



Learning From the McMartin Hoax

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ABSTRACT: An analysis of the videotapes in the McMartin preschool sex abuse case shows a strong pattern of pressure, coercion and manipulation aimed at getting the children to make statements about abuse. The tapes from this case should be widely studied in that they are the key to understanding how the children could come to sincerely believe things that never happened.

Slowly, begrudgingly, more and more people are beginning to recognize that the charges against the McMartin preschool are without foundation. Even more important, the cause of this tragedy is also being acknowledged in some circles. Others, however, despite being in a position to see how the hoax developed, refuse to face up to the truth.

If the allegations are not true, why would the children say they have not only been sexually abused, but have also been exposed to rituals involving animal slaughter and even murder? The answer is both simple and terrible. They were trained. Trained first by the "experts" our law enforcement agencies trustingly allowed to "evaluate" the children and then by therapists hired to treat them.

Most influential among those defending the way in which the children were interviewed is psychiatrist Roland Summit. Summit (1986) has written in a *Los Angeles Times* editorial that the McMartin children were the victims of sexual abuse, that the social worker, Kee MacFarlane, and the Children's Institute International used proper, up-to-the-minute techniques to interview the children, and that the crumbling of the prosecution merely points to weaknesses in the criminal justice system.

Summit argued that "there was both reason and precedent for the methods used in the initial interviews with the children." MacFarlane, we are told, practiced "state of the art ... highly evolved, intensely specific and largely unknown outside the fledgling specialty of child abuse diagnosis." This new art form, Summit continued, was "an amalgam of several roles ... the knowledge of a child development specialist to understand and translate toddler language, a therapist to guide and interpret interactive play, a police interrogator to develop evidentiary confirmation and a child abuse specialist to recognize the distinctive and pathetic patterns of sexual victimization." We evidently need such artists to assist police investigators because their "specialist understanding is both unexpected and counterintuitive" (Summit, 1986, p.1).

Summit doesn't tell us whether he has viewed any of the videotaped interviews done by MacFarlane and her protégés, but either way his defense of the techniques

used is itself indefensible. I don't know which is worse — defending interviews which he has studied and which so clearly show that the children were trained by the interviewers to believe they were molested, or defending interviews which he has not studied.

Based on my own viewing of videotapes of 46 children in the McMartin case, I can state categorically that the children were in every single session outrageously manipulated by their interviewers. During the past five years, I have studied about 700 hours of audio- or videotapes in cases of alleged child sexual abuse. All too many show a pattern of interviewing techniques aimed at getting a child to admit abuse rather than to find out if any has occurred.

None, however, were as systematically manipulative as those done in the McMartin case. In each and every session a pattern emerges in which the children are alternately prodded and charmed, cajoled and tricked, until they finally give the interviewer what he or she wants, some "yucky secrets."

Because those who have viewed these tapes are under court order not to release any portion of them, I am unable to use transcripts of these interviews to illustrate how the children were trained. One example, however, was published in the *Washington Post* (Goreny, 1988) after a tape was played for a jury in the preliminary hearing. It involved an eight-year-old boy who was four years old when he attended the preschool, and Kee McFarlane, an unlicensed social worker who was (and is) the director of the diagnostic clinic of the Children's Institute International. Having seen so many other sessions done by MacFarlane and those she trained, I can attest to the fact that this example is not an unusual one.

As we come to this excerpt, the boy is holding a Pac-man puppet on his hand.

MacFarlane: Here's a hard question I don't know if you know the answer to. We'll see how smart you are, Pac-man. Did you ever see anything come out of Mr. Ray's wiener? Do you remember that?

Child: (no response)

MacFarlane: Can you remember back that far? We'll see how ... how good your brain is working today, Pac-man.

(Child moves puppet around.)

MacFarlane: Is that a yes?

(Child nods puppet yes.)

MacFarlane: Well, you're smart. Now, let's see if we can figure out what it was. I wonder if you can point to something of what color it was.

(Child tries to pick up the pointer with the Pac-man's mouth.)

MacFarlane: Let me get your pen here (puts a pointer in child's Pac-man puppet mouth).

Child: It was ...

MacFarlane: Let's see what color is that.

(Child uses the Pac-man's hand to point to the Pac-man puppet.)

MacFarlane: Oh, you're pointing to yourself. That must be yellow.

(Child nods puppet yes.)

MacFarlane: You're smart to point to yourself. What did it feel like? Was it like water? Or some-thing else?

Child: Um, what?

MacFarlane: The stuff that came out. Let me try. I'll try a different question on you. We'll try to figure out what that stuff tastes like. We're going to try and figure out if it tastes good.

Child: He never did that to [me], I don't think.

MacFarlane: Oh, well, Pac-man, would you know what it tastes like? Would you think it tastes like candy, sort of trying ...

Child: I think it would taste like yucky ants.

MacFarlane: Yucky ants. Whoa. That would be kind of yucky. I don't think it would taste like ... you don't think it would taste like strawberries or anything good?

Child: No.

MacFarlane: Oh. Think it would so ... do you think that would be sticky, like sticky, yucky ants?

Child: A little.

Having seen similar examples over and over in the McMartin tapes, only one conclusion is reasonable: MacFarlane and her trainees had decided before the first interview that children were molested at the McMartin preschool. However they now try to rationalize their interview techniques, their behavior with the children looks like an attempt to squeeze from the children evidence of what the interviewers were convinced must have taken place.

By now all charges have been dropped on five of the seven original McMartin defendants. Virtually everyone close to the case has recognized that only political considerations mandated a trial of the remaining two, given the complete lack of evidence other than the statements wrenched from the children by techniques like those illustrated above. Even what was alleged to be physical evidence seen on medical examinations of the children is now being shown to be unreliable (Coleman, in press).

Los Angeles County District Attorney Ira Reiner, who inherited the case from his predecessor, has publicly admitted as much. Interviewed by Mike Wallace for the

60 Minutes program, Reiner admitted, "When I took office I assumed, I suppose like almost everyone else that these defendants all of them were guilty ...

After the case was reevaluated, Reiner states, "One of the things at that time that struck me was the total lack of corroboration ... hundreds and hundreds of charges and no corroboration, that is obviously disquieting.

Reiner went on to identify the correct source of the problem. "The entire case was turned over by the district attorney ... to a group of social workers ... now these people are absolutely unqualified to handle a criminal investigation ... they start from a premise ... that no child is capable of fabricating stories about sexual molestation. To do so would require them to talk of a thing which they have no understanding or knowledge. And so we can always rely upon a child talking about being sexually molested. ... But what we had here were these social workers questioning the children, asking very leading and very suggestive questions ..."

Reiner even provides an example. "They'd have little Bobby sitting there, and they'd say to Bobby, 'Did the bad teacher touch you in a yucky way in this place right here?', and Bobby would say, 'No.' Then they'd say, 'Wait a minute, Johnny has already told us that this happened. Now, you're just as smart as Johnny, aren't you?' And after a little bit of this, then maybe Bobby would say, 'Okay,' he'd nod his head, 'Yeah, it happened that way. ...', And then once they get the child to say that, that's the end of the interview as far as they're concerned. They go on to another subject. ..."

Finally, Reiner made a staggering admission. Asked by Wallace how many of the 200 hours of videotapes of the children had been viewed by his office prior to sending the case to the grand jury for indictment, Reiner said, "In round figures, zero."

While such irresponsibility can hardly be exaggerated, I find even more disturbing the fact that leading lights in the field of child sexual abuse continue to insist that what MacFarlane did was proper. What this tells us is that children all over the country will continue to be interviewed in this manner for years to come.

We even have books like Finkelhor and Williams's *Nursery Crimes: Sexual Abuse in Day Care* (1988) which purports to study the terrible abuses in cases like McMartin, completely ignoring the massive evidence that few, if any, of the wild allegations across the country are based on reality (Charlier & Downing, 1988).

Returning to his defense of MacFarlane's interviews, Summit (1986, p. 1) writes, "If a child suspected of being abused is unable to volunteer information, it must be elicited with warm reassurance and specific, potentially leading questions."

This assumes, of course, that a molestation has taken place, despite the fact that the interview is supposed to discover whether molestation has occurred. Tragically, this assumption of sexual abuse is precisely the attitude that Summit, MacFarlane and other experts in child sexual abuse have promoted, through countless workshops for police, protective service workers, mental health professionals, and district attorneys. It is this belief that if an allegation is raised, regardless of the circumstances, it must be true because "Children don't lie about sexual abuse,"

which explains the irresponsible investigations in the McMartin case, and the hundreds of other false allegations throughout the country.

This raises other serious questions. Where does the claim that "Children don't lie about sexual abuse" come from? Are there only two choices, that the child is either lying or telling the truth? Does this ignore the possibility that a child may be manipulated into an accusation, and with sufficient training eventually come to sincerely believe in things which never took place?

With the answers to these questions comes the recognition that in defending Kee MacFarlane and the Children's Institute International, Summit (1986) is defending himself and the other leaders of what he refers to as the "fledgling specialty" of child sexual abuse.

In a highly influential article, Summit has written, "It has become a maxim among child sexual abuse intervention counselors and investigators that children never fabricate the kinds of explicit sexual manipulations they divulge in complaints and interrogations" (1983, pp. 190-191). Unaided by adults with axes to grind, this is probably true most of the time. But the evidence is now overwhelming that children may be coaxed, prodded, and trained until they tell not only of sexual abuse which never took place, but about virtually any fantasy imaginable (Wakefield & Underwager, 1988).

Ideas which children would never imagine on their own come forth as they try to figure out what are the terrible things which the interviewer insists on hearing about. Take, for example, the child repeatedly interviewed as part of the string of cases in Bakersfield, California. These cases have been found by California's Attorney General to be based on the same irresponsible interview techniques that were used on the McMartin children (Van de Kamp, 1986). In one of the cases, a child told how a mother and father had sexually abused and then murdered their two-year-old son. I am happy to report that the "murdered" child is alive and well. Another child in this same case, subjected to the same indoctrination techniques, added the district attorney, the sheriff, and the child protection worker to the long list of child molesters.

The Minnesota Attorney General investigated the sex abuse hoax in Scott County, where children told of sex rings and murders, and accused their own parents of these heinous acts (Humphrey, 1985). A major conclusion of the investigation was that "... prolonged interrogation of children may result in confusion between fact and fantasy" (p.11).

To ignore such evidence is irresponsible. It seems that rather than face up to the nightmare which the experts have promoted by their aggressive and manipulative techniques, they are determined to confuse the issues by claiming that (quoting Summit) "If there is a danger out there ... we must look to sources apart from the criminal justice system to show us the danger. ... Rather than discredit MacFarlane, the criminal justice system needs to better understand the problems of child sexual abuse and make accommodations to new sources of evidence" (Summit, 1986, p.1).

This means more puppets, more anatomically correct dolls, more testimony from

three, four, or five year olds who have been badly manipulated by interviewers that they can no longer differentiate what they remember from what has been suggested to them.

Recently we learned that hundreds of thousands of federal and state dollars are currently funding a U.C.L.A. study on the impact of sexual abuse on the McMartin children. The lead investigator is psychologist Jill Watermann who co-authored a book with Kee MacFarlane on how to investigate child sexual abuse.

Dr. Summit has made one worthwhile recommendation. He has urged that the videotapes of the McMartin interviews be carefully studied no matter what happens in the criminal case. This is precisely what needs to happen, once they are edited to protect the children's identities. The hundreds of hours of videotaped interviews are indeed the key to understanding how the children could come to sincerely believe things that never happened. These tapes must not be allowed to gather dust merely because the district attorney's office finally admitted it was a terrible mistake to trust MacFarlane and the Children's Institute International.

These tapes are a key not only to understanding the McMartin hoax but the thousands of smaller but otherwise similar debacles unfolding throughout the country. If, as I have seen from my own viewing of the McMartin tapes and listening to 700 hours of audio- and videotapes in other cases, the best and the brightest have created the current mess in investigations of alleged child sexual abuse, then some basic lessons emerge:

First, we have once again made a terrible mistake by turning to mental health professionals for advice in delicate and difficult issues of law and social policy. Mental health professionals are no more qualified to investigate whether a child has been sexually molested than to determine if a murderer knows right from wrong or predict if a prisoner is safe for release (Coleman, 1984).

Second, police and child protection workers throughout the country will need to be retrained. The ideas and methods of Summit, MacFarlane, and their closest colleagues which now pervade child sexual abuse investigations will need to be exposed and discarded in favor of careful and responsible investigations which do not turn to "experts" for insights which we mistakenly assume they can provide. We will do far better without them.

I join hands with Dr. Summit in calling for the most thorough study of the McMartin tapes by the widest possible audience. Let transcriptions go forth across the land. Once the public learns what is being done to our children in the name of protecting them, experts will not be needed to tell us where the "secrets" came from and who is to blame.

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