



## JUSTICE ABUSED

A  
1980s  
WITCH - HUNT

Part 4 of 6  
Children's stories

### Methods of inquiry pressure children Interviews questionable

Inhuman anatomy A17

By Tom Charlier  
Staff Reporter

**S**he was 3 years old. A social worker sat her down, told her she was pretty, and soon said this about her summer camp counselor:

"We know that you liked him. But he did something to you." Nearly 3,000 miles away, a deputy asked a 4-year-old what "bad" things a "bad" man had done to her. When she replied, "He spanked me," the deputy asked, "What else did he do? Did he touch you somewhere that you didn't want him to?"

The two children, one in Essex County, N.J., the other in Sequim, Wash., eventually answered yes; they were touched in the "tooshie" or "potty." Their words were particularly damning because in sex abuse cases the guiding premise is this: Children don't lie about abuse.

But in many of the 36 cases reviewed by The Commercial Appeal, children's statements have been tainted by questioning that a Massachusetts magistrate has characterized as "suggestive, coercive and repetitive." As a result, the newspaper found, interviews have yielded unreliable information — greatly expanding the list of "victims" and people accused, and producing progressively wilder stories.

The problems include:  
■ Interviewers asked leading questions. As they did in Sequim and Essex County, investigators in Bakersfield, Calif., Miami,

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**S**ince 1983 the nation has seen a dramatic increase in the number of reported cases of child sex abuse. A crime once hushed up had come out into the open.

Along the way, new social therapy theories and criminal investigative methods were rushed into use. As the best-known child sex abuse cases became notorious as much for the way they were handled as for the accusations children made, evidence now shows a kind of mass hysteria swept the country. Hysteria led some authorities, urged on by frightened parents and credulous members of the press, into a witch-hunt unparalleled in modern times.

Four years after the first cases attracted national publicity, many of the investigations have produced more questions than answers. This series explores those questions and how a social system created to protect the nation's young also has done harm to innocent people and brought about controversial issues that obscure the truth about child sex abuse.

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## System

and Illinois among them — have increased their staffs to deal with the caseloads. "They're still overtaxed," said Gordon Parker, a spokesman for New Jersey's Department of Human Services, of his state's predicament.

Other states have ordered hiring or wage freezes because federal support for abuse programs has not been significantly raised since the 1970s.

Because of the conditions, said Joan Zlotnick, a staff director with the National Association of Social Workers, "People move on, upward or out."

In many areas, the caliber of workers has declined as agencies scrambled to fill ranks depleted by high turnover, Schultz said.

Besharov said that because agencies have failed to screen reports by priority, the system often becomes overburdened and breaks down.

Critically urgent reports don't receive enough attention; dubious complaints receive too much.

In making their determinations, agencies often turn to physicians and mental health professionals to find evidence of possible abuse. The record of some of the nation's larger abuse cases, however, calls into question the objectivity of that process, and the qualifications of some of the experts.

According to a court-appointed psychiatrist in the Jordan, Minn., case, a therapist who initially evaluated children for evidence of abuse was biased. "It is clear . . . that she was convinced from the start that allegations were true," William Erikson wrote.

Elayne Yates, a University of Arizona psychiatrist who has studied several abuse investigations, said some of the professionals chosen by the agencies "get sort of single-minded and see sex abuse under every bush."

Many mental health professionals critical of abuse investigations have described what they call a mutually dependent relationship — the agencies needing the experts' assessments and the experts needing the work.

In some larger cases, the relationship has been highly profitable for the experts. One therapist who evaluated children and testified in a case in Carson City, Nev., has received some \$80,000 from the state's victim's rights fund — and the case is still in trial.

State and federal officials reviewing the Jordan cases later questioned whether therapists should view themselves as allies of the prosecution in abuse investigations.

Across the country, some professionals whose findings have sided with defendants said they have been squeezed out of the evaluation process.

"There's no question that once one gets called to testify for the defense, there's some kind of blackballing that goes on," said Frank Osanka, a social psychologist and consultant in Naperville, Ill. Osanka said he experienced sexual abuse as a foster child but is critical of the methods used to investigate cases today.

Nashville psychiatrist William Kenner, who conducted court-ordered evaluations in several abuse cases, said he no longer gets referrals from the Depart-

ment of Human Services since making a finding that disputed the department's contention that abuse had occurred in a case.

"It's sort of like a sports team. Everybody's on the same side," he said.

Charles Wilson, director of Child Welfare for DHS, denied his department selects professional assistance only to get confirmation of abuse. Child protection workers solicit help from "people they trust," he said. "We're seeking opinions to augment ours, not support ours."

Eileen McCarty, a clinical psychologist in Seattle, said child protection officials choose from an "unspoken list" of professionals whose findings tend to support abuse allegations.

In an anonymous survey completed by the Institute for Psychological Therapies in Minneapolis, 16 of 17 mental health professionals responding reported experiencing some sort of retribution or harassment that they attributed to findings that supported defendants.

Acts ranged from the picketing of a therapist's office to complaints filed with professional boards and efforts to have research money withheld, according to survey respondents.

A different sort of threat has materialized from New Orleans. A lawyer there, Richard Ducote, has filed lawsuits of more than \$1 million each against mental health professionals in at least 10 states whose findings have supported defendants in abuse cases.

Ducote is charging malpractice, claiming that children are threatened with continued abuse as a result of the doctors' assessments. "It's a very dangerous field for people who don't know what they're doing," he said.

It also is a young field. "The Battered Child Syndrome," by Denver pediatrician C. Henry Kempe, is generally credited with making abuse a national priority.

Still, it was early 1974 before the Child Abuse and Neglect Prevention Act became law. It mandated that wide powers be given agencies to protect children and that people in certain professions be required to report any suspected abuse.

Some of the first criticism of the measure was lodged by the bill's author, then-U.S. senator Walter Mondale of Minnesota. Complaining of last-minute changes in the act, he warned of the "unwarranted intrusion into family life" that could result.

The controversy about that intrusion has not died.

In West Jefferson, the man accused of abusing youngsters at a day care center had his own children taken by child protection workers. About a year later, after he had been acquitted by a jury of the charges, his children were returned to him.

The man, Robert Reeder, charged in a lawsuit that the workers illegally entered his home and refused to leave. The state agreed to an out-of-court settlement for an undisclosed sum.

"We got into their pockets pretty good, but in my opinion it still in no way compensates for what children's services did to this family," said James A. Hall, the attorney for Reeder.

Theodore J. Stein, a professor of social work at the State University of New York in Albany, said suspects in abuse allegations have the right to deny social workers entry into their

homes; to have a lawyer present during questioning; and to review and correct their records. He said that workers often don't inform suspects of their rights.

Osanka says another problem is that there is "no room" in the agencies' rules for an honest denial from people accused of abuse.

According to agency guidelines, parents and others labeled molesters often must admit the abuse and show response to therapy before their families can be reunited. Social workers can question children at school without parents' knowledge.

Iowa Gov. Terry Branstad late last year killed a Department of Human Services proposal to authorize social workers to strip and photograph school students, without parents' knowledge, in searching for evidence of abuse. Department officials acknowledged social workers had made such searches, but were seeking legal backing for the practice because of lawsuits from parents.

Some officials said that social workers often have little patience for the checks and balances that protect the rights of the accused.

"Law enforcement (officers), in their worst days, view the criminal justice system as a necessary evil. Social service and human services (social workers) often see it as an unnecessary evil," said Richard Ginkowski, a longtime Wisconsin prosecutor who helped prepare the American Bar Association's guidelines for child witnesses and victims.

Child protection agency officials maintain that their first duty is to look after the welfare of children. The rights of people accused of abuse are beyond their immediate responsibilities, they say.

"The bottom line is the safety of the child. That's our primary concern," said Kathleen Norris, spokesman for the California Department of Social Services.

Approximately 30 states maintain central registries — computer files that contain the names of people identified as abuse victims and perpetrators. Most states keep the lists of perpetrators confidential and allow their use only within the agency or by law enforcement.

In some states, "it's almost public information," said Katie Bond, a spokesman for the American Humane Association, which collects information on abuse. Many remain listed even though they were never charged with a criminal offense, or were acquitted.

States generally allow the accused to appeal agency rulings. In Michigan, where 500,000 people are listed as abusers, the state Supreme Court ruled last year that the burden of proof in overturning a decision is on the defendant. The defendant was a former supervisor for a county Department of Social Services — the local child protection agency. Leon Begue said that during an acrimonious divorce and custody battle he was accused of "passionately and gently" kissing his daughter on the forehead and of patting her on the buttocks.

As a result of the allegations, Begue said he thinks there are a multitude of problems with the system he once helped supervise. Before, he said, "I just didn't see them."

**Yesterday:** Battling the devil  
**Today:** Flaws in the system  
**Tomorrow:** Children's stories



By Colin Ruthven



## JUSTICE ABUSED

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## Method

and elsewhere told children at the beginning that certain people were "bad" or suggested "bad" things had happened. And interviewers, not the children, were usually the first to describe sexual acts, with children required only to answer yes or no or point to features on a doll or drawing.

■ Interviewers repeated allegations from child to child. In at least eight cases — Bakersfield; El Paso, Texas; Essex County; Honolulu; Jordan, Minn.; Manhattan Beach, Calif.; Memphis; and Miami — children were told that their friends, siblings and peers had made certain allegations before they made any allegations of their own.

■ Questioners used pressure or rewards to steer children toward making allegations. In Bakersfield, Manhattan Beach and Miami, they suggested children were stupid or cowardly, or could encounter future anguish if they didn't divulge stories of abuse. In most cases, children's statements were rewarded with at least praise — and sometimes with candy or soft drinks.

■ Investigators in Bakersfield, Coos Bay, Ore.; El Paso; Memphis; and New Braintree, Mass., sometimes refused to accept denials, retractions or silence from children. They attributed those actions to stress-related "avoidance" behavior or to the "child sexual abuse accommodation syndrome," a controversial doctrine that says abuse victims inevitably recant allegations.

■ Children were subjected to tremendous amounts of questioning by social workers, therapists, police and prosecutors — not to mention parents. A girl in Jordan was interviewed 30 to 50 times; a boy in Bakersfield, 35 times; a child in Malden, Mass., 11 times.

"Sometimes the effort to find out what happened is as damaging to the child as is what's alleged — more damaging if nothing took place," says Albert J. Solnit, a child psychiatrist and pediatrician who formerly headed the Child Study Center at Yale University.

The improper questioning, in itself, does not disprove allegations of sexual abuse; but it has caused concern about the way accusations surface during investigations.

Flawed interviews led to the disqualification of witnesses — and eventual acquittals — in Honolulu and Reno, Nev. In Manhattan Beach, they were cited as a major reason that charges against five of seven defendants were dropped.

In Torrance, Calif., improper questioning persuaded a judge there was insufficient evidence against suspected abusers. Officials reviewing the Jordan investigation said "cross-germination" — the commingling of children's statements during questioning — was a major force behind the spread of allegations.

In Bakersfield, El Paso, Malden, Memphis and Miami, juries convicted alleged abusers in large-scale cases despite claims of flawed interviews.

**T**he children-don't-lie doctrine began as the product of researchers of incest cases. They determined that children don't have the experience or incentive to invent or exaggerate claims that family members abused them.

"They (children) don't have the frame of reference. They don't have the vocabulary. They don't have the expertise that would give them the knowledge that they could make up stories of sexual abuse, sexual acts," said Joy Byers, a coordinator with the National Committee for the Prevention of Child Abuse.

The doctrine has permeated literature and workshops used to train child-protection social workers. A 1982 handbook states that "very few" false accusations are made by children. Another manual prepared last year states that children "should be believed until it can be proved that the event could not have occurred."

A number of officials see danger in that approach.

"It's too easy to implant these ideas in children's heads," said Douglas Besharov, former director of the National Center for the Prevention of Child Abuse and Neglect.

According to court rulings and official reports in at least six communities from Massachusetts to Hawaii, investigators appear to have done exactly that.

In a case in Honolulu, pressure and leading questioning created a learned "experience" in the minds of two girls, ages 3 and 4, who allegedly had been abused, a judge wrote. That questioning was so suggestive that it overwhelmed any actual memory of abuse that the children may have had, so they could not be competent witnesses, he said.

In a similar ruling in Reno, a judge said that because of improper questioning, children who testified they had been abused "may not be relating what, in fact, occurred, but instead what had been suggested to them on numerous occasions."

In one of the Bakersfield "sex-ring" cases, a court-appointed psychologist said he believed a child had been "manipulated by investigating authorities and induced to give false testimony against his father." The father's conviction was later overturned.

**L**ee Coleman, a Berkeley, Calif., psychiatrist who often testifies for pay for defendants, has studied tapes of interviews in some 100 sex abuse cases. He says questioners usually assume from the outset that abuse has occurred.

"You can think of it as a maze in the crossword section (of a newspaper). The interviewer knows where he wants to take the child, and every time the child takes the wrong path, they jump in and take the child where they want to go," Coleman said.

Some child abuse investigators contend that without leading questions,

abuse victims will not make disclosures. They also say that such questioning does not produce false answers — a claim supported by a recent study reporting that children can make "surprisingly accurate" statements about abuse in the face of mildly suggestive questioning.

But there is considerable research — dating back to at least 1911 — showing that children can be easily led astray by suggestive and leading questions. And in a Dallas meeting last year, an official with a training institute for sex abuse investigators cautioned that 3- to 4-year-old child — abused or not — could be manipulated into making an abuse allegation in a matter of minutes.

Many psychologists say children want to please adults, so they'll try to figure out what their questioners want to hear.

In a case in New Braintree, two children made accusations because they "had tired of the interview and had figured out exactly what (the therapist) wanted to hear," administrative magistrate Christopher F. Connolly ruled.

In the Torrance case, a judge cited "possible adult manipulation" of children and said the youngsters' accusations may have resulted from extensive questioning in which "it was effectively made clear that certain responses were expected."

Tapes, transcripts and court records show that interviewers often bring up the subject of touching, kissing or explicit sexual acts, many times in the presence of anatomically correct dolls. The questions often require only a "yes" or "no" answer.

**C**ritics describe explicit questioning as a form of sex education. Coleman and other professionals say the process is so suggestive and pressured that children can come to believe they were abused even if they were not.

Luiz Natalicio, an El Paso psychologist who evaluated tapes of interviews in the abuse case there, compares the questioning techniques to those used by Communist Chinese forces on American soldiers captured during the Korean War.

Like the prisoners of war, children in the El Paso case were isolated in unfamiliar and usually barren settings. They believed that their release from questioning, and satisfying such needs as drinking water or going to the bathroom, depended on whether they provided information, Natalicio said.

"If we can do it with adults, you can imagine how effective it can be with children, who are dependent on us totally for their (conception of) reality,"



said Natalicio, a former University of Texas professor who taught courses on the psychological aspects of interrogation.

Records of interviews, such as those in Bakersfield, Manhattan Beach and Miami, also show that when children denied abuse, investigators told them other youngsters had made allegations — sometimes pointedly asking if they were accusing those "bigger" and "smart" kids of lying.

In some cases, as in Bakersfield, investigators said other children had made allegations when they had not.

In a handbook used by many child-protection agencies, interviewers are told to "identify yourself to the child as experienced in this fashion (having interviewed other children), even if you are not."

Social workers and therapists contend that repeated questioning often is needed to give victims the support needed to divulge a traumatic experience. They've likened the process to peeling an onion.

Five years ago, Los Angeles psychiatrist Roland Summit defined a "syndrome" of victims of child sexual abuse and published it in a widely circulated professional journal. His theory holds that child victims initially will deny abuse occurred because of "secondary trauma," the stress that continues after the immediate act.

Although the theory is disputed by many mental health professionals — the American Psychiatric Association doesn't recognize it — its principles have become widely accepted among abuse investigators.

"Everything we know about sexual abuse suggests that children don't want to talk about it . . . because they don't get a clear message that people will believe them, support them," said Lucy Berliner, a staff member and longtime abuse researcher at the Sexual Assault Unit of Harborview Medical Center in Seattle.

But other officials and mental health professionals cite repetitious questioning as one of the greatest factors undermining the credibility of children's statements.

Minnesota Atty. Gen. Hubert H. Humphrey III, in a report on sex abuse investigations in Jordan, said the cases there

"raise the question of how long and how often one can continue to question children about abuse before running the risk of false accusation."

The judge in Hawaii noted that upon repeated questioning, a child's accusations "grew beyond reproach and were unquestioned by adults." In Coos Bay, a boy's stories became "more incredible with each telling," a state hearing officer wrote.

The list of abusers named by children in Bakersfield, Coos Bay, El Paso, Manhattan Beach and Memphis grew to include child protection workers, a defense lawyer, a courtroom spectator, television and movie actors and pop music stars. No one was charged, although one of the child protection workers said she was investigated.

In Sequim, allegations initially involved simple molestation. The children eventually began talking about "monster dudes," eyes being gouged out, animal sacrifices and other strange goings-on. Some five months after the investigation began, the prosecutor announced revelations to the news media about alleged satanism.

That sort of progression has been documented by Ralph Underwager, a Minneapolis psychologist who testifies for the defense in child sex abuse cases. He said that in the dozens of cases he's studied, children's stories followed the same general patterns.

The stories initially involved the touching of genitals, followed by oral, anal or genital penetration with foreign objects, such as sticks, he said. The stories grew to include animal mutilation and, sometimes, the killing of babies in religious rituals.

Some investigators attribute the delayed disclosures of macabre acts to the child's overcoming trauma and gradually divulging details of abuse. But Underwager contends that by asking more and more questions, investigators are signaling to children that their stories are incomplete.

"One of the characteristics of children is that if you ask them a question, they'll give you an answer," he said. "It doesn't matter if they don't know; they'll fill that in with whatever is available to them."

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# Origins similar, endings different in sex abuse cases

In child sex abuse investigations throughout the United States, more than the stories have been similar.

The reporting and dissemination of allegations and the methods of investigation in many of the cases have followed the same general patterns — although their outcomes have not.

Yesterday, four cases were profiled. Four others are profiled today:

**CINCINNATI** — Something happened at the day camp — of that investigators and prosecutors were convinced.

But the charges of child sex abuse they brought against employees of Isaac M. Wise day camp in suburban Cincinnati collapsed amid confused testimony, a lack of substantiating evidence, and a retraction from one of the alleged victims.

Lee Fogel Jr., 17, camp counselor and rabbinic student; Edward Sukol, 27, day camp director; John Schroeder, 43, camp physical education and swimming teacher; and Kim Garmarnik, 21, camp drama director, were accused of showing an obscene movie to three children, ages 4 and 5, and then abusing them.

The investigation of the day camp began after one of the alleged victims mentioned the male sex organ during a family dinner. Children also mentioned hamsters and other animals and made references to pornography and "very bizarre things," said a sheriff's deputy who helped investigate the case.

According to the charges, children were raped in a nap room, a chapel and a girl's rest room.

One of the major issues that developed during the trial was a journal kept by the mother of the girl whose dinner-time comment sparked the investigation. In it, the mother recorded her questioning of the 5-year-old about the alleged incidents at the day camp.

It proved damaging to the prosecution.

Common Pleas Judge Thomas H. Crush said the journals indicated the child had been influenced by the ques-

tioning. The girl apparently had been "shown approval when she mentioned abuse, disapproval when she didn't," he said.

The case was further damaged when another alleged victim admitted she had lied when she said she saw Ms. Garmarnik performing in the "bad" movie. That led Judge Crush to dismiss charges against the woman.

Defense lawyers claimed that children's stories about pornographic movies could be traced to cable television movies that were shown during the time the allegations were raised. They acknowledged that the children did see a movie at the facility: *The Little Prince*, a children's tale.

**FORT BRAGG, Calif.** — People don't tend to hang around when things go sour in this coastal enclave — when fishing falls off, when timber prices drop, when tourism slows.

Like the Pacific waves that pound the shore here with such authority, many just fade away and resurface elsewhere.

So it was with a controversy over a yearlong investigation of alleged child sex abuse — with strong overtones of satanism and pornography.

It centered on a local day care center and spread throughout town. Families of alleged victims and the accused alike fled the confusion and the often hostile setting.

"Fort Bragg is a very small town (pop. 5,000), so everyone knows what's going on there," says former district attorney Vivian Rackauckas.

It's also a curious community popular with alternative-lifestylers from San Francisco, 150 miles to the south. Mendocino County, according to one resident, is known as an easy hitch for welfare cheats and for the large amount of marijuana cultivated in its vast, rugged hinterland.

Into this setting came Barbara and Sharon Orr, sisters from Illinois who had college degrees in education and a desire to live in Northern California. In 1981 they set up the Jubilation Day Care

Center.

But trouble began when Sharon's 8-year-old daughter was caught in a sex act with a younger boy. State officials held hearings, after which the Orrs' license was revoked and they were charged with lack of supervision.

Later, in January 1985, a more extensive investigation began after parents of a 4-year-old pressed charges that their son had been orally sodomized.

Stories, as retold by parents, involved rituals in which animals and babies were sacrificed and adults defecated on children. Children allegedly were stuffed in closets, placed on meat hooks and held underwater, and Barbara Orr allegedly cut the children with a long jeweled knife and sucked their blood.

Ms. Rackauckas said prosecutors declined to file charges because of the lack of physical evidence and the absence of credible witnesses among alleged victims. Most of the children were 2½ to 3 years old at the time of the alleged abuse; authorities had trouble sorting through their stories, she said.

The "long-term plan," she said, was to keep the children in therapy and determine if they would ever qualify as credible witnesses.

**MALDEN, Mass.** — In media-heavy metropolitan Boston, this working-class suburb of 85,000 gave rise to one of the area's most sensational criminal cases in recent years.

It began in the fall of 1984, when social workers, police and prosecutors first heard of possible sexual abuse at the Fells Acre Day School. The investigation that followed ended with the convictions of all three of the family members who had been charged.

Middlesex County Dist. Atty. Scott Harshbarger said he believed in the case because of the credibility of the children. That plus a well-oiled "multi-disciplinary" team used in sex abuse cases accounted for the successful prosecution, he said.

Defense lawyer Juliane Balliro called the case a "total fraud" spawned by hysteria from day care cases elsewhere. "It really rode the wave from McMartin," she said, referring to the large case in Manhattan Beach, Calif.

What the two sides agree on is that the beginnings of the case can be traced to a boy who often wet his bed. To control the problem, the child's mother woke the boy each night so he could use the toilet.

One night he said he couldn't, so his mother and uncle asked him if anyone had touched his genital area. His answer was "Tooky," the nickname for day care worker Gerald Amirault, who claimed he had changed the boy earlier that day after the child had wet his

pants during a nap.

Twenty-five children were interviewed; nine and five children, respectively, testified in the two trials — which had to be moved on account of publicity.

Children's stories included kids being murdered, with the blood drained beneath a sandbox; threats, magic wands, and "the elephant game," in which Amirault allegedly dressed as a clown and placed ice cream on his genitals before sex acts with children.

Amirault, convicted on 15 counts of rape and indecent assault and battery, was sentenced to 30-40 years. His 63-year-old mother, Violet, and sister, Cheryl LeFave, 29, were convicted on seven and five counts, respectively, and received eight- to 20-year sentences. The sentences were stayed pending appeals.

**C**LARKSVILLE, Md. — Craig's Pre-School was a place where children learned to operate computers and studied French and the piano.

In early 1985, one little girl began to accuse owner Sandra Craig of sex crimes.

The girl said Mrs. Craig kicked her, gave her "spider bites" by pressing thumbtacks into her flesh, and beat her in her private parts with a stick.

She said Mrs. Craig hit a rabbit on the head with a hammer and killed it and that one day she made a possum "dizzy" by twirling it before the eyes of children and other teachers.

A boy, 4, said Mrs. Craig poked him with a screwdriver, and a girl said Mrs. Craig buried her in a hole on the school grounds. Another child said Mrs. Craig "tries to take me to her house and steals me"; another claimed she was photographed in the nude.

Altogether, a dozen children accused Mrs. Craig, and she was indicted on more than 70 counts of sexual and physical child abuse, including pornography. Mrs. Craig's 16-year-old son also was charged.

She has been sued by parents of alleged victims for \$1.4 billion, said her lawyer, William H. Murphy Jr., a former circuit court judge in Baltimore.

In the trial, parents said their children initially denied abuse but began to disclose it after attending several sessions with therapists.

Defense lawyers contend the children were prompted into making the statements.

Mrs. Craig was sentenced to 10 years for a conviction on one charge of felony child abuse. The case is on appeal. Mrs. Craig is out of prison on bond. Her son was acquitted.



## JUSTICE ABUSED

### A 1980s WITCH-HUNT

## As children point, critics sound off

By Tom Charlier  
Staff Reporter

As it had so many times, an important part of the state's case rested on a stuffed doll that looked as if it had been plucked from an X-rated Cabbage Patch.

It was an anatomically correct doll — complete with genitals and capable of simulating sex acts. And during therapy, a 3-year-old Solano County, Calif., girl had picked it up and placed a finger in the doll's vaginal and anal openings.

Her therapist testified that this meant one thing: The girl probably had been sexually abused.

The "doll therapy" used in that case is among new techniques developed by a group of pioneers in sex abuse research. Based on their work, investigators have embraced new medical procedures, monitored children's bed-wetting and nightmares, and read complex behavioral meaning into crayon drawings.

Their findings have helped launch criminal investigations from Massachusetts to Southern California.

Recent studies and court decisions, however, raise questions as to whether the methods accurately distinguish abused from nonabused children. And the concerns are sharpened because of the poor training of some of the professionals using them.

Anatomically correct dolls, developed in the 1970s for sex education, are the most widely used of the new methods.

Social workers and therapists give the dolls to children — many too young to verbalize well — and observe their responses. The professionals often testify in criminal and juvenile court cases that a child responded to a doll in a way that is unique to sexually abused children.

In the case in Solano County, a man accused of abuse lost custody of his two daughters. The initial ruling against him had been based in part on the therapist's conclusion concerning the dolls.

A state appellate court overturned the decision, ruling that evidence obtained through the use of the dolls was inadmissible. The dolls represented a "new scientific method of proof" that had yet to be accepted as reliable within the scientific community, the judges wrote.

Indeed, it hasn't. "If you give children sexually explicit dolls, they will do sexually explicit things with them," said Moisy Shopper, a clinical professor of child psychiatry and pediatrics at the St. Louis University School of Medicine.

Rather than provide a medium to disclose experiences, he said, the dolls

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## In their own words. . .

**T**he Commercial Appeal reviewed records of interviews contained in reports, documents, and audio- and videotapes presented in open court or provided by investigators and defense lawyers.

The exchanges below were gleaned from those interviews to illustrate how questioning took place in some child sex abuse investigations.

**Transcripts of interviews in Manhattan Beach, Calif., and Miami were provided by Berkeley, Calif., psychiatrist Lee Coleman; the El Paso, Texas, transcripts were provided by psychologist Luiz Natalicio. Both men have evaluated hundreds of hours of tapes in sex abuse cases.**

**MANHATTAN BEACH** — In this exchange, the therapist who conducted most of the questioning of children in the McMartin Preschool investigation asks an 8-year-old who had attended the center years earlier about a "naked game" alleged to have occurred there.

**Interviewer:** Did somebody take their clothes off?

**Child:** When I was there, no one was naked.

**Interviewer:** We want to make sure you're not scared to tell.

**Child:** I'm not scared.

*At this point the questioner uses two puppets, "Mr. Alligator" and "Mr. Monkey," in the interview.*

**Interviewer:** Mr. Monkey is chicken. He can't remember the naked games, but you know the naked movie star game, or is your memory too bad?

**Child:** I haven't seen the naked movie star game.

**Interviewer:** You must be dumb.

**Child:** I don't remember.

**BAKERSFIELD, Calif.** — In the investigation of one of several alleged sex abuse "rings" in Kern County, a prosecutor separately questions two brothers — one age 9, the age of the other unavailable — about allegations they had been abused. The prosecutor misleads each boy into thinking the allegations have been confirmed by the other. With the help of the boys' statements, their parents were convicted of participating in a sex ring and were sentenced to 240 years in prison. The boys' names were changed here to protect their identities.

**Interviewer:** Did any of these men ever stick his penis up your butt?

**Ben:** Nuh-huh (negative).

**Interviewer:** Are you sure about that?

**Ben:** Uh-huh (affirmative).

**Interviewer:** I think Billy (his brother) told us that that happened. . . Did that happen? . . . It did?

**Ben:** Uh-huh (affirmative).

**Interviewer:** Did somebody stick a penis up your butt?

**Ben:** Yeah.

*The following exchange was taken from the prosecutor's interview of the other brother:*

**Interviewer:** Did you ever have anybody do anything with your butt?

**Billy:** No.

**Interviewer:** You sure about that?

**Billy:** Yes.

**Interviewer:** Ben told us that men stuck their penises in his butt, and that he saw men stick their penises in your butt. Was he telling the truth when he told that? . . . Did that really happen?

**Billy:** Yeah.

**MIAMI** — In the investigation of alleged abuse at the Country Walk Babysitting Service, a social worker interviews a girl not quite 5 years old. This girl became a prosecution witness during the trial, in which Frank Fuster was convicted of 14 counts of sexual abuse and sentenced to 165 years in prison. Initially, however, the girl denies that she had been abused, saying, "They did nothing bad to me," and says she knew of nothing bad happening to any other children, either. In this excerpt, the social worker tells the girl of allegations reportedly made by her brother.

**Interviewer:** Would you like me to tell you what your brother said?

**Child:** Yes.

**Interviewer:** He took the (anatomically correct) dolls and he kind of talked a little and he showed me, and one of the things is that he took all of the clothes off the dolls.

**Child:** Why?

**Interviewer:** Well, he said that the children (at the babysitting service) played . . . ring around the rosie.

**Child:** With no clothes on?

**Interviewer:** No clothes on.

**Child:** That's one of the games that's bad.

**Interviewer:** Yes. Do you think he was telling the truth?

**Child:** No.

*Later, the interviewer assures the girl that other children, including the "bigger" ones, had made some allegations as well.*

**Interviewer:** They said that they played games with the babysitters . . . and everybody took off their clothes and they played games and people touched each other's private parts.

**Child:** That's true.

**Interviewer:** Is it true?

**Child:** Yes, but the other children said it, so my brother might be right.

**Interviewer:** You think he might be right?

**Child:** Right. Right, because the bigger children said that.

**Interviewer:** You thought maybe if your brother said (it), maybe it wasn't right?

**Child:** But now I found out that it was true because other children said it.

**EL PASO** — In the investigation of alleged sexual abuse at a YMCA day care center, a social worker repeatedly seeks confirmation from a child that she was taken to the home of Michelle "Miss Mickey" Noble, where abuse allegedly occurred. Critics say that in this kind of exchange, the child simply tires of the questioning and figures out what the interviewer wants to hear. The day care worker later was convicted and sentenced to life plus 311 years. The conviction was overturned in November on the basis of an appellate court ruling

that the Texas videotaped-testimony law used in the prosecution was unconstitutional. Prosecutors say they plan to retry the case.

**Interviewer:** When you were in Miss Dove's class, did you ever go to one of the teacher's houses? Whose house did you go to?

**Child:** Vickie (a previous teacher).

**Interviewer:** Miss Mickey's? Huh?

**Child:** No, Vickie.

**Interviewer:** You went to one of the kids' house. Did you ever go to a teacher's house?

**Child:** No.

**Interviewer:** Huh? Did you ever go to Miss Mickey's house? It's OK, you can tell me.

**Child:** Vickie.

**Interviewer:** You went to Vickie's house, but did you ever go to Miss Mickey's house?

**Child:** No.

**Interviewer:** Huh? Yesterday you said you did.

**Child:** No.

**Interviewer:** You didn't go to Miss Mickey's house?

**Child:** No.

**Interviewer:** No? OK. Did you ever go to Miss Dove's (a co-defendant) house?

**Child:** No.

**Interviewer:** No? Did you ever go to Miss Julie's (another teacher) house?

**Child:** Yes.

**Interviewer:** You went to Miss Julie's house, or did you go to Miss Mickey's house?

**Child:** Mickey's house.

**Interviewer:** Mickey's house?

**Child:** Yeah.

**Interviewer:** You went to Miss Mickey's house?

**Child:** Yeah.

**MEMPHIS** — In the investigation of alleged sex abuse at the Georgian Hills Early Childhood Center, a state social worker asks a 4-year-old about his teacher, Frances Ballard, who was convicted last month on one count of sexual battery.

**Interviewer:** What's Miss Frances doing while the children are in the other room?

**Child:** I don't know.

**Interviewer:** Come here. . . I want to talk to you a second. (Boy's name), you do know. Look at me (holding the child's head). You know. Look at me. Look at me. You know about the secret. But see, it's not a secret any more, because (another child) told us about it and (another child) told us about it, and your parents want you to tell us. . . You can be a very good boy and tell us about it. . .

**Child:** I don't know.

**Interviewer:** Yes, you do. . .

*Later, near the end of the interview, the social worker asks if the same things happened to the boy that were reported by other children.*

**Interviewer:** She did it to you, too.

**Child:** No. She didn't do it to me.

**Interviewer:** It's not your fault, OK?

**Child:** She didn't do it to me.

**Interviewer:** Yes, she did; yes, she did (stroking the child's head).

"One of the characteristics of children is that if you ask them a question, they'll give you an answer. It doesn't matter if they don't know; they'll fill that in with whatever is available to them."

**RALPH UNDERWAGER**  
Minneapolis  
psychologist





## Parents sought relief — in court or in a cause

### Onslaught of lawsuits an insurer's nightmare



## JUSTICE ABUSED

A  
1980s  
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Part 5 of 6  
Parents vs.  
the accused

By Tom Charlier  
Staff Reporter

**T**here was no trial. There wasn't even a criminal charge.

But parents at a preschool in Rolling Hills Estates, Calif., alleged their children had been sexually abused — and they wanted money to compensate for it.

Ten families sued the school. In an out-of-court settlement, its insurance carrier agreed to a \$1 million payoff.

It was an event that pointed to a growing threat facing babysitters, day care employees, teachers and others who work with children, according to child care industry analysts.

Across the country, parents have pursued multimillion-dollar sex abuse claims even when authorities claim there is too little evidence to prosecute. Awards such as the one this fall in California provide an incentive for parents to press allegations that may be unfounded, industry officials said.

"They have rewarded these people for what they have done," said preschool owner Claudia Krikorian, who said she was outraged at the settlement her insurance carrier agreed to in the Rolling Hills Estate case.

**S**ince 1983 the nation has seen a dramatic increase in the number of reported cases of child sex abuse. A crime once hushed up had come out into the open.

Along the way, new social therapy theories and criminal investigative methods were rushed into use. As the best-known child sex abuse cases became notorious as much for the way they were handled as for the accusations children made, evidence now shows a kind of mass hysteria swept the country. Hysteria led some authorities, urged on by frightened parents and credulous members of the press, into a witch-hunt unparalleled in modern times.

Four years after the first cases attracted national publicity, many of the investigations have produced more questions than answers. This series explores those questions and how a social system created to protect the nation's young also has done harm to innocent people and brought about controversial issues that obscure the truth about child sex abuse.

"My argument was it just opens a Pandora's box for more and more people to make these type accusations."

Although no figures are available, it is not uncommon for insurance carriers to agree to out-of-court settlements in abuse cases that don't produce crimi-

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## As cases unfolded, doubts exorcised by true believers

By Shirley Downing  
and Tom Charlier  
Staff Reporters

*It is a parent's worst nightmare. Except it happens in daylight.*

*Everything is normal until the telephone rings. It is someone with the state — a social worker. Her voice is dry and cool.*

*At first, you can't figure out why she's called. Some of the words she is using aren't familiar. Fellatio. Pederast. And then you suddenly understand. Your child may have been abused.*

*Sexually molested. Your child is 4 years old.*

*Two social workers come to visit. They say it happened at the day care center, the place you leave your child because you have to work. You don't want to leave your child there. You have to.*

*The social workers say two children already have said they were raped there — and those children saw pictures being taken of your child.*

*The place you chose may have had several employees who used your*

*child for sex.*

*And you left your child with them. But your child says nothing happened — except the officials have already told you that children are reluctant to talk about such things. So you keep asking.*

*You ask because they told you to call if your child says anything "different."*

*And then your child talks. First, about being touched in a bad place. And then about trips in airplanes. About people dressed up as witches. And about playing naked movie star. Your child was in a dirty movie, you think.*

*Other events suddenly seem to make sense: temper tantrums that hadn't been a problem before, bed-wetting, a fascination with playing doctor.*

*And other parents call you, and their children are saying the same thing.*

*And then it gets worse. Nothing happens. The police come, but they don't do anything. Police say they can't find any evidence of pornography — no film, no cameras. Peo-*

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## JUSTICE ABUSED

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**Method**

**S**herry Skidmore, a Riverside, Calif., psychologist who has represented abuse victims, noted that interviewers often ask children if anything has frightened them lately. One theory of authorities is that abusers kill animals and carry out other acts to terrify youngsters into silence.

That kind of questioning can inadvertently lead the investigator into a child's make-believe life — including the costume times and storytelling hours that day care centers generally have, Ms. Skidmore said. "Kids normally have a pretty wild set of fantasies, and if you ask

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## Method

things a certain way, you're going to get some of that."

Coleman said that during questioning, children realize that interviewers are asking them to divulge a dark, evil experience. This, he said, is why children commonly talk of guns, knives, blood and excrement — the most repulsive symbols with which they are familiar.

"In their little minds, they're trying to give the interviewers something nasty because . . . the interviewer is more or less demanding something nasty," he said.

In dozens of preschool cases, including those in El Paso, Manhattan Beach, Miami, Memphis, New Braintree, Sequim and Fort Bragg, Calif., abuse suspects were believed to have defecated or urinated on children during

rituals, or forced them to eat or drink human waste.

Ms. Skidmore notes that 2- to 5-year-olds, who are undergoing or have recently completed toilet training, are typically preoccupied with bodily functions.

Ms. Berliner, while acknowledging "mistakes have been made" in the questioning of children, says, "I am absolutely convinced that these stories are not the function of parents, interviewers or professionals influencing these children."

Besharov and other critics say investigators should listen carefully when children recant allegations — as they have in Bakersfield, Cincinnati, Coos Bay, Jordan, New Braintree and Sacramento, Calif.

In Cincinnati, Jordan and Sacramento, charges were dis-

missed, but in the Bakersfield case, a woman accused by the girl who recanted remains jailed. That girl cited pressured questioning as the reason she fabricated the allegation.

Summit's theory states that children can be expected to recant allegations. The reasons, he said, are the negative reaction of adults to the allegation and fear of the abuser.

Critics and defense lawyers argue that the theory is a one-way street. Investigators who are so sensitive to children's accusations become deaf to their recantations — even those that could be valid, they say.

**Yesterday:** Flaws in the system  
**Today:** Children's stories  
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## Dolls

help inspire the child to fantasize.

"If you give a child two (toy) cars to play with, and he crashes one car into another, does this mean he's been in a car wreck?" Shopper asked.

Other analysts say that because of their natural curiosities and interests, children generally are quick to focus on the dolls' genitals.

"Most 2-year-olds will put any projectile in their mouth. Just because they put a doll's penis in their mouth doesn't mean they've been sexually abused," said Diane Schetky, a Rockport, Maine, child psychiatrist and author of a new handbook on abuse for health care and legal professionals.

Investigators often use dolls in a suggestive fashion during interviews with children.

In a case in Reno, Nev., for instance, a judge noted that while questioning a child as to what occurred between him and an alleged abuser, a therapist placed two nude dolls in suggestive positions and asked, "What else happened?"

The dolls also have been used in large abuse cases in suburban Boston, Memphis and Miami — all resulting in convictions.

Among the supporters of the dolls' use is the National Center for Missing and Exploited Children, which calls them a "valu-

able tool" for investigators.

Linda Gifford, president of Gifford Products of Fruita, Colo., one of at least a dozen manufacturers of the dolls, said she has sold several thousand of them to abuse investigators.

"From the feedback we've gotten, we've found that they've been very, very helpful," she said.

In a recent study at Case Western Reserve University in Cleveland, Ohio, researchers concluded there was "some support" for the use of dolls to help distinguish abused from nonabused children. But the researchers said their findings were still too ambiguous and urged further studies.

Researchers also have noted that the agency workers using the dolls often have not followed any standards or guidelines as to their use.

The dolls are not the only controversial methods used to detect abuse.

Written into agency rules, and outlined in training manuals and workshops for child protection workers, is a laundry list of apparent symptoms of abuse. They include nightmares, bed-wetting, regression and other signs of apparent stress.

But as many mental health professionals have testified, those indicators are contradictory and vague and are experienced at one time or another by virtually all children.

A California psychologist who has assisted investigators claims to have identified beha-

viatorial symptoms of children who were abused by satanic cults.

The symptoms include "fear of monsters," and preoccupation with flatulation, such as making flatulate noises with the mouth and laughing loudly when another child passes gas.

In court cases in Cincinnati, Memphis, Irvington, N.J., and elsewhere, mental health professionals also have testified that children had post-traumatic stress disorders — an affliction they attributed to sexual abuse.

In Cincinnati, the psychologist admitted on the witness stand that she made her conclusion based mostly on discussions with parents. And in Irvington, a psychologist testified she arrived at her analysis of one child in less than an hour.

Hollida Wakefield, a Minneapolis psychologist, calls that a "garbage-can diagnosis" — an ill-defined conclusion she believes mental health professionals often are too quick to arrive at.

Others in the field say that much of the stress that professionals do see in children probably can be attributed to the questioning conducted by investigators.

Other investigative methods involve new medical analyses to find signs of abuse that might otherwise have gone unnoticed.

At a gathering three years ago, a group of abuse researchers arrived at a consensus that sexual abuse can be diagnosed

through medical and well as behavioral symptoms, said David Corwin, an Orinda, Calif., psychiatrist and longtime researcher.

The medical procedures involve the use of a culposcope, an instrument fitted with a light and a camera that can detect hymen tears. Also, physicians have derived purported evidence of sodomy through observations of how relaxed a child's sphincter muscles are.

Many professionals, however, cite shortcomings in the methods.

"Essentially, a lot of the evidence that is being used is based on observation — not scientifically controlled observation," said R. David Miller, associate professor of obstetrics and gynecology at the University of California, Irvine.

"Nobody's ever lined up a whole bunch of kids to see how many have this."

Although conclusive medical evidence is rare in abuse cases, prosecutors often offer diagnoses that a child's condition is "consistent with abuse."

Professionals warn against giving that diagnosis too much weight.

"It doesn't say it did happen, and it doesn't say it didn't happen," said Jan Paradise, an associate on the medical staff of Children's Hospital in Boston and an associate professor of pediatrics at Harvard University.

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Children's stories



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## Suits

nal charges, said James Strickland, chairman of the National Child Care Liability Task Force, a child care industry group.

"The chances of winning a child abuse complaint generally are against the defendant," said Strickland, who cites the emotional nature of the cases and the level of concern about abuse as reasons.

"Those responsible for seeking a settlement generally do not believe they can get much of a fair shake, and I agree with them."

Since the first highly publicized day care cases surfaced more than four years ago, child sex abuse charges have proliferated in civil courts, where plaintiffs have only to show a "preponderance of evidence" — not proof beyond a reasonable doubt, as in criminal courts.

Those cases included:

■ In West Point, N.Y., a pending \$110 million suit, filed on behalf of 11 children, charged that employees of the Army's Child Development Program sexually abused kids. The allegations involved stories of abuse during satanic rituals and child pornography

and were investigated by the FBI and reviewed by a federal grand jury. U.S. Atty. Rudolph Giuliani said there were indications of possible abuse but not enough evidence to bring charges.

■ In Memphis, parents of children once enrolled in the old Daybridge Learning Center at 2341 Frayser Boulevard have suits pending totaling at least \$4 million. That center was investigated in the wake of allegations surrounding the Georgian Hills Early Childhood Center. No charges were filed against Daybridge employees, although the state ordered the school to dismiss its entire staff.

■ In Chicago, at least five families filed suits totaling "several million dollars" against the Rogers Park Day Care Center, according to one parent. Deoartie Parks was acquitted of sexual abuse charges in that case. State investigators said allegations against other teachers, and accounts of satanism, were unfounded.

Strickland said his child care liability task force conducted an unscientific survey and found that settlements in abuse cases — including physical abuse and neglect — are always well over \$100,000 apiece.

It costs twice as much in legal costs to mount a defense against an abuse suit as it does to bring the suit, he said.

As a result, most insurers have ceased writing liability policies that cover

both legal costs and awards stemming from sexual or physical abuse, said Sam Schiff, spokesman for the Insurance Information Institute in New York.

Civil suits can take a number of routes. The federal Child Abuse Victim's Rights Act of 1986 allows children to sue for at least \$50,000 in damages and to be heard in federal court.

Parents and their lawyers say it's understandable that sex abuse victims would want to seek complete justice through civil suits.

Richard Ducote, a New Orleans lawyer who has represented families making sex abuse claims, said failure to get justice or compensation "adds to their (victims') sense of shame and worthlessness."

A parent involved in a suit stemming from the Georgian Hills case said she and her husband hoped to win just enough money to reimburse day care costs.

In Rolling Hills Estates, state officials closed the Peninsula Montessori School three years ago, although no criminal charges were filed. The state failed in its efforts to close a Torrance school also operated by Ms. Krikorian when a Superior Court judge ruled there was no evidence to support the allegations.

Ms. Krikorian, who has since reopened her school in Rolling Hills Estates, fought her insurance carrier's decision to settle with the parents. She

sought an injunction to stop the settlement, but a judge upheld the insurance company's right to pay the parents.

Her schools were among more than 60 schools and day care centers investigated in the Los Angeles area after allegations of child sex abuse and satanism at the McMartin Preschool in Manhattan Beach, Calif.

The lawyer for the families said his clients favored resolving the allegations, which had persisted more than three years.

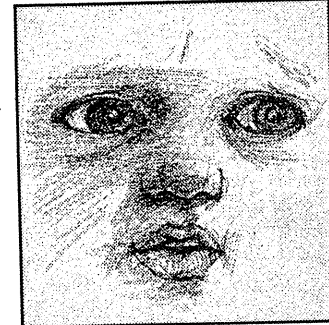
"It's just too hard for kids to go through that kind of litigation," Mark Beck said. He believes there was sufficient evidence to win the case in court.

David Werner, lawyer for the insurance carrier, was contacted after a gag order had been imposed and declined comment.

Other cases settled in absence of criminal charges included a \$2 million agreement last month between the state of Iowa and families of students who alleged homosexual abuse at the state's School for the Deaf in Council Bluffs.

In El Paso, Texas, insurers for a YMCA reached a \$600,000-plus settlement with parents after an appellate court overturned the conviction of one of two female workers accused of sexually abusing children at the YMCA's

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## JUSTICE ABUSED

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By Colin Ruthven



"I've really learned throughout this whole experience that victims don't really have any rights in the legal system."

**BETH VARGO**  
Mother of alleged abuse victim, Chicago

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## Parents

ple your child said hurt him don't exist, or couldn't have done what they were supposed to have done, and there is no such airplane as your child described.

They explain that it is difficult, almost impossible, to get an adult convicted simply on a 4-year-old's testimony.

Your doctor says maybe your child was molested. Maybe, maybe not.

There are no scars. The social workers are insistent. They say these people are getting away with this all around the country. In California. In Minnesota.

You have to know. You demand to know. You even look for evidence yourself.

If your child was fondled, there would be no marks. The film could have been destroyed.

Besides, one of the other parents say the police may be covering up. Too many people involved.

And then you understand the worst thing: that you may never know.

That the best you can hope for is evidence that something happened — because there will never be evidence to prove that nothing happened.

Parents had the waking nightmare all across the country. They thought their children had been sexually molested. They weren't going to wait while justice spun its wheels.

Fathers and mothers in Sequim, Wash., collected literature on satanism to arm themselves against a cult conspiracy of molesters.

A father in Manhattan Beach, Calif., fearing his son had been abused in satanic rituals, took his son to a funeral parlor to look at dead bodies.

Mothers in Memphis staked out houses and researched property records of people whom they suspected of molesting their children in pornographic and satanic services.

From coast to coast, concerned parents played a major role in the birth and growth of investigations into alleged child sexual abuse in day care centers, schools and summer camps.

For many, it was an emotional, gut-wrenching experience that left them hurt and angry.

"Nobody wants to believe their child has been abused," said Susan Polk, a Berkeley, Calif., mother who has accused her son's former babysitter of child molestation.

"I don't know all the information on what was done to my boy," said a Fort Bragg, Calif., father who believes his son was ritually abused. "I know enough — to make me madder than a bastard."

In Memphis, where three people are still awaiting trial on charges in the Georgian Hills case, parents say their community became a fearful place. Several families have moved.

"It has turned our lives upside down," said a Memphis mother in a family that decided to make a new home and a new life in another part of the state.

"I have never been able to go back to a church and leave my child in a nursery," she said. "It has destroyed my trust in a lot of things that have been my foundation."

The mother is unnamed because The Commercial Appeal has a policy of withholding information that could lead to the identification of the apparent victim of a sex crime except in special circumstances.

Said another Memphis mother: "People don't want to believe it and it is not a very nice thing to talk about. What people see is a bunch of crazy parents wanting to go after these fine upstanding God-fearing church people."

She was referring to defense lawyers who said panicked parents could be found at the core of virtually all satanic ritual abuse cases.

Many lawyers echo Chicago lawyer Adam Bourgeois: "Parents got caught up in an hysterical movement and they transmitted the hysteria to their children, who then began parroting what the parents were saying."

FBI Supervisory Special Agent Kenneth Lanning, the FBI's top child victimization expert, agrees that there is a lot of anxiety surrounding these cases. He sympathizes with parents. "I try to think how I would react if it were my child."

A study of 36 cases in the United States and Canada found parents reacting with different levels of involvement:

■ At the heart of each case was a vocal parent or parents who were "true believers" in the satanic abuse theory from the start. They used all methods at

their disposal — the news media, political pressure — to keep investigations alive.

■ There was a second level of parents who initially were skeptical and who had to be persuaded that their children had been assaulted. Many eventually were persuaded, but these parents chose to play a secondary, less visible role.

■ And those who didn't want any part of the case.

Crusaders emerged from the first group of parents. That's what happened with Mrs. Polk in Berkeley, and Beth Vargo in Chicago and Marymae Cioffi in Hermosa Beach, Calif. These women say they are forging a frontier in the discovery of a crime long hidden from public knowledge: satanic ritual abuse of children.

Mrs. Cioffi, mother of two alleged victims in the landmark McMartin Preschool case, believes devil worshiping cultists or pornographers — many of them in day care centers and preschools — are molesting children and terrorizing them into silence.

"My sense is there is some kind of underground education system," she said. "I kind of like to work with pictures and my picture is similar to that of the movie, *Raiders of the Lost Ark*."

"Remember when he is out in the desert and he opens up (a hole) and looks down and shines the light and there is a roomful of snakes. You don't know how many years the snakes have been there . . . room after room after room of snakes. It was underneath this very

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## JUSTICE ABUSED

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## Suits

day care center. The parents had sued for more than \$24 million. One conviction remains; appeal is pending. Under agreement, parents will not file more suits.

In Coos Bay, Ore., and other communities, civil suits, or the threat of them, fell through when prosecutors declined to press charges. But in Sequim, Wash., parents pledged to pursue civil cases after prosecutors dropped criminal charges.

Settlements, however, were reached in at least three large abuse cases that produced convictions.

Last year, seven families of children enrolled in the Country Walk Babysitting Service in Miami reached a \$5 million out-of-court settlement with the company that owned and managed the Country Walk residential development.

Parents there also filed suits totaling \$30 million against the carrier of Frank Fuster's homeowner's insurance. Fuster is serving a 165-year sentence after being convicted of abusing children he and his wife cared for.

In Niles, Mich., insurers of a day care center agreed to pay a multi-million-dollar settlement following the conviction of Richard Barkman, the husband of a day care center owner, on charges of abuse. The insurance firm stipulated that the money be placed in a trust fund for the children.

In a Reno, Nev., case not connected with the Montessori case there, an insurance firm settled with parents for an amount believed to be \$12 million after an employee at the Papoose Palace day care center pleaded guilty to charges of abusing children. Those settlements will provide graduated payments to children, said Tom Brennan, one of the lawyers for the families.

In Vermilion Parish, La., families won an \$8 million settlement from the Catholic Church after a former priest pleaded guilty to molesting boys.

Huge civil cases are pending in Malden, Mass., where three people were convicted of abusing children in the Fells Acre Day School, and in New York City, where three others were convicted of molesting children in the PRACA day care center in the Bronx.

In Manhattan Beach, families of alleged victims in the McMartin Preschool case have withdrawn several civil suits until the criminal trial is over, said Greg Mooney, a lawyer for children in the case. The trial of Peggy McMartin Buckey and her son Ray began last fall and is expected to continue several more months.

The McMartin suits had preceded the criminal charges and were filed "to get the ball rolling (in the criminal investigation)," an attorney for several families said at the time.

In Maplewood, N.J., parents of children allegedly abused at Wee Care Day Care Center have filed \$1.4 billion in lawsuits against the school and the defendant, Margaret Kelly Michaels. The day care center was covered by a \$3 million policy, said Gary Moyley, lawyer for five of the parents. Moyley said all civil proceedings are on hold, pending the outcome of the criminal trial, which is in its sixth month.

In Memphis, three civil cases against the Daybridge center remain active. One was dismissed in September because plaintiffs failed to prosecute the suit. One case is to go to trial in March.

In the Georgian Hills case, which produced the conviction last month of day care worker Frances Ballard, parents have filed suit for more than \$70 million. Those making claims include many whose children were not named as victims in the criminal case.

In West Point, lawyer William Crain said he's optimistic about his clients' chances of collecting from the government. One child reported bleeding in her vaginal area after returning home from the day care center — an injury a pediatrician attributed to sexual abuse.

**Yesterday:** Children's stories  
**Today:** Parents vs. the accused  
**Tomorrow:** The Georgian Hills case

*"When I was sitting in jail, I thought, 'If I have to be falsely accused of something, don't let it be this.'"* — Peggy Ann Buckey

## Former suspects find their place on list of victims

By Shirley Downing  
Staff Reporter

Helen Brown hears the nightmares of her children, and she sees the tortured look in the eyes of her husband. Her mind darts back to January 1984, when she was taken from her Jordan, Minn., home, stripped and put in a small, cold jail cell. Children — her own and others — reportedly had said she and her husband Tom had molested them.

Peggy Ann Buckey remembers being handcuffed and put on a jail bus where other inmates flipped lit matches into her blond hair when they heard she was charged with child molesting.

"When I was sitting in jail, I thought, 'If I have to be falsely accused of something, don't let it be this,'" said Ms. Buckey, one of seven people charged in 1984 in California's infamous McMartin Preschool case.

Charges against Mrs. Brown and Ms. Buckey were dropped, just as they were against the vast majority of people accused of abusing children in bizarre rituals.

But the stain left on their reputations has not been so quick to fade. Nor has it been easy, they say, to put their lives back together and forget what it was like to be labeled a child molester.

"Let me be accused of murder or anything. You can't defend yourself and you live with a cloud over your head the rest of your life," Ms. Buckey said.

She was jailed because of accusations made by children, ages 2 to 4. They weaved the charges between stories of airplane flights and nude games.

In January 1986, authorities dismissed charges against Ms. Buckey and four other co-defendants because evidence against them was "incredibly weak," said Los Angeles Dist. Atty. Ira Reiner.

Ms. Buckey's brother and her mother also were charged and are on trial. Although her legal slate has been cleared, Ms. Buckey believes people will forever wonder if she did something wrong.

So do DeLoart Parks in Chicago, Rebecca Barkman in Niles, Mich., and Robert and Lois Bentz, formerly of Jordan, Minn., all of whom have been accused and cleared of charges that they molested children during satanic and pornographic rituals.

All say they dislike child molesters as much as anyone, but say the charge is one that does not carry with it the traditional presumption of innocence until proved guilty.

When children are involved, authorities are more likely to suspend common sense and believe the incredible, whereas they won't in a murder case, said Minneapolis defense lawyer Marc Kurzman.

"We have kids who say, 'Ray put a car up their bottom,'" said Ms. Buckey of the claims against her brother. "You can laugh about it, but those are the charges and that has put my family in jail because some kid has said, 'Ray put a car up my bottom.'"

"Well, no one says, 'That is a little ri-

dulous,' or, 'Why would anyone do that?' But that is what I always think. Why. Why would anyone do these things?"

Prosecutors, social workers and parents often explain children's bizarre stories by saying molesters tricked them or confused them so that the rest of their stories would not be believed.

Ms. Buckey and others who have been accused say confusion resulted when children were repeatedly questioned by police, social workers, therapists and parents.

Ms. Buckey said her family has lost everything. The family-owned school — once one of the most prestigious in the South Bay area of Los Angeles — has been closed and is for sale. Her parents' two homes were sold to pay legal fees. Her brother remains in jail.

"Spending \$150 an hour for attorneys, plus expenses . . . you just can't keep putting money out like that," she said.

Ms. Buckey works in her lawyer's office. The State of California rescinded her credentials to teach deaf children. She is trying to win those credentials back. She doubts she will ever teach again.

**"For the sake of the prosecution's case, this child was taken into the system and completely warped."**

**ROBERT T. BACA**  
Superior Court Judge

The hysteria has touched people never charged with abuse.

Barbara and Sharon Orr, two sisters from Illinois who operated a day care center in Fort Bragg, Calif., were subjected to a year-long investigation that began after Sharon's 8-year-old daughter committed a sex act with a younger child staying at the center.

Although no charges were filed, townspeople accused the sisters of murdering infants; cutting children with a long, jeweled knife and sucking their blood; and other acts.

The sisters lost their jobs and promised, under pressure, never to apply again for a day care license in California. Barbara Orr recently re-enrolled at Southern Illinois University, and was investigated by the school, which noted her California problems on her academic record.

Barbara Orr, 35, said she deteriorated physically during the ordeal, suffering from stress and severe depression. She said she contemplated suicide, but was inspired by others who said they were falsely accused of abuse.

"I guess that's what really motivated me — getting mad, saying, 'No, I'm not going to do this to myself,'" she said.

Ms. Orr said she has lost forever the ability to enjoy the company of children. She's afraid to be left alone with, or show any affection toward, a child.

"It's something I don't think I'll ever

be able to get over," she said.

In Chicago, DeLoart Parks has had trouble finding work. His wife has had a heart attack, caused by stress, they believe. The couple's income has dropped from \$15,000 a year to almost nothing.

Parks is puzzled. He had never missed a day's work or been in trouble with the law. He and his wife had worked their way out of the housing projects in Chicago's South Side into a home of their own. Their lives revolved around work, church and family.

Parks, whose name and picture were splashed across newspaper pages and the nightly news, now works at odd jobs when he can get them. His days are spent gardening, reading and in church work.

In Bakersfield, Calif., former Arkansas Roy Nokes says, "This is the worst thing you could have happen to you."

Nokes' son and daughter and their spouses were charged, and later cleared, on child molestation charges. Nokes, a lanky tree trimmer, and his wife were not charged but were suspects.

"I don't think they could accuse anybody of any more filth than child molestation," said Nokes.

"Anybody that would harm a little kid in any way in my book is just scum. We always treat kids good. We buy them things and we take care of them. My wife sits up with them at night when they are sick, and she is with them at the hospital when they are born."

Nokes borrowed on his home to help pay the legal fees of his children. He worries about the effect the case has had on his grandchildren, who were taken away from their parents for more than a year.

He and his wife have a small library of newspaper articles and videotapes of news reports on the events in Kern County.

In one article, Superior Court Judge Robert T. Baca said the treatment of Nokes' grandson, Michael, by government workers "was the most reprehensible thing that has ever come to my attention." The judge said the welfare department "brainwashed" the boy into fearing his family.

"The molestation, if there was, is not what caused this warped child," Judge Baca said. "For the sake of the prosecution's case, this child was taken into the system and completely warped."

Tom Brown can sympathize with DeLoart Parks. Brown was one of 24 people accused — 23 were later cleared — of child molestation in Jordan, Minn. Brown, a truck driver for 12 years, lost his job. He has been unable to find steady work.

Many former Jordan defendants wonder why they have no legal recourse against the government. Virtually all the civil lawsuits filed by former defendants have been dismissed or thrown out of court, although appeals are pending for two families. James Rud, the first suspect in the investigation, pleaded guilty.

Lois and Robert Bentz, the only two defendants tried in the Jordan case, were acquitted. They have divorced, largely because of the strain from the case.

"It has just devastated them," said Barry Voss, their lawyer. "You have taken a family (where) you wrenched the kids away from their parents and told the kids over and over again their parents sexually abused them. You have turned the children against each other. You have turned the children and their parents against each other."

"I wish someone could explain to me how you undo everything that (former prosecutor Kathleen Morris) has done to those people and that family. It can't be done."

**"The chances of winning a child abuse complaint generally are against the defendant."**

**JAMES STRICKLAND**  
Chairman,  
National Child Care  
Liability  
Task Force

From Page A19

## Parents

calm, smooth desert."

Satanic ritual abuse of children is similar, she believes. "The only way you are going to get rid of these snakes is take each one and toss it up into the daylight and that daylight will destroy those slithering things that have been under there for who only knows how long."

From city to city, reporters found parents of alleged ritual abuse victims to be energetic, vocal and committed to proving their cause.

Many parents say their lives turned into a "nightmare" after they were told their children had been sexually abused, even though the parents had not seen any signs of assault.

Many began to feel like "a family under siege," according to Mrs. Cioffi. Some turned to psychiatrists and marriage counselors.

Most of these families are middle-class and white. They range from schoolteachers and out-of-work factory hands in Frayser to aerospace engineers in Los Angeles to grocery clerks in Sequim, Wash., to oil field workers in California to social workers in Chicago.

Many parents have forged first-name friendships and alliances with investigators, therapists and prosecutors who are navigating the cases through the social and criminal justice systems.

In many cases, government investiga-

tors curried the favor of parents.

In Memphis' Georgian Hills case, the Department of Human Services held weekly parents' support meetings where therapists talked about child sexual abuse. Parental cooperation was encouraged, according to a manual written by supervisors in the state DHS office in Nashville.

"Parental support is vital to a successful investigation in a day care setting," the manual said. "Children are under great pressure to accommodate those around them. If the parents refuse to believe the abuse occurred or bring pressure, for whatever reason, on the child to change the story, then recantation is likely."

But parental involvement cut both ways. "We'd get a new accusation and we'd say, don't discuss this . . . and then we'd turn around and find out they'd had a meeting on it," said Vivian Rackauckas, former district attorney for Mendocino County, Calif., who investigated allegations in Fort Bragg.

Parents often tried to help investigate. Many assumed roles they weren't trained for, acting as intermediaries, interpreting and passing on children's stories of abuse to investigators, therapists and prosecutors.

In Memphis, investigators noted in a 1985 letter to the FBI that some parents, although well intentioned, may have "coerced or improperly extracted" claims of abuse from their children.

In Chicago, Cincinnati and El Paso, parents kept diaries or notes as they questioned their children, and in Sequim one parent helped her daughter

draw a picture describing scenes of alleged abuse.

In San Francisco, Mrs. Polk took out newspaper ads seeking other parents whose children may have been abused by what she believes is a cult of devil-worshipping Nazis. None surfaced.

In Fort Bragg, parents took their children into graveyards to search for clues. One mother upbraided authorities for declining to send scuba divers offshore in the Pacific Ocean to look for a submarine entrance to an underground amusement park.

In Manhattan Beach, Calif., parents dug up the remains of a turtle on land adjacent to the McMartin Preschool. They persuaded the district attorney's office to hire an archeological team to conduct a professional dig, at a cost of thousands of dollars to taxpayers. The diggers found nothing but discarded chicken bones.

Robert Currie of Hermosa Beach offered a \$10,000 reward to anyone who could come up with pornographic pictures of the McMartin defendants with children. None surfaced.

Parents became crusaders. As individuals, many remained anonymous, but they organized and incorporated and attached names to their causes: SLAM, PROTECT, ACT, SCREAM or Believe The Children. They lobbied successfully for new laws.

They attended national workshops and seminars, and met with parents from other cases. They became media tipsters and sources — enlisting the news media to apply pressure on investigations — and some, such as Currie in the McMartin case, Mrs. Vargo in Chi-

cago and Sandra Kellum in Grenada, Miss., told their stories on regional and national television programs.

They pressured authorities to pursue investigations they feared would die:

In Memphis, four women lobbied Tennessee Atty. Gen. Mike Cody and won a second investigation of a Parkway Village day care center where they claimed their children had been abused. No charges were brought.

In Clarksville, Md., parents picketed the county health department, demanding the closing of a preschool where the owner and her son were charged with sex complaints, and of taking nude pictures of children. The owner was convicted of felony child abuse; her teenage son was acquitted.

In Chicago, Mrs. Vargo and other mothers lobbied the state attorney general and governor, and won three separate investigations of alleged abuse involving the Rogers Park Day Care Center. A janitor was arrested but later acquitted.

Mrs. Vargo says the criminal justice system is ill-prepared to cope with cases such as Rogers Park, in which children said teachers slaughtered animals, photographed them and forced them to eat a boiled baby and body waste.

"I've really learned throughout this whole experience that victims don't really have any rights in the legal system," she said, tears glistening.

Some defendants — though they claim to be falsely accused — are sympathetic to parents. Cora Priest, formerly charged in a ritual abuse investigation in Sequim, Wash., said, "The way I see it, they (parents) are victims, too."





## Ballard case: detours along road to truth



Cases in parallel **A24**  
Personal crisis **A22**

By Shirley Downing  
Staff Reporter

### JUSTICE ABUSED

### A 1980s WITCH - HUNT

Part 6 of 6  
Georgian Hills

**L**ike many 4-year-old children, the girl was boisterous and rowdy. She was also quick to fight with classmates at Georgian Hills Early Childhood Center. Twice, when the girl misbehaved, teacher's aide Frances Ballard said she swatted her on the behind. Mrs. Ballard described it as a mild, old-fashioned spanking, no more than one would expect from a 54-year-old grandmother. "If I ever hurt a child, the Lord would punish me," Mrs. Ballard said recently. But the girl had a different story. She told her mother Mrs. Ballard touched her in the vaginal area. The complaint led to Mrs. Ballard's arrest on rape charges. That was in June 1984, at the peak of an epidemic of molestation complaints in child care centers across the country.

Soon, it grew into one of the most sensational, and controversial, cases in Shelby County history. Reporters for The Commercial Appeal have studied records of the case and interviewed investigators, parents and others closely involved with it from its earliest days. They found that a Baptist preacher and three day care workers were charged with sex crimes because of children's reports of satanic and sex rituals that echoed youngsters' claims in dozens of cities. Reporters traced most of the stories told by Memphis children to events or criminal cases in other cities. And most of the stories appear to be false. Nationally, little evidence has surfaced to indicate children's stories of satanic ritual abuse are true. The newspaper found that the Georgian Hills case shares problems found in many of 36 ritual abuse investigations it studied nationally. The Georgian Hills investigation began as most did — with a single complaint. Then, as pressure built from anxious parents and the news media, it escalated into a massive, unwieldy inquiry in which preschool children indi-

cated as many as 100 people participated in sex crimes. Investigators relied on relatively new methods and theories of investigation that contributed to the spread of bizarre stories. That, too, was typical. And as in other cities, the main prosecutor — Asst. Dist. Atty. Gen. Phyllis Gardner — and key investigators were convinced children had been abused and threatened into silence by Satan worshipers or pornographers. They remained convinced of that theory, even when a scarcity of evidence led other investigators to conclude the children's stories probably weren't true. Since June 1984, children in several cities have said their stories of slayings and molestations were lies. Judges and federal and state agents in Minnesota, California and Hawaii have said flawed interview techniques have led to the growth and spread of unfounded claims. In the Georgian Hills case, defense lawyers have called for a similar state or federal review, but nothing has come of it.

Please see **BALLARD**, Page **A22**

**S**ince 1983 the nation has seen a dramatic increase in the number of reported cases of child sex abuse. A crime once hushed up had come out into the open. Along the way, new social therapy theories and criminal investigative methods were rushed into use. As the best-known child sex abuse cases became notorious as much for the way they were handled as for the accusations children made, evidence now shows a kind of mass hysteria swept the country. Hysteria led some authorities, urged on by frightened parents and credulous members of the press, into a witch-hunt unparalleled in modern times. Four years after the first cases attracted national publicity, many of the investigations have produced more questions than answers. This series explores those questions and how a social system created to protect the nation's young also has done harm to innocent people and brought about controversial issues that obscure the truth about child sex abuse.





## JUSTICE ABUSED

A  
1980s  
WITCH - HUNT

From Page A21

## Ballard

For Mrs. Ballard it is too late. Last month, she was convicted of kissing a 4-year-old boy on the penis. A Criminal Court jury rejected the state's claim that she raped 10 other children, including the girl who made the first accusation. She has been sentenced to five years in prison.

The case has divided the community among those who were willing to believe that a conservative Baptist church was a front for child-molesting satanists, those who didn't; and those who believe there could be truth on both sides.

Defense lawyers contend the case is a classic example of an epidemic of hysteria. They say poorly trained and biased investigators misread children's play with dolls and drawings, and translated their incredible stories into criminal charges.

Mrs. Gardner and others still involved in the prosecution of the case declined to be interviewed. Exec. Asst. Atty. Gen. Don Strother said it would be improper for anyone in the attorney general's office to comment since criminal charges are pending against three defendants.

At the heart of the controversy are sure victims:

■ The children, who either were abused at Georgian Hills, or who were not — and now believe they were.

■ The parents, who entrusted their children to a state-licensed day care center, only to have investigators tell them their children had been raped and terrorized when they had seen no signs of it themselves.

Supporters of the four defendants — including some of the investigators in the case — consider them victims, too.

They say Mrs. Ballard, Rev. Paul Shell, Betty Stimpson and Jeffrey Stimpson — all charged with rape — are among the innocent victims of a modern witch-hunt. Even if the four are cleared, they will probably go through

life carrying a suspicion of guilt.

The case began May 31, 1984. That's when the 4-year-old girl, daughter of two Federal Express employees, told her mother her bottom hurt. She said "Miss Frances" had touched her.

A week later, the child was seen by her doctor, who noted an irritation in the vaginal area. He questioned the girl and notified authorities, as required by state law.

On June 6, state social worker Sandra Fisher interviewed the girl alone in her bedroom. Using anatomically correct dolls to assist in the questioning, Ms. Fisher concluded Mrs. Ballard had put her finger in the girl's "kooch" and "booty" while at school.

She said the child indicated on the dolls that she had seen oral sex performed on two boys.

That evening, Ms. Fisher interviewed one of the boys, also 4, alone in his bedroom. She said he indicated on the dolls that Mrs. Ballard touched him in his "doo-doo hole" and that she had put her mouth on his "pee-pee" and blew. The

incidents allegedly happened at Mrs. Ballard's home.

The boy, son of a medical student and the grandson of a policeman, indicated three children and an unidentified woman were present.

The second boy supposedly seen by the girl was the great-nephew of Police Sgt. Jerry Davis, the department's self-professed expert on satanic crimes.

Davis had been head of the Memphis Police Department's criminal intelligence unit during the late 1960s when police — searching for subversives and Communists — infiltrated student groups at Memphis State University.

Davis' nickname in the police department was "Mr. Conspirator," said Lt. J. D. Douglas, who was also assigned to the Georgian Hills case in its early days. Davis was always chasing "elusive conspiracy theories" and clipping newspaper articles about cases in other cities, trying to link them to Memphis crimes, according to Douglas.

Please see **BALLARD**, Page A23

Photographs by Steve Jones



Frances Ballard, from a jail conference room: "I feel sorry for them (parents) because they have been misled. My heart breaks for them."

## These are days of trial for Ballard

### God is testing her faith, she says from jail

By Shirley Downing  
Staff Reporter

Some days, she says, the walls seem to be closing in on her.

She is referring to the frustrations of her life, as well as the black bars of her small cell in the Criminal Justice Center.

She is Frances Ballard, 57, a sharecropper's daughter and grandmother convicted last month of aggravated sexual assault.

She was found guilty of kissing a 4-year-old boy's penis while working as a teacher's aide at Georgian Hills Early Childhood Center. A jury acquitted her on charges involving 10 other children.

Mrs. Ballard continues to insist she is innocent. Tears spilling from her eyes, she says the children who accused her are confused, their parents mistaken. She says she is praying for them.

"I feel sorry for them because they have been misled," she says. "My heart breaks for them."

Mrs. Ballard recently talked with a reporter during an hour-long interview in a jail conference room.

She peppers her conversation with references to God and quotations from the Bible. She says the Lord is testing

her through the Georgian Hills case.

She says she spends her days reading her large-print Bible, and talks with the women who share adjacent cells. They are prostitutes, shoplifters and homeless women with mental problems.

Outside the jail, in the Frayser area where Mrs. Ballard has lived for 35 years, the community is divided. Despite the jury's verdict, some continue to believe she is innocent.

Fifty-seven character witnesses — including a couple who drove here from Indiana — testified for her. All vouched for her sterling character, and said they would believe her if she said she were innocent.

Former police sergeant Jerry Davis, one of the chief investigators in the case and great-uncle of one of the alleged victims, is equally convinced of Mrs. Ballard's guilt.

He believes Mrs. Ballard, a Baptist preacher and two other day care workers were involved in a conspiracy to molest and frighten children at the day care center.

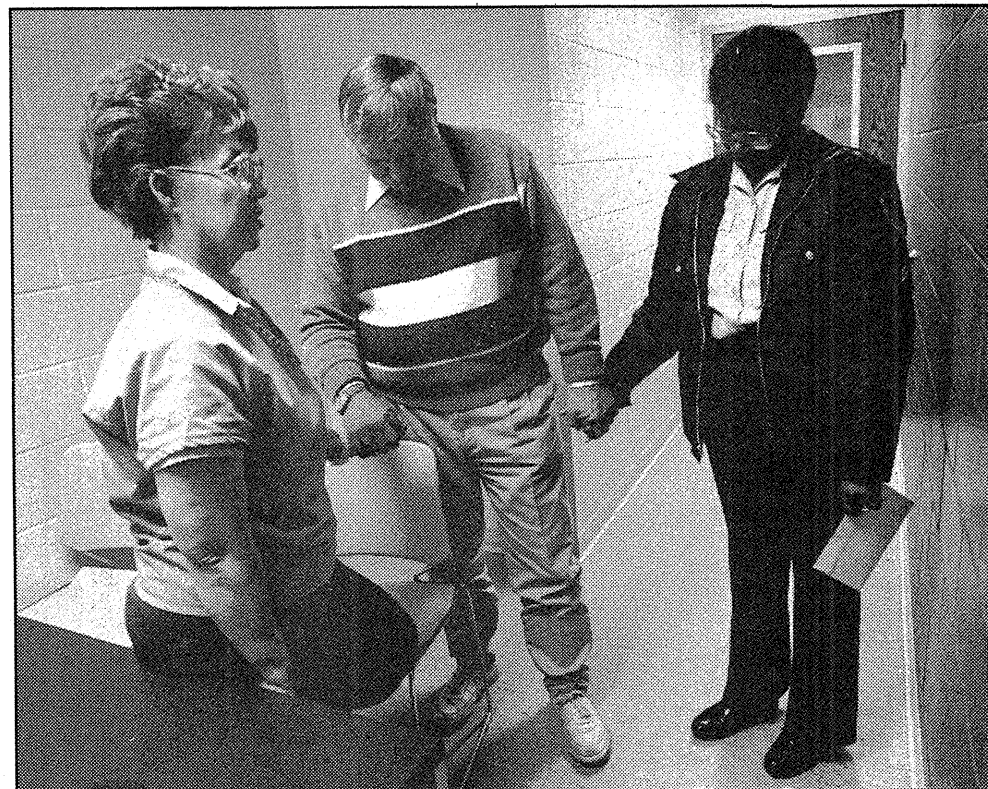
He believes the school is linked to others across the country in which children have told of abuse during rituals and satanic ceremonies.

Davis agrees that investigators had unearthed nothing in Mrs. Ballard's past to indicate involvement in such practices.

But Davis warns against being taken in by harmless-looking people with a clean record. "Maybe they just haven't been caught."

Friends and neighbors knew Mrs. Ballard as a wife, mother, gardener, sometime babysitter and all-the-time Christian, law-abiding citizen.

For 35 years, she lived quietly with



Mrs. Ballard prays with an attorney, Jim Ball, and guard Patricia Taylor.

her husband, Charles, in a modest, two-bedroom frame house on a narrow street in Frayser where they reared three daughters.

Her job as a teacher's aide at Georgian Hills was her first outside the home. Her husband had recently retired from his civilian job with the Navy, she says, and they needed the money.

She says she was so ignorant of sexual

terminology that she had to have her lawyers explain what children were talking about. "To me, it was all dirty. I had no need for anything like that."

She is a member of Bellevue Baptist Church, but now she attends services on Sunday at the jail chapel.

She tries to get other female inmates to join her. Sometimes they do, sometimes they don't. She says she prays for them just the same.

Mrs. Ballard is led back to her cell after a recent interview. She says she spends her days reading the Bible, and talking with other female inmates.





From Page A22

# Ballard

**O**n June 8, Davis' great-nephew was interviewed by Ms. Fisher, Mrs. Gardner and Davis.

Using an anatomically correct doll, the boy indicated Mrs. Ballard had kissed him on several areas of his body, including his penis. He said Mrs. Ballard had put him in the "big bathtub" — later determined to mean the church baptistry. He said she threatened to drown him.

He said Mrs. Ballard had cut up his Smurf doll and threatened him with a knife.

Ms. Fisher, Mrs. Gardner, Davis, the boy and his parents went to the Georgian Hills day care center. The boy led the group to a wooded area behind the school where he said the doll was buried. Davis dug but found nothing. The boy led them to a second spot, but nothing was found there, either.

The boy then led them on a tour of the day care center at 3759 North Watkins, pointing out areas where he said abuse had occurred. Davis retrieved a knife from a locked utility room.

Meanwhile, the medical student had his son tested for gonorrhea. He pressed authorities to prosecute.

**O**n June 12, Mrs. Ballard, who had worked at the school 10 months, was arrested and charged with the aggravated rape of four children.

The news media quoted Police Lt. Glynn King as saying children were assaulted in the presence of classmates, and one child had shown symptoms of gonorrhea.

Parents of Georgian Hills students — many of them law enforcement officers or related to officers — were shocked. None had seen signs of abuse in their children. They flooded the police with calls.

The news stunned Mrs. Ballard's friends. Here was a woman they thought was law-abiding and God-fearing. She babysat 19 children in her home during the previous 20 years without known incident.

Within days, authorities learned that neither Mrs. Ballard nor the boy had gonorrhea. But the medical student remained convinced his son was infected with a venereal disease.

The man's fears did not go unnoticed. Investigators Lisa Daniel and Jane Martin described him in one report as "hysterical" and "obsessive."

The medical student talked to other parents, some of whom called the news media, seeking information. The news media contacted the police, the state Department of Human Services (DHS), Mrs. Gardner, and other parents, some of whom had talked to the medical student.

The circle was growing. Of the first three children, the girl did not mention the incident again. She returned to the Georgian Hills day care center.

But the two boys were repeatedly questioned for months. They continued to elaborate on their initial statements. Meanwhile, Davis and the medical student came to play pivotal roles: Davis investigated; the medical student joined with other parents to encourage authorities to pursue the case.

Almost immediately, Davis began to help Mrs. Gardner interview Georgian Hills students. Most of them had told their parents nothing had happened, but Mrs. Gardner, a former social worker, felt additional interviews were needed.

Young children, she explained in court last fall, rarely disclose everything about a sexual abuse incident in a single interview. Follow-up sessions are required.

Young children also lack adult words, or a frame of reference or the elements of time to say what happened, she said. That's why social workers use anatomically correct dolls, puppets or drawings to encourage children to explain what happened.

Judges in some cases, however, have ruled that those methods are unreliable. Critics of the dolls in child psychology say, among other things, that they help inspire a child to fantasize.

In the Georgian Hills case, investigators used drawings, puppets and dolls with genitalia — even a ceramic pig — as interview tools to encourage children to talk.

**C**ourt records show that early in the investigation, several children indicated Mrs. Ballard had kissed or touched them on the head, feet, hands, toes, arms and private parts.

One boy, 3, indicated she kissed him all over his body and played secret games.

Another boy, also 3, said a classmate struck his "tallywhacky with blocks." He said Mrs. Ballard put cold water on his penis and wiped it off with a napkin, and she "whipped" the other boy.

"She let me have a picture of an orange airplane and a Michael Jackson picture."

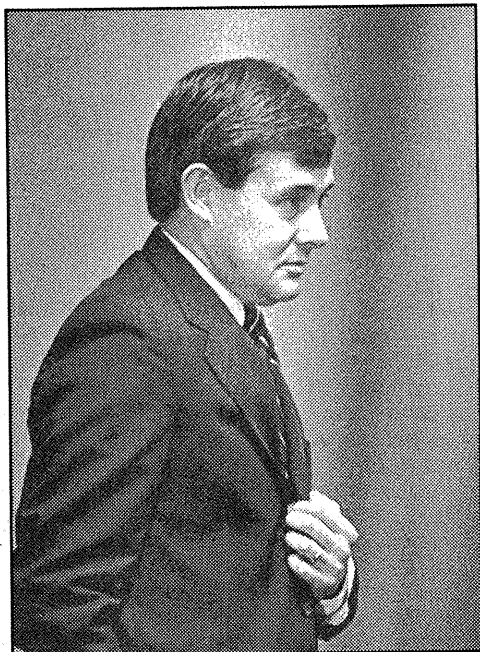
The boy then indicated Mrs. Ballard "kissed me on my cheek and my ear and my foot and my tallywhacky," records show.

But there was a problem in the way the children were being questioned.

At first, interviews were videotaped. That practice was stopped at Mrs. Gardner's order after the fourth child because investigators had to ask leading questions to get children to respond, according to a letter from the district attorney general's office to the FBI describing problems in the investigation.

Investigators also erased — or taped over, as some said — their audio taped interviews with children. That practice later came under fire from defense attorneys, who said the state destroyed evidence.

Meanwhile, parents took their children to Le Bonheur Children's Medical



Leland McNabb

Center for an examination by Dr. David Muram, who said he had special training to identify sexual abuse in small children.

Dr. Muram and psychologists Richard Luscomb and Roland Lee were operating a fledgling sexual abuse clinic at Le Bonheur. Dr. Muram examined the children, then referred children to Luscomb or Lee for counseling.

DHS was referring children to other therapists, as well.

Many parents believed — either from Dr. Muram or investigators or therapists — there was conclusive evidence their children had been sexually abused. Dr. Muram, according to the letter to the FBI, had diagnosed sexual abuse in 28 of 41 children he examined.

But four years later, Dr. Muram testified that he examined 10 of 11 children in Mrs. Ballard's case, and he did not find conclusive signs of sexual abuse in any of them.

He listed the 10 children as possible or suspected sexual abuse victims, based on findings of rectal scars and hymenal notches — which could be normal — and on behavioral changes reported by parents.

**A**s the case began to take form in 1984, parents filed civil lawsuits seeking millions in damages. Many continued to question their children, and talk to other parents.

Children's reports of kissing, "bad" touching, threats and chopped-up dolls were alarming. They were also similar to what children were saying in other widely publicized cases across the country, particularly in the McMartin Preschool case in Manhattan Beach, Calif.

Parents and investigators alike turned to the library for resource material. They began to read books such as *Michelle Remembers* in which a Canadian woman tells about her childhood when she was sexually and physically victimized by satanists. Critics call the book fiction.

By July, the medical student's son and a girl — both friends of Davis' nephew — were telling the same reports of the Smurf doll being chopped to pieces, and of being dunked in the baptistry.

Davis, who said his interest in satanic crimes dates back to 1966, feared something serious had happened at Georgian Hills.

He recently told *The Commercial Appeal* that he "suspected from the beginning" the school might be linked to others around the country in which satanists or pornographers were suspected of abusing children.

"There is no other way the kids could have got together and come up with these things," he said. "I believe there is a common denominator."

Both Davis and Mrs. Gardner began talking to authorities in other cities who were investigating similar cases, Davis said. He declined to say who he talked to, or where.

He said he believes children were sexually abused at Georgian Hills, and that "some of their stories aren't so bizarre."

**T**hat summer, though, interviews with employees of the day care center provided little support for the allegations. No other teachers, the maids, cooks or janitors reported having seen anything unusual about Mrs. Ballard or her treatment of the children. In fact, some said she seemed to care for the children and was concerned about their safety and welfare.

Investigators found nothing in her background to suggest that this slightly plump woman with thick-lensed glasses and a crown of lacquered curls had ever hurt children.

But Mrs. Gardner and other investigators found what they saw as a possible motive: a history of bladder and vaginitis problems, and her treatment for mild depression.

They theorized that Frances and Charles Ballard's sex life — he had been frail and sickly — was virtually nonexistent. Perhaps that had driven Mrs. Ballard to seek sexual comfort from small children, they suggested.

Investigators also learned that shortly before Mrs. Ballard's arrest, school officials had seen a prowler — a black man — at the school. School officials said they reported it to the police, and warned teachers to watch children closely. There was no indication the prowler had come in contact with children, but it was not long before youngsters began to talk about being abused by a black man.

**M**eanwhile, parents continued to talk among themselves. "It first came to our attention when our friends started calling and telling us their kids were talking about different stories and our little boy's name kept coming up," said one mother.

By August, DHS was holding weekly



Phyllis Gardner

parents' support meetings, attended by psychologists, Mrs. Gardner and social workers.

Parents were given a list of more than 60 "catchwords," and were asked to notify the attorney general's office if they heard the words from their children: Snoopy, hamster, blacks, skeletons, snow, Devil, monsters, butterflies, dragonflies, secret, skating, naked, kissing, Frances, hitting, airplane, orange.

Parents, advised by social workers and therapists, began to associate previous behavior — bed-wetting, thumb-sucking, nightmares and fear of water — as signs their children had been sexually abused.

They began to believe their children had not disclosed abuse because they feared for the lives of their parents or siblings.

Children, repeatedly questioned by parents or investigators, began to elaborate on their initial statements. They began to talk about airplanes, trips to other locations, slaughtered animals and having new pictures taken.

A 3-year-old boy said in June that Miss Frances kissed him all over his body. Several weeks later, he was saying Mrs. Ballard, armed with a gun and a knife, had taken him into the woods and "threatened to cut his head off."

Mrs. Ballard had "killed a little horse, doggie and squirrel and buried them in the woods," he said.

Some of those stories were shared among children by investigators.

Davis said he never shared investigative information with parents.

But his niece wrote in her diary — introduced as evidence in Mrs. Ballard's trial — about an Aug. 23, 1984, conversation with her son:

*Mother: I talked to Uncle Jerry (Davis) today.*

*Boy: What did he say?*

*Mother: Some of the teachers told him Ms. Francis had a camera.*

*Boy: She did.*

*Mother: What kind was it?*

*Boy: Like Uncle Don's and daddy's.*

*Mother: Did she take pictures of you?*

*Boy: No.*

*Mother: What did she do with her camera?*

*Boy: She took pictures of (the medical student's son and another boy) in the bathtub.*

*Mother: You were there, too. Didn't she take your picture?*

*Boy: No.*

*Mother: Did she take (a particular girl's) picture?*

*Boy: No. (The girl) wasn't there.*

*Mother: I thought (the girl) was there.*

*Boy: Not that time.*

*Mother: How many times did you go there?*

*Boy: Five. (The girl) only went two. I had to save her.*

*The mother then noted: When asked about having his picture taken, it was like he did not want to admit his was taken.*

**T**hat conversation illustrates what is referred to as "cross-germination" — the introduction of facts from one case into a new case that changes the course of the second investigation.

In this incident, Davis passed along information to a parent — his niece — who passed the information to her son. The boy elaborated on what his mother had told him.

The conversation also illustrates the criticism that adults are quick to accept claims of abuse, but they often fail to heed denials.

In this conversation, the boy twice denied that he had been photographed, but the mother seemed convinced that he had been.

Cross-germination continued. On Aug. 26, the medical student called Davis' niece to ask about a hamster, records show.

The woman quizzed her son about the hamster. He told her: "It exploded." The boy said children had to count to 10 and when they got to 11, it exploded.

*Mother: How did the hamster explode? Was it stuck with a knife?*

*Boy: No. She (Mrs. Ballard) put a bomb in it.*

*Mother: Was it a firecracker?*

*Boy: No. It sounded like it.*

*Mother: Are you sure the hamster was real?*

*Boy: Yes. I saw it and it moved. We could not touch it.*

*Mother: Was there blood?*

*Boy: Yes.*

*Mother: How did she clean it up?*

*Boy: With a broom.*

That conversation illustrates what Nashville psychiatrist William Kenner, who has testified for the defense, said commonly occurs: An adult provides the child with the "frame" for a story, and then inadvertently encourages the child to fill in the blanks.

In that conversation, the mother introduced the subjects of the hamster, the knife and the blood. The child elaborated.

Sometimes children changed or retracted their accounts. That's what hap-

pened with the little girl who was friends with Davis' nephew and the medical student's son.

That girl said she was photographed in the baptistry. She talked about kissing and touching sessions in which she was assaulted vaginally and rectally. She said Mrs. Ballard played the piano, sang songs, and cut up a Smurf doll.

The girl vividly described a trip to a farm, and to the woods where Mrs. Ballard, dressed as a bear, would capture children and put them in cages. "When they were all captured, two policemen came to bust them out."

But later, Ms. Martin and Ms. Daniel noted in one report that the girl would not discuss her previous claims.

"It is unclear why she may have retracted her story since she was one of the first children to fully disclose the abuse that she suffered," they wrote.

The girl rejected the women's efforts at sympathy. "At one point, she was sitting on the writer's lap and on the floor. She began to tell about some of the bad things that happened at Georgian Hills, and the writer, in an attempt to comfort her, was patting her on the side of her leg.

"She immediately knocked the writer's hand off of her leg and then reached up and apologized and hugged the worker.

"The writer's interpretation of this was that she continues to be traumatized by the sexual abuse that she experienced at Georgian Hills and she possibly interprets any kind of touching, even that meant in the best of intentions, as threatening and imposing."

**A**s the summer waned, children continued to talk. Some were in therapy together. Some played together. And several of the alleged victims were now attending the nearby Daybridge Learning Center and Frayser Assembly of God Church school.

During that time, children's reports of abuse began to sound more and more like those of the children in California and Miami and Michigan and New Jersey.

As elsewhere, the accounts frequently emerged in conversations between the child and mother, who passed information to investigators, who then re-interviewed children.

By September a boy who initially said Mrs. Ballard touched him on the penis now told how he had dreamed of "monsters" and Mrs. Ballard dressed as a witch.

Another boy, 3, who had said Mrs. Ballard kissed him on the penis, now said he was raped with a purple comb. He said he rode in a van to another location where he saw a "bloodman."

One mother noted in her diary that she took her son to the home of Davis' nephew, and the two boys "had a conversation about going somewhere in an airplane."

Davis' niece, meanwhile, took her son to the airport to look at planes. He had told her about flying from Memphis International Airport, and Hi-Air. She noted in her diary that he said planes at Memphis Jet Service and Federal Express looked familiar.

Parents continued to swap stories their children had told.

In late September, Davis' niece wrote in her diary that the medical student told her about a house his son had identified.

The boy also had identified a restaurant in Raleigh — decorated in a train decor — as a place he had been taken.

The mother noted that she, her husband and son had eaten at the restaurant twice before, but the boy had shown no indication he'd ever been there.

After the medical student's call, she questioned her son about it. He said Mrs. Ballard had taken him there.

Several parents drove their children by Mrs. Ballard's home to see if they could recognize it. Some said they did. Some said they didn't.

Some parents took their children to Georgian Hills. One boy, 3, opened the doors to one room and then ran away "because he said monsters were in there," the mother noted in her diary.

On Sept. 21, DHS closed the Georgian Hills day care center, saying the "public health, safety and welfare imperatively required this emergency action."

That action launched a second wave of fear. Particularly upset were parents who'd left their children in the school because they thought it was safe with Mrs. Ballard gone.

The medical student complained to the news media his fear that authorities were trying to cover up what really happened: He said children had told of flying on airplanes to other cities. He feared a Frayser business was filming and distributing pornographic pictures of children.

He feared many of the Georgian Hills teachers and church leaders were involved in some type of satanic or pornographic ring, and that the cult had spread to other day care centers.

He said his son, now in another day care center, claimed Georgian Hills teachers had come to his new school and hurt him there.

At least one television station had already reported those things, he said. Why hadn't the newspaper?

Three reporters for *The Commercial Appeal* spent several weeks investigating his claims, but found nothing to support them. The newspaper declined to print the uncorroborated reports.

Still, more parents — even those who had petitioned the state to reopen Georgian Hills — became concerned. Children's accounts were more vivid, and included more people.

**B**y late September, the medical student's son had identified three other Georgian Hills workers as people who had abused him, but he was reluctant to discuss what happened, records show.

Many children were now saying a man named Ricky, John or Tom had

Please see **BALLARD**, Page A24



# JUSTICE ABUSED

## A 1980s WITCH - HUNT

"During the course of this investigation, virtually every name that was ever mentioned became a suspect."

**BECKY MASON**  
former social worker  
Georgian Hills Case

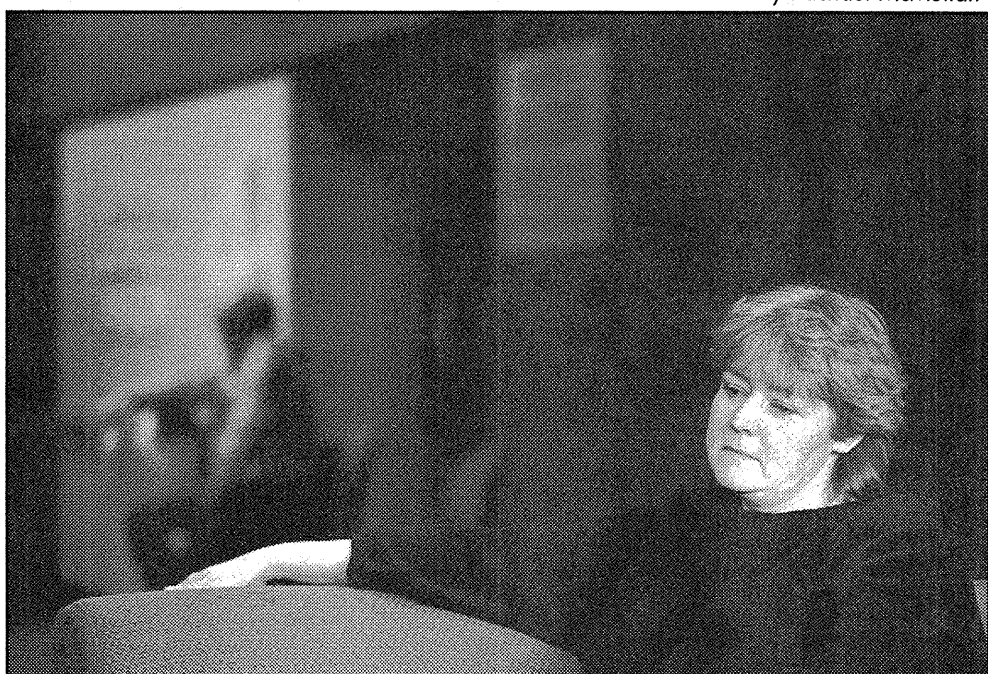
Part 6 of 6  
**Georgian Hills**





## JUSTICE ABUSED

A  
1980s  
WITCH - HUNT



Becky Mason: The Georgian Hills investigation "was reminiscent of the Salem witch trials or the McCarthy hearings of the 1950s."

From Page A23

## Ballard

abused them. Two boys described a man as "dumb chicken;" another said he looked like "Pluto."

Descriptions of the man varied from tall and skinny to short and fat. Some said the man had glasses and a beard; others said he was bald and bare-chinned.

Some said they had been hurt by men who worked on the roof. The roofers were interviewed by the police, who found no evidence that they had hurt the children.

One child said Jeff Stimpson bludgeoned a black dog with a baseball bat and dragged it out into the street to make it look as if it had been run over by a car. One mother's diary of Oct. 3 indicates her son told about being put in a red van and taken to Mrs. Ballard's house, where he was assaulted with a paddle by Jeff Stimpson.

Several days later, the boy told about being taken to a river, where Stimpson made them disrobe and took their pictures.

The boy said a wolf was hiding in the woods. "The wolf will get you, Mama," the boy said. "He is in the woods by the river, and he'll come out and eat little children up."

That was the child who three months earlier had said Mrs. Ballard put cold water on his "tallywhacky" and had kissed him.

Another child, 3, who three months earlier had said Mrs. Ballard kissed him, now identified several other molesters, including a "blood man," a man named Ernie, and Boy George.

"Boy George is bad. He's a girl," the boy told his mother. "I asked him where he had seen Boy George," the mother wrote, and her son replied: "In the dark room. He's a dirty old man that dances around the dark room. He's a dirty old man."

Telephone lines in Frayser were humming.

Said one father: "There were a lot of parents who were skeptical at first. It is hard to believe. Nobody wants to believe their child has been raped, molested and terrorized. People just don't want to think that kind of stuff goes on."

Some did begin to believe, even though they couldn't explain.

"My son said from day one nothing had happened and he didn't know anything about it," said one mother. "He had watched Frances Ballard being arrested on TV. He said, 'No, they didn't bother me.'"

In October, she said, the boy told Mrs. Gardner something happened and that two men put their penises in his bottom.

She could not explain the lack of trauma, but came to believe her child was abused. "As many underhanded things as these people did, they could conceal anything."

Parents were increasingly worried about their children. One child, court records noted, was "talking about loving the devil and hating God. Mother is depressed."

On Sept. 24, three days after the closing of Georgian Hills, the 4-year-old daughter of a sheriff's deputy said she was molested by Mrs. Ballard, the Stimpsons, Mr. Shell, two men named Dave and Tom, and two other unnamed suspects.

She identified four houses, but investigators found "none of these houses have been connected to the parties named." Authorities questioned a man in West Memphis, but the man "did not match the description provided or have any connection to Georgian Hills."

On Oct. 3, 1984, she said the man lived in a yellow house and drove a Buick LeSabre.

Meanwhile, one of her friends, a girl, 4, said on Oct. 2 that Mrs. Ballard had abused her.

The next day, she said she was abused by eight people.

She also said she was abused by eight people; she was taken to a black house, a brown house and a yellow house, and a red house that had a blue waterbed with a yellow spread.

Two weeks later she named 15 alleged molesters; three weeks later, she named 11.

On Oct. 4, Davis and another investigator spent 55 minutes before a grand jury, presenting summaries of individual cases. Mrs. Ballard was indicted in the aggravated rape of 19 children.

During that period, complaints surfaced from the former Georgian Hills children at Daybridge and Frayser Assembly of God.

On Nov. 10, the human services department ordered Daybridge to replace its 15 staff members, based on the com-

By Michael McMullan

## Children's stories here have ring of familiarity

By Shirley Downing  
Staff Reporter

Memphis children sent police in search of a green house, three brothers, a swimming pool and a man who walked with a limp.

All across the United States, authorities were set on the same trail, looking for people of the same description, trying to solve the same crimes.

In Memphis, 26 children at Georgian Hills Early Childhood Center said they were sexually abused. They peppered their stories with claims of satanic rituals, trips in airplanes, animal sacrifice.

Four years after the case arose, many of the stories told by children in the

Georgian Hills investigation appear to be the same stories told by children in widely publicized cases in other cities.

Critics say such similarities are evidence that details of children's stories have been spread nationally by investigators, parents and the media. They say it has contributed to hysteria and the growth of unfounded allegations.

Others say it supports theories that the cases are linked in some way, either through pornography or cult activities that produce similar crimes in cities across the country.

Details of stories told in Memphis are particularly consistent with details of those in Manhattan Beach, Calif.; Chicago; Jordan, Minn.; and Bakersfield, Calif.

### MANHATTAN BEACH

In the fall of 1983, Judy Johnson said her son had been abused by teachers at McMartin Preschool.

In a rambling diary, Mrs. Johnson said her son was flown out of Los Angeles International Airport on planes that resembled those of Federal Express. She said he was taken to a church, where he saw his teacher "fly through the air" and where three McMartin teachers — one was named "Miss Betty" — were dressed as witches.

The boy told of being buried in a coffin. He said he saw one teacher chop up animals and a doll.

Mrs. Johnson said her son rode on a train and on red and white buses to other locations, including a park. He described rituals by robed teachers in a church decorated in black candles, where a woman took pictures, and "old grandma" played the piano.

The boy said he was hurt by a lion. He said he and his family had been threatened. He said a tampon was put in his anus when it was bleeding.

The boy said a baby was killed, and he had to drink the blood. He said his teachers threatened to come in the night and take him away.

Other children told of being tied up in a chair, and of playing the "Alligator" game. They said "bombs" had been put in their stomachs, and that the bombs would explode if they told about abuse. Children talked about being given red and pink medicines that made them sleepy.

### CHICAGO

In April 1984, Deloartic Parks, a black janitor at Rogers Park day care center, was arrested and charged with child sex abuse. Children said he held them upside down over trash cans.

### JORDAN

In the fall of 1983 and spring of 1984, children said other children were killed and thrown into lakes and rivers. They said they were molested by a man who walked with a limp and by police officers.

### BAKERSFIELD

In June 1984, a 5-year-old girl said she had been touched by Gerardo 'Johnny' Gonzalez and a black man named Tom.

Authorities arrested Gonzalez, and his karate instructor, Will Thomas, who also was a minister.

Gonzalez, a Mexican, and his wife, Cheryl, a Caucasian, lived in a yellow house with Christmas tree lights around the eaves and a swimming pool in the back yard.

After repeated questioning by social workers and sheriff's deputies, children began to tell about swimming parties, and the killing and burial of an old white dog in a back yard.

Children told about going to a church where satanic activities took place, and they described the killing of 29 infants.

One boy told about stabbing 'Baby Jonathan.'

Kern County Sheriff's Deputies even began collecting newsletters of the Bakersfield-based Georgian Church, an acknowledged witches coven, said Lt. Brad Darling, who supervised a satanic investigation there.

In a recent interview, Darling said no evidence was found linking anyone from the Georgian Church to child molestation crimes. Instead, he said authorities found the church was populated by "good" witches involved in animal protection issues. Their newsletters were chatty documents filled with recipes and health tips. The local humane society was on the church mailing list.

Meanwhile, a second case surfaced involving the Pitts and Dill families. In June and July 1984, the three sons of Marcella Pitts — referred to in court as the "three brothers" — told about going to Mrs. Pitts' "green" house where they were assaulted by adults who stuck them in the arms with needles.

The brothers told about participating in filmed sex orgies under "bright, blinding" lights.

The boys told about a swimming pool party and rides in sports cars with an old, white-haired man.

Three girls had said they'd gone to the house to play with their Barbie dolls, but when they got there, they were abused, said Mary Hayes, stepmother of one of the girls.

### MEMPHIS

After Mrs. Ballard's arrest in June 1984, children told about flights on planes resembling those of Federal Express. Children told about a doll being chopped up by a teacher, and they described an "exploding" hamster, and the killing of other animals.

One of the teachers at Georgian Hills was named "Betty" — Betty Stimpson, now among the four defendants.

They said an old woman played the piano. They said they were taken to a restaurant decorated like a train.

Children here told of children or animals being killed and buried. They told of riding in white, black, red, blue and brown vans.

Most of the children said something was stuck in their rectum or vagina: a purple comb, stick or brush.

One child said Mrs. Ballard dressed as a witch, and she "messed" with his small stuffed dog.

Children told of being taken to Shelby Forest, and there were reports of a baby being stabbed there. Children told about threats from teachers, and of being tied in a chair. They feared monsters and witches were hiding in their closets and bureau drawers.

Children said their abusers wore masks with blood dripping from the faces.

They told of being burned with candles, and being given red and pink medicines.

Children told about playing "naked movie star" or "movie star" games, as they had in Manhattan Beach.

### MEMPHIS

Children said they were held upside down from the roof of the day care center by a black man or a white man in black makeup. One child, testifying in Mrs. Ballard's trial, described the man as someone who mopped and swept the floors.

### MEMPHIS

Almost a year later, several Georgian Hills children told versions of lake or swimming pool stories. And most talked about a policeman: Some said the policeman was white; some said he was black. Some said they were women who guarded planes at the airport.

Children told of being abused by a man who walked with a limp. Police questioned the neighbor of one child — the man has a bad leg — but he was not arrested.

### MEMPHIS

Virtually all the Bakersfield stories emerged in one fashion or another among Memphis children, primarily three girls:

One told about attending a swimming pool party at the home of a mixed race couple. She told about flying in an airplane to a green house. She described Christmas tree lights around the eaves of the house.

One girl said she rode with Rev. Paul Shell — who is gray-haired — in a sports car.

One girl described a black minister or man named Tom. One girl said she and her friends were put in a cage at the man's house, along with a little white poodle, and the dog bit them on the wrist.

"We even heard Baker's Field (the Charles W. Baker Airport) in Millington was where the children were flown out of here from," said lawyer Pam Warnock Coleman, who represented parents.

But there was more. A Memphis girl said she and her two friends were playing with their Barbie dolls before they were assaulted.

She also told about going to a green house where she and her friends were drugged and assaulted. The girl sent police to a house in Frayser where she said one of the three brothers lived.

The house was listed in the city directory to M. H. Pitts. Police found the house once had been occupied by the son of a woman named Pitts, but the son had since moved.

The man, who now lives in Wilson, Ark., said neither he nor his mother had any connection to or knowledge of the Georgian Hills case, or to the ones in Bakersfield.

Darling, in Bakersfield, said he did not communicate with any Memphis authorities, and was not aware of anyone in Bakersfield who had. Mrs. Gardner and former Sgt. Jerry Davis, one of the chief investigators in the case, denied any contact with the Bakersfield authorities.

"I felt the task force, across the board, was inexperienced, not just with regard to sexual abuse cases, but in criminal investigations."

**LELAND MCNABB**  
prosecutor  
Georgian Hills Case

plaint of the medical student.

No action was taken against the Assembly of God day care center, where a former Georgian Hills child said four teachers from Georgian Hills had come to his new school and kissed and touched him, as had two of his new teachers.

Arising simultaneously with the Frayser cases were complaints from four women whose children attended Grace Kinderhaus day care center in Parkway Village. The chief complainant at Grace was a woman who formerly worked for a police officer assigned to the Georgian Hills investigation.

On Nov. 15, a task force of social workers and police was formed to investigate the four day care centers.

Claims of abuse flooded the task force office: Children were talking about swimming pool parties, trips to green houses, to the woods and assaults by men dressed in police uniforms.

The medical student, meanwhile, said his son had now told him about Mrs. Ballard, a black man and two other teachers taking children out on a big blue boat and that they had ridden under the Memphis & Arkansas Bridge.

He also said children had been taken to a forest. Other parents were reporting similar stories from their children.

There was an unconfirmed report about satanic rites and infant sacrifice in Shelby Forest, according to police Capt. Joann Moore, who was assigned to the case.

She said children said they were taken to church and a cemetery near Covington, Tenn., where half the people were black and half were white.

No evidence was found to support the story, she testified, but she believed it anyway.

Four girls who had stayed at Georgian Hills until it closed — including the daughter of the sheriff's deputy — were now telling various accounts of swimming pool parties, airplane rides and being locked in a cage with a white dog.

The stories are similar to those that had been told earlier in sex abuse investigations in Bakersfield, Calif. In Bakersfield and at Georgian Hills, suspects would include a black man named Tom and a family named Pitts.

But task force member Becky Mason, a DHS social worker involved in the questioning, said she did not know that at the time.

Ms. Mason recalled one girl who told, about sexual assaults in the same breath as airplane rides and swimming pool parties.

The girl mentioned "three brothers," being taken to a two-story green house and into a room where she was stuck in the arms with needles and rubbed with rocks and tree limbs.

She told about being bitten by a little white dog in a cage, riding in a sports car with an old white-haired man, visiting a house with Christmas tree lights around the eaves, and a swimming pool in the back yard.

The name "Bakersfield" played into the local investigation, but with a twist.

"We even heard Baker's Field (the Charles W. Baker Airport) in Millington was where the children were flown out of here from," said lawyer Pam Warnock Coleman, who represented parents.

Ms. Mason described the girl as "a very bright, precocious child who enjoyed a lot of attention and she was getting a lot of attention from us, so much so that she was interviewed a number of times and we were hanging onto her every word."

"Whenever she would talk about the abuse that would take place, or places she had been, we took everything she said as gospel."

"She was getting a lot of positive reinforcement for talking to us, and naturally when you do that, the kid is going to keep talking."

When the children's stories didn't make sense, task force members assumed the children were confused, Ms. Mason said.

"And anytime their stories didn't jibe, we would come up with a reason for why it didn't jibe..."

Investigators took children on rides to point out houses, and they rewarded them with candy, ice cream and "a lot of praise," Ms. Mason said. They would play on the floor with the children, using coloring books, crayons and dolls.

Still, solid answers eluded task force members. In December, authorities questioned a former Georgian Hills teacher about black priests and Michael Jackson music. An excerpt:

*Q: Did you ever have knowledge of any of the teachers or you yourself, teaching the children how to dance like Michael Jackson?*

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From Page A24

## Ballard

*A. No ma'am. In music, we did a lot of little children's dances. Little children's polka. But no Michael Jackson dances. I don't know of anybody up there that could do a Michael Jackson dance.*

On Jan. 10, 1985, Dist. Atty. Gen. Hugh Stanton assigned one of his chief prosecutors, Leland McNabb, to review the case. He found that Mrs. Gardner and Davis were the guiding forces behind the investigation.

McNabb said he quickly found the investigation was disorganized, and there were no records of interviews with children. He asked task force members to get their records together so he could review them.

He was particularly concerned that Mrs. Gardner was too closely involved. He said she spent "a lot of her time" on the telephone talking with "experts" in other cities investigating similar cases.

McNabb said he was concerned that "information obtained by the Shelby County Grand Jury had been released contrary to the Tennessee Rules of Criminal Procedure, by Mrs. Gardner, to attorneys for the parents."

McNabb said he accompanied Mrs. Gardner to a meeting of parents, their attorneys and investigators on the evening of Jan. 10. He instructed Mrs. Gardner to "say that the attorney general's office would have nothing further to do with any private litigation."

He asked for and was assigned three "old-line gumshoe detectives," as he described them, to the case.

"I felt the task force, across the board, was inexperienced, not just with regard to sexual abuse cases, but in criminal investigations," McNabb said.

"The social workers didn't have the least idea what it would take to build a case. The police were nice people, but they were straight out of the ward cars and lacked experience to investigate a case of that magnitude."

One of the veteran officers was police Lt. B. G. Townsend. He said the information he and then-Sgt. J. D. Douglas — one of the initial investigators who had been reassigned to the case — turned up tended to disprove children's claims:

■ Children said Mrs. Ballard had driven them places in cars and vans. Mrs. Ballard is nearly blind. She cannot drive and has never had a license.

■ There were reports Mrs. Ballard frequented a witch shop, but they learned she patronized a ceramics shop in the same building as the witch shop.

■ The father of one alleged victim admitted that he'd lied to the police, and

said his daughter frequently lied, too.

■ None of Mrs. Ballard's neighbors — all of whom spoke highly of her — had ever seen her bring children to her home from the school.

■ They found no indication that children had been taken on plane trips.

■ They found no indication that the film business was involved in nefarious activities, or that children from the school had ever been there.

Ms. Mason's doubts grew when Townsend and Douglas obtained a copy of the state of Minnesota's report on a mishandled investigation in Jordan, Minn.

There were too many similarities, she said, both in children's stories and the methods of investigation between the Memphis and Jordan cases.

"When Townsend and Douglas came over, they started raising questions nobody had raised before," said Ms. Mason. "They were trying to corroborate stories the kids had told, and as a result we couldn't corroborate any of them."

"We couldn't find a beauty shop or an airplane. Some of the kids would point out a certain house and tell us, 'Three brothers live in that house,' and they would give us names, and Townsend and Douglas and I would go out to verify it and find it wasn't three brothers who lived there, but a man and a woman."

Ms. Mason reflected on what she and her co-workers had done.

"The way we were interviewing those kids, in retrospect, it is easy to see we were forecasting to the kids what we wanted them to hear."

They shared their concerns with McNabb, whose doubts were mounting. McNabb had sought the advice of Dr. Ben Bursten, director of the University of Tennessee department of psychiatry, on interview techniques.

Dr. Bursten listened to three tapes of an interview with a boy conducted nine months after Mrs. Ballard's arrest. He concluded interviewers had used "brainwashing" techniques on the child, and he described their methods as potentially "psychiatrically harmful."

McNabb feared children's stories had spread through cross-germination. He wondered what effect that would have on the validity of any claims of abuse — and any resulting criminal charges.

Parents, meanwhile, had other concerns. It was late March 1985. They had been told their children were victims of sexual assault. There had been no new arrests, and their children had been naming other people for months.

A group of parents visited McNabb. McNabb said one father told him "they wanted to go out and do something (against the accused). I told him not to do that. We had all the prosecution we could handle."

On March 26, the medical student called the task force office and told

Capt. Moore that his son's Daybridge teachers had taken the boy to a fire station on Walnut Grove Road. He wanted that investigated.

Meanwhile, Douglas and Townsend met with Mrs. Gardner and other investigators. He said the investigators had a list of 29 other suspects — including other teachers and church members — that the prosecutors wanted to indict.

"I complained that this was the witch trials of the 17th Century," said Douglas.

But Mrs. Gardner and Davis "refused to accept any evidence that didn't support what they didn't believe," he said.

"Anyone who voiced any objections, they automatically assumed you were on the other side but what they didn't understand is that there was no other side. We all wanted to protect the children."

"Our job was not just to the people who were complaining, but to the people who were accused."

In early April, McNabb said then-police director John Holt "called me one day and said a parent — a former police officer — had complained about Townsend and Douglas. He said he was removing them from the case."

McNabb said he was downcast. He went on a previously scheduled vacation and returned a week later.

By that time, Asst. Dist. Atty. Gen. Strother had been assigned direct supervision of the case. McNabb was told to resume his normal duties.

Strother has since been promoted to executive assistant to Stanton. Ms. Mason remained on the task force, but said she was pushed from the inner circle because of her doubts.

She said Townsend and another police officer assigned to the case several months before became targets of the investigators: Townsend because Mr. Shell had preached at his father's funeral more than a decade before, and a policewoman because she had been friends with a Georgian Hills Baptist Church member.

"During the course of this investigation, virtually every name that was ever mentioned became a suspect," Ms. Mason said. "It was reminiscent of the Salem witch trials or the McCarthy hearings of the 1950s."

Several weeks later, indictments were returned against Mr. Shell and the Stimpsons. Twenty-six children were named on the indictments, and eight of them were the children, nieces, nephews or grandchildren of law enforcement officers.

The story did not end with the indictments.

The state dismissed Betty Stimpson's trial last April on the fourth day after two girls gave conflicting accounts of abuse. One girl had fled the witness stand in tears, saying she didn't want to answer more questions.

During Mrs. Ballard's six-week trial, 11 child witnesses testified by videotape.

None of the children showed signs of fear when they confronted Mrs. Stimpson or Mrs. Ballard, women who allegedly had threatened them with knives, death and drowning.

Children told about being kissed or touched during visits to the baptistery or bathroom. But most said they had forgotten the other stories.

Parents said that they fear their children will forever bear the scars of Georgian Hills. One mother said she worries whether her son will have a normal sex life as an adult. Others are concerned about behavioral changes in their children since attending the school.

There are other scars, as well. "Almost everybody that's touched this case in any capacity has been greatly affected by it," said McNabb, who said he found himself ostracized by some in the attorney general's office. He quit last fall and returned to private law practice.

Ms. Mason now works for a private counseling center.

Glynn King, who had been in error when he reported a child had shown symptoms of gonorrhea, retired from the police department.

Bursten moved to Oak Ridge, Tenn., where he works at a mental health center.

Many of the families have moved from Frayser, and some have left Memphis. The medical student dropped out of school, but returned, graduated and has left Memphis.

Douglas and Townsend have been promoted. Douglas, who investigated homicides and sex crimes for 14 years, said "not any other case has bothered me the way this one has."

"I never, ever investigated a case where I thought the person (being prosecuted) might be innocent, and in this case, I don't believe any of these people are guilty. If they are, I don't know who — and no one else does, either."

"From what I know, there is reasonable doubt, and with that in mind, I don't see how you can prosecute. It is scary."

The Georgian Hills church membership has dwindled considerably, but diehard supporters have dipped deeply into their pockets to help pay legal fees of those who they believe are innocent. Many have mortgaged their homes to do so. Jerry Davis retired from the police department and works for a private company that investigates insurance fraud.

Mrs. Gardner, who has called McNabb "a former, disgruntled employee," declined to be interviewed for this story. She is still prosecuting child sexual abuse cases.

Frances Ballard is in jail. She has been sentenced to five years in prison.



## JUSTICE ABUSED

A  
1980s  
WITCH - HUNT

Part 6 of 6  
Georgian Hills





## VIEWPOINT

### EDITORIAL

## Out of Control

REPORTERS Shirley Downing and Tom Charlier have led readers of The Commercial Appeal through a national horror story: "Justice Abused, A 1980s Witch-hunt."

The series, which ran six days last week, documented case after case in which charges of multiple child sexual abuse were the products of public hysteria and unprofessional investigation.

Legislators stacked the law against defendants. Social workers rejected the possibility of innocence and embraced accusations so preposterous they could have slithered out of a low-grade drive-in thriller. Prosecutors put children under a relentless pressure of suggestive questions, raising an equally dark question about whether some of the children were brainwashed. The arrogance and self-righteousness permeating many of these cases would have felt at home at the Salem witch trials.

In fact, a number of authorities have made that exact comparison.

No one knows how much psychological and emotional damage children have experienced from crusaders determined to find satanic rituals and evil conspiracies, regardless of the lack of evidence.

It's clear that unsupportable charges and harassment have poisoned the lives of innocent people across the country.

And, yet, if judges wiped their dockets clean of every case of multiple abuse marked by conflicts in testimony and flimsy evidence, another danger would lurk in the ruins of this madness.

Has the passion about conspiratorial sex crimes exhausted the concern and energy that will continue to be needed to fight the real problem of child sex abuse?

Children have been abused, are being abused, will be abused. The proven incidents, which include brutal deaths and incomprehensible suffering, far exceed in number the alleged day care orgies and other institutional incidents that Ms. Downing and Charlier investigated.

The job of fighting abuse, however, is plodding and unspectacular. It requires something else and something more than the outpouring of raw emotion that seems to characterize "The 1980s Witch-hunt."

In one article, which ran Tuesday, Charlier quoted Judge M. P. Duncan of the Texas Court of Criminal Appeals: "We cannot ever permit emotion-charged issues to erode our basic liberties."

The series shows "we" did. As far back as 1981, a report by the National Center for the Prevention of Child Abuse and Neglect estimated that children had not been mistreated in about half the cases in

which child protection agencies had filed charges of abuse. Douglas Besharov, a former director of the center, complained of "real miscarriages of justice."

At least three general reforms are needed:

- The relatively young field of child protection should become much more professional through better and more extensive training and through an objective review of the theories and textbooks on which the training is based. Much of the overreaction by social workers stemmed from those sources: training that was as inadequate and insubstantial as the evidence they seized upon, and ideas, such as "children never lie about abuse," that were adopted as unerring principles in spite of experience and common sense.

- State legislatures should change laws, passed in a frenzy that have given investigators excessive power to invade the privacy of families and that have reduced the rights of defendants. Some states, for instance, permit hearsay testimony in court about what children supposedly said. The purpose is to spare children the trauma of the witness stand. One result can be blatant injustice. In Sacramento, Calif., the case against Gary Arthur Dill

was dismissed after his children testified that their grandmother told them to tell stories of abuse. What if only the grandmother's word had been necessary at the trial?

- Legal authorities should improve and refine their methods of investigation. Time after time, Ms. Downing and Charlier found, investigators ignored significant evidence, coaxed and coached children to make accusatory statements and failed to seek evidence that might disprove charges of abuse. A 1978 social work handbook counsels interviewers to "aid the prosecution to establish a case against the perpetrator." The "perpetrator"? Guilty until proven innocent? That's not the way to establish the facts of a case.

The child protection system went out of control in its response to often hysterical rumors, "urban legends" that criss-crossed the country, unsubstantiated parental fears and widespread frustration about reports of increasing child abuse.

The nation needs a more responsible, effective system, which can track down crimes against children without endangering the liberties of the accused or warping the very children it aims to protect.

That's the final message of "Justice Abused."