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MAGAZINE

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minus the calories
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FEEL LIKE
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NOVEMBER 2001





Please Daddy, No

We lock up adults who molest children—but what if the molester is the child's parent? All too often, an outrageous quirk of the law known as the incest loophole metes out only a slap on the wrist and sends the father (or mother) home to abuse again. Shocked? So were we.

JAN GOODWIN reports.

Photograph by TODD HIDO



Six-year-old Melissa Hammer dreaded getting home from elementary school. Her mother was at work, but her stepfather, who'd adopted her, would be waiting at their Oceanside, California, home, his shift as a Marine Corps communications specialist having finished early. She'd shudder as his hulking 200-pound, six-foot-one-inch frame appeared in his bedroom door. "I don't feel good; come and make me feel better," he'd say to the child as he grabbed for her, his pants off or unzipped. Then, forcing her head down, he'd make her perform oral sex on him. "Don't tell

anyone," he'd insist. "If you do, you'll be in trouble. This is our secret."

And for more than a year, it was. Melissa was particularly afraid to say anything to her mother, who was pregnant and then gave birth to her younger sister, Kristina. Finally, though, she did tell her best friend's mother, who contacted the police. Melissa was taken out of school, interviewed, and fortunate enough to be believed. Jeffrey Hammer was arrested and pleaded no contest, at which point he was removed from the home.

But he did not go to jail. Instead the judge gave him probation and required the whole family to undergo therapy with Parents United International, a treatment program with more than 20 chapters across the United States that emphasizes rejoining of offenders with their spouses and children.

It wasn't long before the counselor was asking Melissa, "Don't you want to be back with your dad? He was sick; now he's better. He didn't mean to do what he did. He loves you. He won't do it again." Although she

resisted at first, she says, they kept pushing until she gave in. Melissa was 8 when her stepfather moved back home. No one said one word about the abuse—it was as if nothing had ever happened. But soon enough, he was grabbing at her and making her sit on his lap, his erect penis escaping from his thin shorts, which he wore without underwear. Melissa started living defensively, trying to stay out of the house as much as she could, refusing to take a shower unless her mother was home because the bathroom lock could be easily opened from the outside. There was a reprieve when her parents got divorced. But it lasted only six years; they reconciled when Melissa was in high school, and her stepfather started putting the moves on her again, nibbling on her ear, propositioning her for sex.

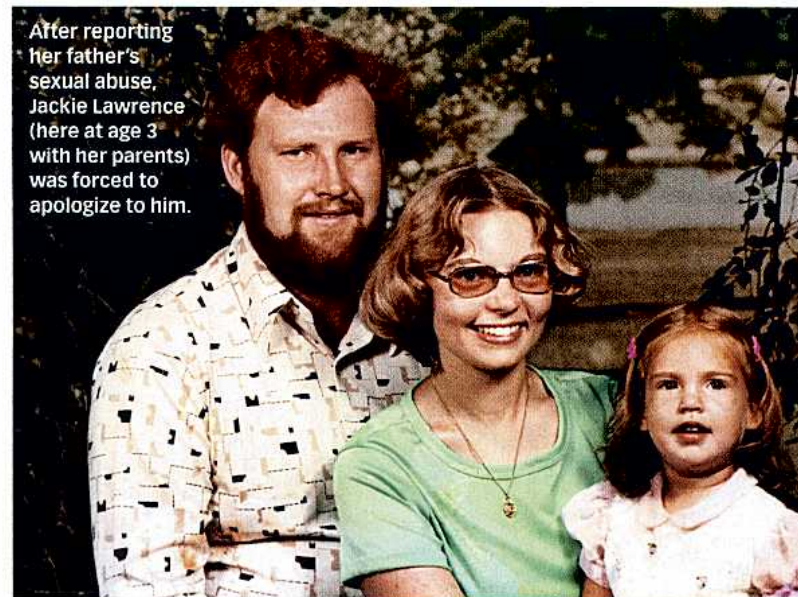
Then one day, the abuse stopped. Melissa had no idea why. It was only later that she discovered the reason: At 17 she was now too old to interest him. Jeffrey Hammer had turned his lusty attention to 10-year-old Kristina.

THE THOUGHT OF A LITTLE GIRL'S BEING sexually assaulted by her parent—an adult charged with loving her and keeping her safe—is difficult to take. But when a child reports the crime, only to be forced to continue living with her molester, that is an unconscionable breach of justice. And yet in most states, the law allows that to happen.

All across the country, legal loopholes let convicted incest offenders go home and crawl back into bed with their traumatized daughters and sons. Even in states where that's not the case, weak links in the judicial system often leave a child in the groping hands of the molesting parent. "In our culture, if you grow your own victim, you are legally protected," says Linda Davis, a licensed clinical social worker and the executive director of Survivors of Incest Anonymous (an international support organization). "If a stranger rapes a child it's, 'Call the police, jail him, and throw away the key.' But if that same man rapes his daughter, it's, 'Call the therapist, slap him on the wrist, let him go back and do it again.'"

In Huntington, West Virginia, for example, Jeffrey Scott Grass was charged with sexually abusing his daughter, Charla, but he pleaded down to a lesser charge and received only five years' probation. Today, the probation completed, he is living in Georgia and has applied for lengthy, unsupervised visits with Charla, now 12. Patricia Ash, his ex-wife and the girl's mother, is outraged and afraid he might get them.

In Madras, Oregon, Vesta Johnson watched in frustration in 1993 as her husband, John Hudson, received only 90 days in jail and probation for attempting to



After reporting her father's sexual abuse, Jackie Lawrence (here at age 3 with her parents) was forced to apologize to him.



Vesta Johnson's ex pleaded guilty to attempting to sexually abuse her daughter. In treatment, he admitted to sexual offenses against 23 victims.



Jeffrey Scott Grass is fighting for unsupervised visits with his 12-year-old daughter after serving probation for battery.

“Incest offenders are just lazy pedophiles who don’t have to go outside the home to find children to sexually abuse.”

sexually abuse her daughter. Then he failed to comply with the sex offenders program he was ordered to attend. “He boasted that he would pretend to be crazy so he wouldn’t have to go to jail or pay child support, which is exactly what he did,” says Vesta. Now divorced, she was horrified this year when she applied for John’s court records in connection with this article and learned that he’d admitted to sexual offenses against 23 victims when he was in treatment. “I’m shocked,” says Vesta, who is currently completing a master’s in business and plans to go to law school, with hopes of using both degrees to help sex abuse victims. “I thought my daughter was the only one. I had no idea of the extent of his problem.”

Jackie Lawrence, a 30-year-old divinity student in St. Louis, was 12 when her father was charged with sexually abusing her and

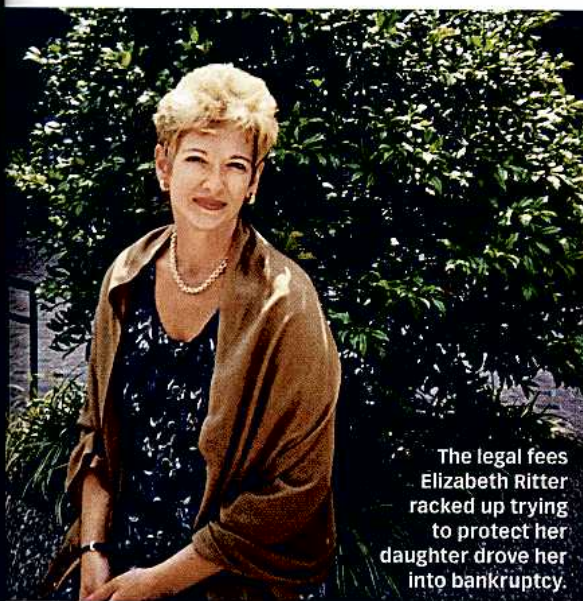
got off with probation. During the court-ordered counseling that followed, she remembers being made to apologize to him for breaking up the family. “This was a man who for three years used to order me to strip naked and get into his bed on Sunday mornings. When he was finished with me, he’d tell me to get dressed for church,” says Jackie. “With the charge against him, he did have to move out of our house. But he moved in with my grandparents two doors down the street and stayed there until the state realized a child molester was living with the foster children my grandparents took care of. Three years later, after he was charged with molesting his adopted sister, his probation was revoked and he went to prison. It was supposed to be for five years, but he served only half that because, we were told, the prisons are full and his crime wasn’t violent in the eyes of the law.”

MELISSA HAMMER’S TESTIMONY BEFORE the Senate Public Safety Committee last year was instrumental in closing the incest loophole in California. Enacted in 1981, the exemption had allowed judges to grant offenders probation instead of jail time and typically made child victims participate in the parent’s attempted rehabilitation. Now many believe it injured thousands of children. Yet nearly three-quarters of states have similar laws on their books today. (The states that do not, along with California, are Arizona, Arkansas, Colorado, Connecticut, Illinois, Kansas, Maryland, Michigan, Mississippi, Montana, New Hampshire, New York, and Rhode Island.) In Utah, for example, prison sentences for the rape of a

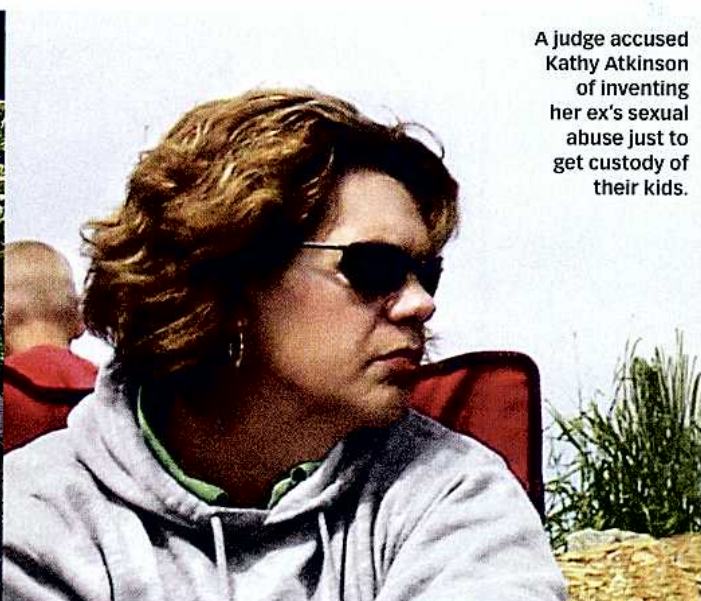
child, sodomy of a child, or rape of a child with an object can, under certain conditions, be suspended if the perpetrator is “a parent, stepparent, adoptive parent, or legal guardian of the child victim.” Minnesota has an “intentional family preservation policy” along the same lines as the one just amended in California. Hawaii’s expedited sentencing program allows criminals who have committed felony sexual assault on children who are related by blood or “reside in the same dwelling unit” to avoid prison. In fact, Hawaiian law actually requires police officers to confer with prosecutors and then give suspects who are deemed eligible written notice that they may be exempt from ordinary prison sentences and should contact a lawyer immediately.

THESE LAWS WERE ORIGINALLY CONSIDERED progressive in their efforts to protect the family unit and approach incest as a mental health issue that should be treated rather than punished. “The thinking in the eighties, advanced by Child Protective Services, was that removal of the perpetrator, most often male, meant removing the breadwinner from the home, so jailing him would be devastating to the family income,” says Polly Poskin, executive director of the Illinois Coalition against Sexual Assault, a statewide network of 34 community crisis centers. “It was also felt that children shouldn’t be made to testify against a parent.” But Poskin and many other experts now argue that these principles are outdated and dangerously [CONTINUED ON PAGE 348]

FROM LEFT: COURTESY OF ELIZABETH RITTER. COURTESY OF KATHY ATKINSON. JOY ELIZABETH PAGE.



The legal fees Elizabeth Ritter racked up trying to protect her daughter drove her into bankruptcy.



A judge accused Kathy Atkinson of inventing her ex’s sexual abuse just to get custody of their kids.



Molested by her father for nearly a decade, Leona Page (here, at age 8) learned he has abused two other children.

flawed, with grave consequences to the youngest Americans. "The long-standing practice of treating incest as an 'offense against the family' and not a serious offense against the person allows child sex abuse to be minimized and prosecuted lightly, if at all," says Grier Weeks, executive director of the National Association to Protect Children, a registered lobby dedicated to overturning these laws.

What's most contested about the exemption laws is the assumption that adults who molest their children can be rehabilitated. Many experts don't believe treatment typically works. After witnessing what happened to offenders under the Illinois incest exemption law, Poskin—who actually helped write it in 1983—pushed to overturn the same law in 2003. "We didn't see a reduction in recidivism," she says. "In those 20 years, a lot of children were probably harmed. We now know that if an offender is put back into the home, it is highly likely he will offend again." A 12-year study conducted by the Washington State Department of Corrections showed that about one in five sex offenders who avoided jail under that state's exemption law had their suspended sentences revoked: The primary reason was "willful violation," which included committing new offenses, possessing pornography, violating "no contact" orders, being caught luring children, or engaging in unauthorized relationships. Nevertheless, that law, Washington's Special Sex Offender Sentencing Alternative, remains in place.

Deborah Johnson, PhD, a clinical psychologist who heads Parents United International, the program that failed the Hammers despite its claim of a less than 1 percent reported reoffense rate, voices the philosophy of many in the treatment and social services fields. "Incest is the most treatable offense on the books," she says. "Most incest offenders are not pedophiles. Fixated offenders are predatory toward children, but these [pedophiles] are in the minority. The majority of incest cases are what we call regressed offenders, people who, for example, under stress, turn to kids. When you've had a crappy day at work and your boss yelled at you, and your little 5-year-old pats you on the cheek and says how much she loves you, if you have really bad esteem—and if your boundaries are poor and you confuse sex with affection—it's not a huge leap to incest."

Her point, she continues, is that "incest is not an act of sex; it's about power and

control. You can't tell me you have good sex with a 3-year-old." Many leading child abuse experts, however, call this logic tragically misguided. "It's time people realized that incest offenders are just lazy pedophiles who don't have to go outside the home to find children to sexually abuse," says Peg Snyder, a clinical and forensic psychologist who served on the Indiana governor's Child Protection Task Force.

One of the country's most respected authorities on child sexual abuse, Bruce Perry, MD, PhD, senior fellow at the nonprofit ChildTrauma Academy in Houston, agrees. People who molest their own children, he says, "do it because it's a sexual preference. You could put me in therapy every day for the next 20 years and I'd still want to have sex with women. When you place incest offenders back in the home with their children, they'll just be a lot more careful about being caught the next time. The kids, too,

When a detective
asked Leona
to testify in an
incest case against
her father, all she
could think was,
Oh, no, not again.

then often become compliant. They tried reporting it, and it didn't work. Now, for their own safety, they are likely to be much less resistant and much less likely to disclose a reoffense."

Leona Mae Page, 35, knows exactly what he means. She was stunned, then heartsick, when a detective contacted her five years ago and asked her to testify in an incest case against her father. "All I could think was, *Oh, no, not again, not again,*" recalls Leona, who lives in Connecticut. She was 3, she says, when her father, DeWitt Page, began sexual abuse that lasted nearly ten years. DeWitt never went to jail: The only restriction put on him when the incest was disclosed during his divorce from Leona's mother was that visits be supervised for a few years. Once that stopped, he went back to molesting her. And now the 60-year-old computer programmer was being charged with sexually abusing two other child relatives—

a 3-year-old girl and 5-year-old boy.

Once again, the case never went to trial. The parents and prosecutors decided that it was not in the best interests of DeWitt's latest young targets to have them testify. A video of the 3-year-old girl describing to a female police officer in detail being digitally penetrated was not admissible because the defense lawyer wouldn't be able to cross-examine a tape. "It's always been about protecting his rights, never the rights of his victims," says Leona. Consequently, her father ended up receiving a one-year suspended sentence on reduced charges, plus three years' probation, and had to register as a sex offender.

A month after that verdict, photographs of naked children were found on his computer. He pleaded guilty to violating probation. Yet despite the prior one-year suspended sentence, he got only three months of time. "He finally went to jail, but for having something inappropriate on his computer, not for the real abuse of children in his life. And even then, only for 90 days," says Leona angrily. "It doesn't make sense. You see stickers on gas pumps that warn you'll get three months' imprisonment if you don't pay for the gas." Yet, while a petty thief gets locked up, she points out, a repeat sexual abuser of young, vulnerable victims goes unpunished. "It's criminal that the system has allowed my father continual access to children. Although he's a registered sex offender, he is walking around free. But the harm my father did to us will be with us forever."

Leona, who has been through ten years of therapy trying to recover from the impact—bulimia, problems with jobs and body image—is still haunted by the time when she was 13 and her mother was hospitalized. "My father applied for temporary custody, and it was given to him. When I was called to the school office and told he was coming to fetch me, I vomited out of terror." Leona got on the phone to her mother's lawyer, who intervened, and she was able to stay with the parents of a friend. "The experts say that pedophiles continue to offend," says Leona. "I believe that, right now, men like my father are either offending, thinking about doing it, or lying about having done it."

EVEN IN THE STATES THAT DO not have exclusion laws, incest offenders rarely do jail time: Only 4 percent of cases reported go before a jury; the vast majority are plea bargained, resulting in probation, suspended sentencing, or short sentences,

according to lobbyist Grier Weeks. Poskin considers the legal system's indifference a gender issue. (According to the latest statistics, more than 94 percent of sexual assaults on children 17 and younger are committed by men.) "Primarily, it is men who commit incest, and primarily, it is men who make the decision to investigate, prosecute, and sentence," she says. "Women and girls are usually the victims."

Professional ignorance also victimizes children, says forensic psychologist Peg Snyder. She specializes in training therapists and law enforcement in Indiana on child sex offenders, although such education is not always required. "I rarely see judges take a training course," she says. "Yet all too often, it is judges who minimize incest. You'll hear them say, 'Well, there was no penetration; it was just a little touching, so it's no big deal.' The lack of understanding by those making decisions of the harm caused by incest to a child victim is appalling."

Prosecutors, too, often display a remarkable myopia about the issue, even when the evidence is clear. Snyder cites a case in which an ER physician confirmed that a 3-year-old boy's anus had been stretched way beyond what was normal. "The prosecutor admitted that he believed the father had abused the child and his 2-year-old sister but didn't think the children were in danger any longer," says Snyder. "His 'logic' was based on the fact that because the father had been warned, he would be careful not to continue the sexual abuse. Unfortunately, the father did continue abusing the children, and five years later, the boy is a stammering, fearful, and depressed child, and his sister is catatonic and mute, dissociating as a way to cope."

It wasn't until 1974, Snyder points out, that the government passed the first child sexual abuse law, the federal Child Abuse Prevention and Treatment Act. As late as the 1980s, the notion that children were the aggressors in incest was still popular, and that perpetrators, generally of low intelligence, were unable to resist. Even today, adds Snyder, "offenders often say they were seduced by the child and the sex was consensual, so it must have been the child's fault."

Nothing could be further from the truth, according to child abuse expert Bruce Perry. "And to make children live with their molesters is devastating," he says. "It is tremendously difficult for children to disclose incest in the first place, because they know it will cause significant pain to the family, and they are likely to be ostracized by family members. Then, when the system treats the abuse as a minor traffic

violation, it is a secondary betrayal by those in positions of power and authority. Yet we know that incest is more intrusive, more emotionally violent and destructive than a sexual assault from a stranger."

A MAJOR OBSTACLE FOR PARENTS trying to rescue a daughter or son from incest can be the guardian ad litem (a Latin term meaning "for the lawsuit"), known as a GAL. Judges appoint GALs, often attorneys, to look after a child's best interests. Their actions supersede the rights of the parents, who must pick up the tab for their services, and the courts give considerable weight to their reports.

Donald Lerch was devastated after a GAL recommended, and a judge agreed in 2001, that his 5-year-old son continue living with his ex-wife, Paula, who was about to marry Larry Phillip Slack, a convicted child sex offender. Larry never told Paula about

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his criminal history, but "after she began dating him, she asked me, for the heck of it, to run a background check on him," says Donald, a federal police officer from Warfordsburg, Pennsylvania, just across the border from Larry Slack's Maryland home. "I found he'd been charged in 1993 on two counts of child sexual abuse. At first we both thought maybe I'd typed in the wrong name. After all, this guy was active in the church and seemed very nice. But I double-checked, and sure enough, it was the same man. I was very concerned, and Paula was also. Later that night, though, she called to tell me Slack had explained that he'd babysat a neighbor's son on several occasions and this young man came forward and made some false allegations. He said that to avoid the embarrassment of a trial, he pleaded guilty just to make it go away."

Still suspicious, Donald went to the courthouse to look at the records and learned that Larry had been indicted on

one count of child abuse and one count of third-degree sexual offense, but was able to plead down to only one count of child abuse, for which he received a suspended sentence of 15 years and five years' supervised probation. In psychological evaluations made at the time, Larry admitted he was a victim of incest when he was 8 and remained sexually fixated on young boys. Aware of his attraction to males, he was careful to always have a girlfriend. He claimed he had abused only three victims over six years. One year after his probation ended, he began to date Paula, who had physical custody of her and Donald's then 5-year-old son.

All this information was made available to Patricia Patton, the GAL. In her report, she characterized Larry Slack as a pedophile "in remission" and noted one expert's concern that he didn't tell his church he was a convicted sex abuse offender when he volunteered for their children's program, which exposed him to a "population of potential victims." Still she recommended that he stay in his mother's home. Quoting from another expert's psychological evaluation, she wrote in the report that he knew he would be sentenced to 30 years if he re-offended, and he was a member of a "conservative, Christian religious [community] that would likely ostracize him completely were he to resume... criminal sexual behavior." In light of these and other factors, the court decided Larry Slack was not a high risk. Patton did request that an existing restraining order remain in place so he would never be alone with the boy, although one might wonder how that would be possible considering the two were about to begin living together full-time.

In an impassioned 11-page letter, Donald wrote to Judge Frederick Wright III of Hagerstown, Maryland, after the decision: "You gave Mr. Slack the benefit of the doubt. But what about my son? Doesn't he deserve the same consideration? What if you are wrong? What could you do for my child? Say you were sorry? It would not change his experience. It would not give him back his childhood innocence."

Earlier this year, Larry Slack was charged with 28 counts involving Paula and Donald's son and the child's playmate, a neighboring boy. He pleaded guilty to two of the counts concerning Donald's son, which reportedly included oral sex and anal sodomy, acts that began a month after Slack's marriage to Paula, when the judge had set the restraining order to expire.

Judge Wright has refused to comment on the case, as has Paula. But Patricia Patton, ▶

the GAL, agreed to explain her actions. "I have advocated that sex offenders with a similar history to this case be placed with children," she said. "In my experience, a record of a single sex abuse event in seven years is not by any means on the serious end of the scale." Patton added: "At the time, Slack was a sex offender. But he had no history of committing incest." Experts note, however, that child sex offenders often woo vulnerable women to get access to their children.

When asked how a restraining order could be effective if the man and child are living in the same house, Patton replied, "Either the mom would be supervising at all times, or there would have to be a rotation of family members, or you have to get motion sensors"—although it's hard to imagine motion sensors detecting an adult sexually abusing a child. While this is uncommon in cases of child abuse, she says, "It is certainly not unheard of."

Norris West, a spokesman for the Maryland Department of Social Services, for which Patton is a contractor, originally told *O* magazine, "We are not at liberty to discuss this case or the GAL.... Despite what a judge thinks is the best decision, some terrible things happen." Two days later, he was having second thoughts. Calling back, he added, "It is never appropriate, under any circumstances, for a child to be placed in the home of a convicted pedophile. It should not have happened, and we will do everything in our power to make sure it

doesn't happen"—a promise that comes too late for Donald Lerch's son.

ELIZABETH RITTER FILED A MAL-practice suit against her child's GAL on behalf of her daughter. The Chevy Chase, Maryland, mother, who is an attorney, charged that because of his favoritism toward her ex-husband, the GAL blocked expert testimony from being presented in a case over visitation rights that sexual abuse may have occurred. This omission, she believes, resulted in significant harm to her now 11-year-old daughter. (Although the local Department of Health and Human Services found an indication of sexual abuse by her ex-husband in an earlier case, an administrative law judge and appellate court

The judge stated that it was okay to discipline a child so hard you could leave marks on her.

rejected the finding, citing no credible evidence.) "What's frightening is that these individuals can exhibit blatant biases and wield such extraordinary powers over the lives of our children," says Ritter, who got stuck paying for almost all the GAL's services because her ex had little income at the time (her case against the GAL is still pending). As a parent, she had no control over the GAL, "but his legal fees were about \$30,000, plus at least another \$20,000 in medical and psychological assessments and therapies the GAL initiated, including a mental health evaluation for my ex-husband for which I was billed. This was in addition to my own legal fees, which came to about \$110,000. All of which drove me into bankruptcy."

When judges appoint GALs, it's often as payback for past political favors, says attorney and former prosecutor Randy Burton, founder of Justice for Children, a national organization that advocates for abused minors who have been failed by child protection services and the courts. "It's a classic case of cronyism. A judge appoints a child guardian he knows—his former finance manager, or former law partner—and in turn, the GAL follows the way a judge rules. They are not zealously unbiased or

independent. They should be there for the interests of the child, but they frequently are not. When I was a prosecutor, I saw this happen all the time."

The American Bar Association feels that lawyers should not be GALs. "Attorneys should be representing the child, not acting as friends of the court," says Linda Rio Reichmann, former project director of the ABA's child custody and adoption pro bono project. To make matters worse, many states offer GALs partial or full immunity, which protects them legally from civil litigation.

"We've had multiple GALs, and they have been hell-bent on my daughter's visiting her father, a man I've subsequently discovered had a criminal record before I met him," says a frustrated mother in Ashtabula, Ohio. At this point, if her daughter, now 13, refuses to visit her father, the court has threatened to place her in foster care—a decision made even though his chosen psychologist was among the many experts, including Child Protective Services, who confirmed that he is likely to have molested her. "When she's been taken to meet with him, she hasn't gotten out of the car; she lost ten pounds, and her grades dropped," says her mother. "She's terrified of this man. It's been awful and heartbreaking living through this. And the financial burden is horrific. So far our legal fees have totaled \$54,000, wiping out our savings and our children's college fund."

ANOTHER ROADBLOCK WOMEN face in trying to protect their children is parental alienation syndrome (PAS), a defense trotted out regularly by offenders accusing the mother of inventing the incest charge to win a custody case. PAS is also used by judges as a way of dismissing these cases. "Parental alienation syndrome is a cancer on family court. It is a bogus, pro-pedophilic fraud concocted by Dr. Richard Gardner," says Richard Ducote, the last attorney to cross-examine Gardner in court before he committed suicide in 2003. Gardner, whose work seldom appeared in medical journals—it was mainly self-published—made no bones about his bias. "What I am against is the excessively moralistic and punitive reaction that many members of our society have toward pedophiles...." he wrote in his book *Sex Abuse Hysteria*, "going far beyond what I consider to be the gravity of the crime."

Ducote, the author of several child welfare laws, says PAS "has not been accepted by any reputable scientific organization

ARE YOU OUTRAGED AT THE SYSTEM?

You can help change the laws that let incest offenders go free. Contact the National Association to Protect Children at protect.org, which will tell you what to do.

IS YOUR CHILD IN DANGER?

If you are having trouble keeping your son or daughter safe from a molester, contact Justice for Children. The nonprofit organization intervenes on behalf of abused children when child protection agencies and courts fail to protect them. Go to jfcadvocacy.org or call 800-733-0059. Office hours are Monday through Friday, 8 A.M. to 5 P.M. Central standard time.

HAVE YOU BEEN A VICTIM OF INCEST?

Find help at Survivors of Incest Anonymous, siawso.org or 410-893-3322, and the Rape, Abuse & Incest National Network, at rainn.org or 800-656-HOPE.

considering it, including the American Psychological Association. Yet Gardner and his theory have done untold damage to sexually and physically abused children and their protective parents. I'm appalled at what I see going on every day in courts."

Kathy Atkinson, head of a day-care center in Shrewsbury, Pennsylvania, had the kind of degrading legal experience Ducote is talking about. Convinced her ex-husband was sexually abusing her daughter and physically abusing her son during visitations (he was never charged), she was lambasted repeatedly by Judge J. Norris Byrnes of the Circuit Court for Baltimore County, Maryland, who referred to her concerns as a case of PAS. As to the argument that the syndrome is junk science, he said, "Of course it is not, but it suits her to think that." When police testimony supported her accusations and the Department of Social Services requested a "no contact, stay away" order, Judge Byrnes denied the order, and disregarded the testimony of the social worker and detective.

"There ought to be an obsessive mother syndrome," Byrnes told the court. "There's no real physical evidence [of abuse]. So all of it comes out of the mouth of a 5-year-old.... I'm worried that Mrs. Atkinson is causing irreparable harm between those kids, her, and their father." During a meeting in his chambers he disagreed with Kathy, saying that it was okay to discipline a child so hard you could leave marks on her. She went on to file a complaint against Byrnes with the state commission on judicial disability. Citing insufficient evidence, they declined to sanction the judge. He retired shortly thereafter.

IN MOST CASES, IT'S THE JUDICIAL system that allows incest to fester, but parents are often complicit. In Florida, Meredith Taylor (who asked us to change her name) chose to continue living with her husband after she learned that he was abusing her 13-year-old daughter. The girl had told a school friend, who reported the abuse to a guidance counselor; the police were brought in, and the girl was removed from her home. Meredith's husband, the child's stepfather, only had to go to counseling. "I thought of divorcing him. But this was my third husband, and I didn't want it to be one more failed marriage," says Meredith. "It's no fun to be out on your own. I'm sure my daughter thinks of it as a betrayal. But I chose to be supportive of my husband.

"I learned that child sex offenders usually never quit and that other things happen. I

"That man made my life a misery. Then he was sent home to live with us and was able to abuse my little sister."

wouldn't expect an adult woman to be forced to live with her rapist. But it's not as important for a child because she can recover from any situation faster than an adult, and because a child may think of it as loving and caring. Scientific evidence says incest destroys a child's life. But children may think of it as a way of showing love. My daughter didn't know her own dad. She needed love so bad. And he [the current husband] took advantage of it."

Today, that same man, still married to Meredith, babysits her grandchildren by her other kids and volunteers at their preschool. "For a long time, I was very concerned," she says. "I saw how his grandbabies captured his mind." Yet she leaves them in his care.

Whoever it is — GAL, judge, lawmaker, mother, "the people responsible for placing children back with their sex offenders are, at the very least, criminally negligent in any subsequent sexual abuse," says Randy Burton of Justice for Children. "The concept of family preservation in incest cases is completely bankrupt. All it does is create a circle of abuse. If we do not protect these kids and we keep reunifying them with their abusers, the results are plain. It is well documented that a significant number of prison inmates were abused as children." A 1996 report from the Department of Justice estimated that rape and sexual abuse of children costs the United States about \$23 billion every year in medical and other expenses.

BY THE TIME JEFFREY HAMMER finally stopped sexually abusing Melissa at age 17, the horror had started for her little sister, Kristina. One day Kristina came home from the beach with a sunburn, and he removed her shirt, rubbed lotion on her back and front, then twisted her nipples. After she caught head lice at school, he made her completely undress to shampoo her hair, exposed his penis, and told her to

open her mouth. As he forced her head down, though, Kristina freaked out. Escaping from his hold, she ran from the bathroom. He warned her not to say anything because he would go to jail.

But she did. And when her brother told the police what was going on, the prior conviction regarding Melissa came up. On October 6, 2000, Jeffrey Hammer was found guilty. Eventually, he was sentenced to 105 years in jail. By then it was 16 years after Melissa's stepfather had first abused her, and 14 years after the system permitted him to continue doing so and to target her sister as well. "That man made my life a misery. Then he was sent back home to live with us and was able to abuse my little sister," says Melissa, now 25. "When my stepfather started abusing me again, I told Child Protective Services, who visited us once a month while my stepfather was on probation. Nothing happened. I felt so betrayed."

For a society that prides itself on its love for children, our handling of incest is a dangerous hypocrisy. A child molested by a stranger can run home for help and comfort. A child sexually abused by a parent cannot. And that tragedy will repeat itself again and again until we stop looking the other way. ●

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