondition there that they are predisposed to abusing a child, their inhibitions are lowered, and the next precondition is that the external obstacles against abusing this child have been removed. And in these cases, this child is no longer with an adult that can protect him or her. This child is alone with the abuser. The fourth precondition is that the abuser has to find some way to reduce the resistance of the child, so that the child cooperates with the abuse.

We know that the children who are most abusable (and I don't like this word, but I don't know of a better one) are the children who are vulnerable, who have low self esteem, who feel displaced, who feel inadequate. Many children who are experiencing the divorce of their parents feel these things. They are confused. They don't know what is going to happen to them. So you take all of these preconditions and you put this child alone with the abuser for the weekend, and I think that we are creating a very risky situation.

There is a lot more I could talk about but I'm going to pull this together and maybe come back in and make some comments at the

end. But with these cases, what we are finding is two things. One is that the children who are making these disclosures at the time of custody disputes are very young children and they are giving us very vague stories. In fact, sometimes when they are brought in to the interviewer they won't even talk with us. These cases may not be prosecuted because of the child's age, even though in the State of Georgia we don't have the competency statute anymore, but the child has to be credible to testify.

The other thing that we typically see is that the Mom, the non-offending parent (this is not always the case, and if I have time I'll give you examples of other things that would let you know what it is like for these kids to be abused by either parent), will have some type of personality disorder. She will have a histrionic or hysterical personality, she will be suffering from post-traumatic-stress-disorder, she possibly was sexually abused herself as a child, she may be vengeful, she may be vindictive. These characteristics have been seen with women who have made false disclosures. And on the other hand what we may have is the accused parent may have a personality similar to that that we have seen in reliable cases where the child has actually been abused. (We in the state of Georgia, so far, don't recognize that there is a profile of an offender, as they do in California.) But what we see is that this offender may be impulsive, they may be somewhat exhibiting sociopathic tendencies,

they may abuse drugs and alcohol, they may abuse women, they may be abusive of systems, and things in general.

So what we've got is a very difficult case now. We've got a very young child who is making a disclosure, mother who appears hysterical, even though I think anybody would appear hysterical if they found out their child was being abused, and on the other hand we've got a father who is quite manipulative, and many times very charismatic. So it is very, very hard to diagnose these cases. We have got a really good connection with our judges now, and we ask them to refer these cases out to therapists to evaluate them. We have nine Superior Court judges in De Kalb County. We've gone to all of them, we've asked them to do this. Most of the time what happens is that these cases are down on a civil level -- Mom and Dad are divorcing -- they're not going to be prosecuted in Superior Courts. So what we are asking is "What kind of contact does the alleged abuser have with this child," "Does this child have to have supervised contact with this assailant," "Does this child have overnight visits with this person?" So we do a complete evaluation of these children and even though we may not be able to determine exactly what has happened to this child, we can get enough information hopefully from this child to believe that something has happened to them. And we can write out recommendations for the courts. And I have found in De Kalb county that the

judges really want us to do this. They want to hear what to do.

And the recommendations are very concrete that we give them. We talk about sessions with the non-offending parent and the offending parent to talk about these issues, and to talk about parenting issues with the child. We begin to do individual sessions with the child, and individual sessions with the Mom and the father. I require all the men and the women that I evaluate, that have been accused of sexually abusing a child, to complete a psychophysiological test. And this is where penile pythasmiograph [is used] or this instrument inserted inside of a woman's vagina to determine if that person has any deviant sexual arousal. If that person does, if there are any areas to treat after this test, then I refer that person to an extensive offender treatment program. If this happens and we go to court, we've got a little bit of leverage in the courtroom. If the person shows no deviant sexual arousal to children, then we are left with a more serious dilemma. But what we do recommend is that there is a period of therapy that the offender is not allowed to see the child unsupervised until that child is ready. And that is the key. That could take six months, a year, two years. I'm working on a case now and we are in the third year and that child still isn't ready. And the judge is still leaving this case open. And this child will not have unsupervised visits, much less overnight visits with his father until that child is ready. I'm going to stop there, I'll add at any

point if you want me to.

The Larger System

Wayne Dow (WD): I appreciate what you've done, Nancy, particularly about the grooming process, and how the abuse progresses to the point reflecting the title where we're talking about "rapist", though it certainly doesn't start that way. And I also think the way the children disclose abuse, what you've done there, is very helpful, and the difficulties that presents for you, for the prosecutor, for the judge. That's all very useful for people to know, because what I think we have here is an issue of parental rights versus protection of children. You really need to understand the victimization process before you can even begin to decide that on a case by case basis.

I think it's interesting that you say the number of cases are really very small, where it's getting a whole lot of publicity, and I think that threatens the whole child protection movement. And so I'm very scared about this topic and about this problem because I think it's being used by the whole system -- the whole patriarchal abusive system -- to undermine the challenge to males' "right" to ownership over their children and over their wives. So this whole thing scares me and I think it's important that it be addressed.

The title of this thing I think is interesting, "Should Survivors of Sexual Assault Visit Their Rapist on Weekends?" I'm very curious about how you came up with

that title. First of all, and Nancy you were very clear on this, and it certainly has been my experience, that most of child sexual assault doesn't necessarily involve rape. So I had a reaction to the word rapist, as if other things men do to children would not qualify as rape but certainly qualify as sexual assault. So I want to stop for just a second and ask you where that part of the title came from.

Jack Straton (JS): That's a good question. The title was intended to be provocative. A lot of what I hear is minimalization of child sexual abuse. "Oh, that's child sexual abuse," and we apply a different standard to that than we would to the rape of an adult woman. So I wanted to bring in that upper level of concern.

WD: Thanks, well it did that for me, although I still had a reaction to it. You asked earlier how we decided on the title. Do you still have that question?

Participant 1 (P1): No. But I would like to ask, isn't it true that if the mother brings up the fact that the daughter or son is being abused (and you gave some reasons why it might come out then) as I've read that in 90% of the divorce cases where the mother brings up allegations of abuse, the custody is given to the father?

NC-A: I haven't read that, and that has not been my experience.

WD: I think that's a very good question because I think that given the dynamics of an abusive fam-

ily where there's sexual abuse, and probably domestic violence, I think that would make sense. And given the structure of the courts and how they relate to men and to families, I think it would make sense. It's not Nancy's experience, however I would also say that Nancy is working in a county that has a fair amount of resources: It has the Georgia Center for Children; it has very good prosecutors; it has a history of taking on child sexual abuse and trying to work for the protection of children. So I think it may be different there than it is in Fayette county or other places.

P1: Or Washington, D.C.

WD: Or Atlanta for that matter.

P1: The other thing I was hoping to get to hear was y'all talking about how are we going to go to Judge Tillman, for instance, and explain, or help him change his mind, or help him see that he is not there to protect the rights of the father. How do we make that conceptual leap with judges just as we did in working with batterers.

WD: I have a response to that which isn't going to answer your question. But I'd like to go for a minute here. The other thing is about "On Weekends," where did you come up with that. You don't have to answer because the reality is that it is not just week ends but also week days, and week nights, when it comes to being custody given to him.

Another thing I want to say about

the title being "Rapist." You talked about the peter meter, what do you call those things again?

NC-A: Penile pythasmiograph.

WD: There you go. We call them peter meters at the Georgia Council on Child Abuse. Gene Abel [?] who is doing a lot of that research, came to us and wanted to do a study, to test men who weren't aroused by children vs. men who were so that we could start screening people to see what the differences were, and so that we could start screening people for volunteer programs. He's having a hard time coming up with enough subjects who aren't aroused by pictures of naked children. And so I look at this thing about "rapist," and that's where I react. It's almost like good men, bad men. I think what we have to realize is that all of us as men share this potential.

I think we don't see this in its broader political context. Child abuse prevention is not seen as a movement. And I think that it is linked to working against racism, and working against violence against women. And I want to add one thing to the factors involved in child sexual abuse, that you didn't say. Somebody, and it may have been Finklehor who did the study, said that extreme marital conflict, including battering, is one of the most powerful predictors of child sexual assault. And I think it's important that we begin to see that child sexual assault is happening in a context of male violence against women. And in

that sense, sometimes taking from the child is a way of hurting the mom. And it's a reaction of men feeling like victims and taking it out on their children or step-children. And I would add that because such a small percentage of children ever disclose sexual abuse to the authorities, and only a small percentage of women ever disclose domestic violence to the authorities, that it's probably those cases we never hear about where there is a greater concentration of both problems happening at the same time.

I think we should begin to see child sexual assault as a consequence of domestic violence. So when I start thinking about solutions to this problem, through getting the divorce court judge to consider the rights of children, I think this has to be a part of the greater effort to end men's violence against women.

There are also religious dimensions, homophobia, and racism. Particularly about religion, is the notion for kids of "Honor thy mother and father." We know of an 8 year old kid whose father told her that the Bible said it was OK for him to have sex with her. And so I think we have larger systems than just the divorce court judge to address. We have the whole religious institution to address about this problem.

And what has always happened, and Nancy is on the cutting edge of changing this, is that children are always revictimized by the legal and medical professions. Nancy's center is really designed

to try to account for the children's feelings and experiences and rights, essentially helping that kid through the court process.

What we know is, outside of De Kalb county, so often it's the divorce court judge who is determining whether the abuse happened. I think that's a problem because they don't have the information. Courts that should be designed to protect the rights of the victim, and to do what's in the best interests of the children, typically are being [presided over] by judges who are at the top of a patriarchal system and really aren't qualified to make those judgments. And they're not looking outside of their own selves and their own definition of the law to determine whether abuse is happening. They're not calling in social services, they're not calling in law enforcement, they're not calling in the medical profession. The medical profession doesn't want to know child sexual abuse is happening anyhow so we've got large problems.

Another problem is the labelling of the non-offending spouse. If we always are to hold women responsible for the physical and emotional well-being of her children, and if he committed some type of sexual act toward his children, then [it is asked] "Why is the mom allowing that to happen?" And so the courts are labeling the women, are finding some way of making her responsible for his behavior. So it is repeating the pattern that shows up in domestic violence. I work closely with

Child Protective Services. And I don't say many things against them because there is a lot I like about them, but they hate battered women. And they are going to try to make women responsible for their abuse and for the abuse of their children. And all of the interventions that [Child Protective Service] does are [targeted] at the mother whether or not she's the abuser. "She's responsible for the father's abusiveness." So I think the new thing is [to say] that the mother is either colluding in the abuse somehow, or she is falsifying or coaching. So one way or another the mom is going to get labelled as responsible for this.

Most battered women are very terrified of the court system, for good reason. Most batterers have been through courts lots of times: for drunken driving; for assault. They're used to that process. They know about lawyers, they know about judges, they know about their rights. A battered woman might be there, who has had little experience in dealing with the law, is terrified because of her experience, and she just wants to get through this and get it over with; to get the abuse behind her. Whereas her husband is there to win. And courts are set up to reinforce that. They are looking for a winner. And I think that courts are very hard on women trying to protect their children from abuse, particularly if they are battered women.

So it is more than just educating divorce judges. Who is educating children about abuse? Who is

teaching adolescents not to rape? The larger question I'm trying to ask is, "Now that we know that we have this problem, that is kids getting stuck with the perpetrator, what is the most efficient use of our energy and our resources in combatting the problem?" As a representative of a prevention agency, that is the piece I'm trying to add today.

Court ordered coercion and control of children by their abuser

Jack Straton (JS): I'll talk for a few minutes and leave some time for questions. I'm Jack Straton, Coordinator of the Task Group on Child Custody Issues of the National Organization for Men Against Sexism. What I bring to this discussion is much experience doing education in public schools around sexual assault. I got dragged into the custody arena, first on issues surrounding domestic violence, and how men are using the courts to gain access to women they have been battering, and now am coming to understand that men are using controlling behavior around children both to get at the woman and to get at the children themselves. So one of the pieces of your question that I want to talk about is how is it that we can go out into the communities and let people know that this is a political problem.

One of the things that I want to stress is that the father's demands for access to the child is a controlling behavior. Yet we have

labeled that behavior as “love,” [thinking] that the father needs to have this contact and that the child needs to have this contact with the father. Yet when you look with slightly different eyes, the father is demanding access. That alone should be a caution to us, and it apparently is not in most of society. We should be less willing to allow a visit by a man who is demanding access than someone who is completely ambivalent, a total stranger.

The question always comes up about whether contact with the father is essential to the child. There was a study done in 1987 by Frank Furstenberg, Phillip Morgan, and Paul Allison, in which children who had not seen their father in 5 years did significantly better than those who had spent 0 through 13 days with their father in the previous year. The questions are: Is it good for the father? Is it good for the child? Clearly the child does not need to have a father in order to be well adjusted. So we need to set that issue aside and focus on real issues.

The next question is, “Suppose we don’t know whether the abuse occurred, what are we going to do?” I return again to the issue of control. What is the reality? The child is not trying to control the father, but the father is trying to control the child. The courts are in the position of adding coercion. The courts can acquiesce to the child’s request not to visit the

father if the child is old enough. However in many cases, the court is actually being the coercing agent in making that child spend time alone with the father. So we really need to speak strongly to that point and say, “At the least, the court should not coerce” if there is a clear indication from the child that she or he does not want to visit the father.

I know of one situation in Pennsylvania in which there is an outrageous situation in which the child is attacking the mother for being the one to take the child to the father. And yet the mother is in the position of loosing custody entirely if she doesn’t acquiesce to the court’s coercion.

I’m wondering what is to happen when a child is too young to verbalize her desire to avoid the father’s control. I want to close with that question and one other. There is a new book out by Hollida Wakefield and Ralph Underwager that has outrageous statistics that 65% of child abuse statistics are false. This book is the big lie, it’s fat and respectable looking. I would love to know of good research that counters their claims.

NC-A: That book is being totally researched by Ann Saltzer, Ph.D. And what she is finding is that the quotes in there are taken out of context. Probably by next year she will give us the results of this. Underwager is a defense witness. He charges about \$2,000 a day. He was a Lutheran minister prior to that. Basically, just about

everything in this book can be contradicted. The 65% came from Douglas Besharov who worked for the Department of Family Children’s Services. They took all the cases I mentioned earlier that were unsubstantiated and called them false. These were just cases that were not proven. This figure is not true. The study by David Jones is the one that is accepted in the courts.

Participant 2: About the last thing you said, Jack, it’s my general approach with fathers whose older daughters report that they are being sexually abused, to give them the entrée of “Of course you will want to back off while we are figuring out what in the world is going on with your child. Let’s hope that we find out what the problem is because either she is a pathological liar, and that is a very serious problem, or she is being sexually abused (either she is psychotic or in grave danger).” Once I frame it that way, I have had some luck with getting fathers to back off by showing them that it is practically admitting their guilt to demand that they see their daughter that weekend. If you can start off with the dynamic of “Let’s see what we can do for the child,” instead of “Let’s give the power to the father,” and operate on the premise, it changes the dynamic of the situation.

NC-A: I want to mention the book *Kiss Daddy Goodnight*, (and *Kiss Daddy Goodnight: Ten Years Later*). It is very, very good. And

⁴*Accusations of Child Sexual Abuse* (Charles Thomas, Springfield, Il, 1988).

³ Frank F. Furstenberg, S. Phillip Morgan, and Paul D. Allison, *Am. Soc. Rev.* **52**, 695 (1987).

what it addresses is the bind that women are in. I think we have as much work to do with the non-offending parent as with the offending parent, because they can be their own worst enemy. They need our support. They need our help. They need to know how to behave, how to react, and how to help their child . . .

WD: In court, through the process.

NC-A: Through everything. Through therapy. We try not to get to the point where the child is kicking and screaming and hitting the mom. But that is happening, and it is very sad. The only time I've had that happen is when the case was prosecuted and the defendant was found not guilty. We had done everything, had exhausted our options, and the child went on the visit two weeks ago. It was awful. I did a video tape before and after just to capture what it is like for these children.

Back to *Kiss Daddy Goodnight*, which has to do with women who were not making the reports, and they were found to be passive participants, unconsciously aware but not doing anything. And now women are making the reports and they are still being persecuted or prosecuted for making the reports.

WD: An additional connection between women who are not making reports and domestic violence is that she may be living in a state of fear because he is threatening her; "If you tell . . ." And that complicates things when we try to use

the courts or laws to hold women accountable for reporting because they are putting themselves at risk.

Participant 3: I'm concerned about the labeling of the non-offending spouse in the evaluation process. So often she is labeled as having an hysterical personality, whereas the term hysterical is never applied to men. Who wouldn't be hysterical after going through this?

NC-A: Yes, and yet if we don't do the evaluation, who is the objective party, the other side is going to. The defense attorney is going to start labelling people when you get in the court room. We have to be ready with a comeback for that. We must have as much information as we can get on the non-offending parent to substantiate her behavior, rather than using the diagnosis: "She's upset at night, she's losing weight," whatever, "this is stress related." Anything we can try to water it down a bit. But I agree with you, I think it is a bad thing to have to label.

P3: What I always come to, in terms of NOMAS, we need to come to some more creative way to deal with the problem than through the court or the mental health system. Because of the structure of patriarchy, we're forced in that system to participate in problematic behaviors, like labeling.

The role of Pornography

Participant 4: Some of it is, how we train mental health personnel, and what kind of models we use in these kinds of cases. A lot of the models are suspect in themselves, or don't include a power analysis, or a political analysis of sexism. I really appreciated all the statistics you had and how important that is for challenging the Men's Rightists, who just want to spew out "Oh, poor dads."

Another thing you were talking about is researchers who were having a hard time finding men who were not aroused by pictures of nude children. I think about how we objectify women and how we fetishize parts, so that the butt of a 22-year-old woman can look the same as the butt of a 13-year-old girl, or a seven-year-old, even. Men's sexuality is becoming more and more fetishized, and with the rise in objectification, raw objectification, of women. Do you think there is a rise in sexual assault of children because of that?

Participant 5: Theresa, did we go together to see the movie, *Not a Love Story*?

Participant 6: Yeah, a long time ago.

P5: Where, among other things, pornography was a 400 million dollar industry. There were 4 adult bookstores for every McDonald's in the country.

Participant 7: Its now 8 billion dollars.

WD: And if you look at advertis-

ing, and what they do to children, we are portraying children in sexual roles. You start giving men those images, and then pornography reinforces that. I think the problem is increasing, though I don't know of any evidence to support that.

Participant 7: Nikki Craft first pointed out to me that if you look at the centerfold of Playboy -- since day one, I think -- they always show pictures of the woman as, if not an infant, as a very young girl up through several stages. So here she is...

WD: Progression of the sexual object.

P7: Here she was pretty sexy when she was little, too.

P4: The thing, too, that pornography does -- when you talk about the preconditions for sexual assault to happen -- it legitimizes this kind of sexualizing of children so that the inhibitors are taken away. It connects to the whole cultural accessibility of children, and external obstacles are taken away through that. The same way in advertising.

When should an offending parent be allowed to visit the child?

P7: What I'm interested in is, when should an offending parent be allowed to visit the child. Say it's even a rapist. The assumption here is that at some point they should be allowed to visit again.

I'm interested in some of the nuts and bolts of that.

NC-A: Several things are key to that. One, we've had cases where someone has admitted to abusing the child. They have spent their time in prison or on probation, or have gone through an offender treatment program. And this person wants to have contact with the victim again. There is an extravagant treatment process that occurs at that time.

It involves couples therapy, family therapy. Jay Haley is a theorist who has developed family systems approaches. What he does is what we do; we see all the family together. The offender is in there with the child, and the offender makes apologies to the child. They completely acknowledge what they did to that child. They express their remorse. They verbalize what they did -- the sexual act -- and they say why that was wrong. This can go over several sessions. After the complete admission, and after serving his time, then when the family is ready [we try this. Note that] 50% of the families stay together and 50% divorce after the abuse occurs, if it wasn't already occurring in a divorce situation. If he is going back to live with the wife, you have a whole other issue here. But if he is just going to visit the child, what we do is that we set up very structured ways for him to visit with the child.

For the first 10 to 12 weeks the visits occur in the therapist's office, where the therapist is in

the room. Then you may go to where the child and the perpetrator are in the room together and the therapist is watching through a one-way mirror. After this you go to supervised visits outside of the therapist's office. It is all just very structured. The first visit outside of the office that is supervised is in a public place. The person drives in his car to McDonald's. The mother brings the child in her car to McDonald's. The mother may be the supervisor or someone else may be the supervisor. So they have one or two hours.

During this visit the perpetrator cannot make comments about the child's appearance, he cannot make comments about the child's appearance, he cannot sit near the child. As Wayne said, the key to this child not being abused again is to teach the child how not to be abused: protection issues. So this child is very aware at this time what happened to them, how they felt about it, how it came about. We develop a system so that the child can indicate to the mother she is uncomfortable without having to stand up and announce "I'm uncomfortable, let's leave." The child may say "Number three," or "Fifty-five," or "It's a cloudy day." Something that tips the mom off "This child is uncomfortable, we need to end this."

You go through these visits for a while. If they're comfortable, you move from one hour to four to six hours. You do this gradually until you get to an overnight.

P7: I'm glad you answered that,

but that is a very small percent who are actually convicted. What about the ones where there is no conviction at all, but you know its true?

NC-A: When you have the assistance of the Courts, as we do, we've been able to stall (for lack of a better word). When we can't prove it, helping the judge decide is a lot of our responsibility. What we have agreed with the judges is that we will do an evaluation and present recommendations. Typically, in these situations, my recommendations are the same recommendations that I just outlined. I go on the theory that the abuse occurred. And I try to convince the judge that that is in the best interest of the child.

This is not taking away any of the father's rights. The father can see the child in my office and eventually on weekends with supervision. We move on. We've got one case that has been going on for three years. I say to the father, "I'm not going to ask you to admit to anything you say you didn't do, but I want you to apologize to this child for anything you have ever done that has made this child uncomfortable. And I want you to tell that child that he or she can at any point, at any time, tell me or their mother or another designated adult anything that goes on when that child is with you. You need to make that clear to that child."

So we proceed slowly, as we did before. And we're in luck here in De Kalb county. And it goes back

to us sitting in this room today, because what happens is a judge can make a decision only on what is presented to him. And we have to present it to him. So when we have a case like this we need to get to the attorney [of the protecting parent] because he is the one that will present this information to the judge. We can educate the judges as much as we want to, but judges have said to me "I needed to make the decision based on what was presented to me" [by the attorney].

We need to get that research to him. I'm glad you brought up [Furstenberg's] research, I want to get a copy. That's the other thing we hear all the time is "How will that child be affected if they don't see [the abusive] parent?" What I say is that "This child is already being affected [negatively]."

WD: Another thing that's nice about De Kalb county is the very good use of the Child Abuse Protocol: Videotaping the interview so the child doesn't have to be interviewed 50 times (by their school counselor, their principal, and on and on). Eventually kids were recanting their story. If you can catch the kids on videotape the first time and send the videotape through the system, with a good videotape it's like a 90% conviction rate. It's a State law in Georgia that all counties must use this, but most are not. Once it gets to the grand jury there is a very high guilty plea rate, which is in everyone's best interest. Ω

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