



Dear Friends,

When the FMS Foundation was founded in 1992, we were confident that the positions the Foundation espoused were those of the scientific mainstream. Unfortunately, the prevailing cultural climate supported extreme hostility to the FMSF. In retrospect, it seems ludicrous that so many professionals were afraid to support the FMSF publicly and that recovered-memory proponents claimed that the FMSF was anti-establishment. This is what we said in 1992:

“Some memories are true, some are a mixture of fact and fiction, and some are false, whether those memories are continuous or remembered after a time of being forgotten.”

Time has proved us correct. Month after month we have reported on scholarly works and events that provided additional scientific evidence about memory and the dangers of therapies that focus on excavating “buried memories.” The evidence keeps coming.

In that regard, we are extremely pleased that Elizabeth Loftus has been elected to the National Academy of Sciences, one of the highest honors that can be given to an U.S. scientist. Loftus is a highly visible proponent of positions held by the Foundation and, obviously, highly respected. The FMSF Scientific and Professional Advisory Board now lists a total of seven members of the NAS and IOM (Institute of Medicine): Aaron T. Beck, Lila Gleitman, Ernest Hilgard, Philip S. Holzman, Elizabeth Loftus, Paul McHugh and Ulric Neisser (www.nationalacademies.org). All but one of these distinguished scientists were on the founding FMSF Advisory Board of just 15 members.

This month, the United States Supreme Court issued a unanimous decision eliminating the use of hearsay evidence, a practice that has plagued sex abuse trials. (See p. 6) Justice Antonin Scalia, who wrote the opinion, stated:

“Dispensing with confrontation because testimony is obviously reliable is akin to dispensing with jury trial because a defendant is obviously guilty.”

In the research realm, Stephen Lindsay and colleagues hypothesized that “if a person believes that certain kinds of

events occurred in his or her childhood, and is motivated to recall such events, childhood photos constitute a source of detailed and vivid perceptual images that may be combined with products of imagination to yield compelling pseudomemories.” The effect of photos and false memories in their study was a dramatic 67 percent. (See p. 2)

The state of New Hampshire has passed an informed consent bill with the following language (See p. 6)

“Clients have the right to documented informed consent: To be fully informed of the risks and benefits of alternative treatments and the risks and benefits of no treatment. When obtaining informed consent for treatment for which safety and effectiveness have not been established, therapists inform their clients of this and of the voluntary nature of their participation.”

This month, more recovered memory therapists have been held accountable for their actions. Attorney Michael Shinn describes a truly bizarre case on page 8.

There is good news from Massachusetts. Gerald Amirault should finally be released from jail on April 30. After keeping him incarcerated as long as she could without revealing the fundamental weaknesses of the State’s case, the district attorney said: “The Commonwealth does not believe that it could garner evidence to meet its burden of proof required under the statute that Mr. Amirault would likely reoffend.”

Of course, there will continue to be setbacks, but much has been accomplished. Thank you to all of the courageous families and professionals whose willingness to be public helped accomplish so many changes.

Pamela

In this issue...

<i>Mak</i>	3
<i>Legal Corner</i>	6
<i>Barden</i>	6
<i>Shinn</i>	8
<i>Pendergrast</i>	10
<i>From Our Readers</i>	12
<i>Bulletin Board</i>	14

Picture This

Lindsay, D.S., Hagen, L, Read, J.D., Wade, K.A. & Garry, M. (2004). True photographs and false memories. *Psychological Science* 15 (3). pp. 149-154.

Many FMSF families are aware that trauma-memory-oriented therapists often ask patients to bring family photographs to help recover memories of abuse. Lindsay et al. hypothesized that “if a person believes that certain kinds of events occurred in his or her childhood, and is motivated to recall such events, childhood photos constitute a source of detailed and vivid perceptual images that may be combined with products of imagination to yield compelling pseudomemories.”

The researchers asked 45 undergraduates to try to remember three school-related childhood events. Parents of the subjects gave the researchers two true events. The researchers created a story about putting Slime in the teacher’s desk drawer but told the students that their parents told them about the Slime (untrue). Half of the subjects were also given photographs of their school classes.

The undergraduates were told to take some time to think about the events and provide more information by imagining themselves as children.

A substantial number of undergraduates in both groups developed false memories. However, the rate of false-memory reports was twice as high in the group that was shown the photos. The effect was dramatic: 67 percent of the students who received the photos developed false memories.

According to Lindsay, “memories aren’t things that are stored somewhere in your head. Memories are experiences that we can have that arise

through an interaction between things that really have happened to us in the past and our current expectations and beliefs.” [1]

1. (2004, April 8). So it’s lies, damned lies and memories. *South Wales Evening Post*. p. 15.

□

Elizabeth Loftus Elected to National Academy of Sciences

On April 20, 2004, the National Academy of Sciences (NAS) announced the names of newly elected members. We are pleased to report that FMSF Advisory Board member Elizabeth F. Loftus, Ph.D., Distinguished Professor, Department of Psychology and Social Behavior and Department of Criminology, Law, and Society, University of California, Irvine, has been honored with membership.

The NAS was established in 1863 by an act of congress that was signed by Abraham Lincoln. The Academy acts as an official advisor to the federal government in matters of science or technology. Election to membership in the Academy is considered one of the highest honors that can be given to a U.S. scientist or engineer. There are currently 1,949 active members in the Academy, 56 of whom are in the section of psychology and linguistics.

The FMSF Scientific and Professional Advisory Board now lists a total of seven members of the NAS and IOM (Institute of Medicine): Aaron T. Beck, Lila Gleitman, Ernest Hilgard, Philip S. Holzman, Elizabeth Loftus, Paul McHugh and Ulric Neisser.

All but one of these distinguished scientists were on the founding FMSF Advisory Board of just 15 members.

□

Aaron Beck Receives 2004 Grawemeyer Award

In December 2003, Aaron T. Beck, M.D., was awarded the Grawemeyer Award in psychology for the Year 2004. The honor includes \$200,000 that Dr. Beck plans to use to help fund pioneering research on cognitive therapy for schizophrenia.

Dr. Beck, FMSF Advisor, is commonly referred to as the “Father of Cognitive Therapy.” His work has had worldwide impact on the practice of psychotherapy. He is Professor Emeritus of Psychiatry at the University of Pennsylvania School of Medicine and is the founder and president of the Beck Institute for Cognitive Therapy and Research.

Among his awards are those from the American Psychological Association, the American Psychiatric Association, and the 2001 Heinz Award for the Human Condition. In 2003, the Institute of Medicine awarded him the Sarnat Prize.

Dr. Beck is also known for his warmth and humor. Psychologist Rob DeRubeis recently commented about him: “When I sit with him, if I think about it, I know I’m sitting with perhaps the most influential psychiatrist of his time, if not ever. And at the same time, I’m aware that he is as plain-spoken and down-to-earth as anybody I know.”

Rob DeRubeis, Ph.D. (2004). Beck in Action. *APS Observer* 17 (3), pp. 7-8.

Winston, S. (2004, January 16). Aaron Beck, MD, Received awards from the Institute of Medicine and the University of Louisville. Press release from University of Pennsylvania Health Systems Office of Public Affairs.

□

special thanks

We extend a very special “Thank you” to all of the people who help prepare the FMSF Newsletter. *Editorial Support:* Janet Fetkewicz, Howard Fishman, Peter Freyd, Members of the FMSF Scientific Advisory Board and Members who wish to remain anonymous. *Letters and information:* Our Readers.

FMSF Advisor David Dinges, Ph.D., will receive the “Decade of Behavior Research Award for 2004” on May 10, 2004 from the Federation of Behavioral, Psychological and Cognitive Sciences, and the Decade of Behavior. Dinges will then give a Congressional briefing about his work on sleep deprivation.

My point is that our cultural assumptions have shifted. The claim of victimhood is no longer enough to make listeners suspend their critical faculties, even when made by a noted feminist.

Wendy McElroy (2004, March, 17). Feminist confession reveals cultural shift. www.ifeminists.net/introduction/editorials/2004/0317.html

Repressed Memory Therapy Fiasco in the Netherlands: A Brief History

Adriaan J.W. Mak

Canadian Contact for Victims of
Psychotherapeutic Malpractice

Background

During the 1980s, many in the Netherlands expressed legitimate concerns over the problem of childhood sexual abuse. At the same time, some psychotherapists started looking in new directions to help adult clients and were influenced by such books as Florence Rush's *The Best Kept Secret* (1980) and Alice Miller's *For Your Own Good* (1983) and *Thou Shalt Not Be Aware* (1984).

In response to the influence of women's groups, the government began to examine the problem of violence against women and children. The Ministry of Social Concerns commissioned feminist Nel Draijer to write two reports, one of which was titled "A Gap in My Memory: The Sexual Abuse of Girls by Relatives."^[1] Draijer's documents indicated that far more women were incest victims than had been previously thought, and "A Gap in My Memory" came to dominate public debate and guide government policy for over a decade.^[2] Scores of therapists became involved in searching for hidden incest memories in clients, and soon some of these clients brought criminal charges against purported molesters.

By mid-1994 a number of older parents falsely accused of incest had joined *Ouders voor Kinderen* (Parents for Children). This Dutch organization had been started by younger parents, many involved in custody disputes. The older parents soon realized that the circumstances surrounding their false accusations differed substantially from the younger parents. They formed a sub-group calling themselves the Working Group on Untrue Incest Memories, and a year later they became independent with the name Working Group on Fictive Memories

(Werkgroep Fictieve Herinneringen - WFH) following the initiative of the American-based False Memory Syndrome Foundation.^[3]

The new Werkgroep benefited from the experience of the FMSF and its documentation of the problem in America. Although not many scholarly articles critical of recovered memory therapy had been published in the Netherlands^[4], the Werkgroep was able to produce a bibliography and a collection of articles. These were used to inform people about the dangers of the therapeutic practice that was causing vulnerable people to believe that a wide variety of adult problems are the result of childhood trauma of which they had no memory.

Working toward a solution

The WFH set the following goals: to provide information for the accused, the accusers, and therapists; to alert those involved in law enforcement and the judiciary; and to advise the affected families on how to deal with the problem. As in the United States, this was done through newsletters, telephone contact, regional and national meetings, and letter writing.

In May 1994, the Ministry of Justice published a report on Satanic Ritual Abuse allegations^[5] concluding that after thoroughly investigating many reports brought by victims alleging such abuse, the Ministry had been unable to find any verification for such crimes.^[6]

By the end of 1994, the WFH reached the stage that it could provide sound information to remind government ministries, elected officials, the judiciary, and mental health organizations about their responsibilities in the matter. The Werkgroep made a great effort to educate the media and to seek support from academics whose areas of research involved therapy, memory, and the law. Although progress was agonizingly slow, the WFH activities met with success.

A string of official reports

In 1997, the Ministry of Justice commissioned the Netherlands Institute for the Study of Criminality and Law Enforcement (NISCALE) to study the matter. Chaired by Professor Peter van Koppen, this advisory body published a report that fully condemned repressed / recovered memory therapy: "Recovered crimes: Sexual abuse reported to the police after therapy - Advice to the Minister of Justice."^[7] Although the Ministry took note of the report, it did not act on it for several years.

In 1999, in response to van Koppen's report, the Minister of Justice asked the College of Attorneys-General (the chief legal officers in each of the sixteen arrondissements) to create a team of top experts drawn from a variety of fields to deal with the matter of false sexual abuse reports made to the police. The team was called: Landelijke Expertisegroep Bijzondere Zedenzaken (National Expert Group on Unusual Sexual Crimes) and included experienced police investigators, jurists, forensic experts, research psychologists, and sexologists, all of whom had dealt with sexual offenders.^[8] They carefully examined many cases of abuse, both dubious and clear, screening out those that would not merit prosecution. In 2001, this group's report also fully condemned suggestive memory retrieval practices.^[9]

In April 2000, the National Ombudsman, responding to requests from the Werkgroep and its falsely accused parents, produced a report detailing the history of the problem and its international scope. The Ombudsman's report criticized the Ministry of Health's reluctance to intervene and the refusal of the mental health professions to act on the parents' complaints.^[10]

In July 2000, the Ministry of Health asked its professional advisory council (Gezondheidsraad) to tackle

the problem. In August, this body of eminent scientists appointed a commission that included both recovered-memory proponents Nel Draijer and Otto van der Hart and also their detractors, memory researcher Willem Albert Wagenaar and research psychologist Harald Merckelbach. Although the Werkgroep Fictieve Herinneringen questioned the inclusion of Draijer and van der Hart, the chair explained that if they were left out, large numbers of clinicians would reject the findings of the committee.

At long last the Netherlands Health Council "Gezondheidsraad", released its 91-page report on January 2004. It answered many of the concerns of the falsely accused parents and also reflected a few of the opinions held by the recovered memory advocates on the committee. An executive summary of the report called *Dubious Memories* (in English) can be read on <http://www.gr.nl/adviezen.php?ID=888>. The full report is called *Omstreden Herinneringen* [Dubious Memories], Gezondheidsraad (Health Council of the Netherlands), 27 January 2004. Among its many points, the report noted that many clinicians did not seem to be aware of major recent scientific research findings in the area of memory.

Major recommendations and findings of the Health Council:

a) a broad recognition that memories recovered during suggestive therapy may be false, harm patients and those who are accused;

b) therapists are advised not to diagnose past trauma in a client on the basis of a clinical pattern;

c) therapists appearing as expert witnesses in civil and criminal cases must refrain from making judgements about the reliability of a patient's /client's testimony;

d) the relevant regulated psychotherapeutic professional organizations have to set guidelines for safe practice to avoid the generation of

false memories of sexual abuse in their clients.

These guidelines will also be binding on unregulated alternative practitioners.

On February 26, 2004, The Ministry of Justice/College of Attorneys-General team released its second and even more detailed report about the genesis of false sexual abuse allegations.^[11] The report notes that the following factors may contribute to false allegations: a) personal problems of the complainant, b) divorce or separation, c) family conflicts, and d) credulity. The experts also found the following factors to be crucial: a) suspicions of abuse leading to a false belief that abuse had happened, b) direct influencing by third parties, c) dream interpretation, d) films or books about sexual abuse, and d) therapy and counselling.^[12] The report strongly criticized the role played by qualified and regulated psychotherapists, as well as by alternative practitioners, because they had lent credence to the notion that a client's symptoms were sequelae of hitherto unremembered childhood trauma.

Other factors that led to change

In addition to the tremendous effort of parents and help from concerned professionals, other factors contributed to raising awareness about false memories in the Netherlands. Among these are memory researcher Elizabeth Loftus's lecture visits to the Netherlands and the 1996 Dutch translation/publication of *The Myth of Repressed Memory* by Loftus and Ketcham.^[13] This was quickly followed by *Recovered Memories and Other Misconceptions* by Dutch scholars Hans Crombag and Harald Merckelbach.^[14] This book was written for non-professionals so that journalists, jurists, and elected officials would understand the issues.

In June 2000, the television documentary "*Hidden mothers—incest pregnancies*" seemed to be a terrible

setback to the families in the WFH, although it turned out to result in much publicity for them. The program broke all codes of journalistic ethics when it photographed actual places and showed alleged incest survivors telling gruesome stories of forced abortions. The parents, who had not been warned, saw themselves accused and practically identified by daughters spinning wild tales confabulated during suggestive therapy.^[15]

In reply to a Werkgroep complaint, the TV network responded with "Our docu-drama takes place on a loftier level than a mere search for Truth or Falsehood . . . moreover, Perps are always in denial." A spokeswoman for a government-subsidized sexual abuse center who was called in by the network to represent professional expertise remarked: "Truth has nothing to do with it; it is all about pain." Subsequent legal action forced the network to admit to serious error and pay restitution. The pregnancies and abortions were shown to be fictional.^[16]

In August 2001, the influence of Nel Draijer's work, which had already begun to wane, received a major blow when researcher Han Israëls^[17] re-analysed the findings of her 1988 report and found that many statistics were faulty.

The Health Ministry's most recent action

It may have been mere coincidence, but on March 11, 2004, the Netherlands Minister of Health announced drastic cutbacks in government medical insurance funding for talk psychotherapies. Although the Werkgroep Fictieve Herinneringen had expressed concern only about recovered-memory therapy, far more had gone wrong in the mental health industry. Based on research by the National Health Council, the minister had been told in 2001 that not only were talking cures not effective but also that the longer the period of therapy, the less effective it became in relation to

money spent.

The Netherlands has generous health and social service provisions, but when the Medicare bill reached 9.75 percent of the Gross National Product, the government assessed where it could cut costs. Hence, in December 2003, the ministry announced that it planned to cut down paying for psychotherapy from 90 sessions to 30. This now has been further reduced to 25, but exceptions can be made for the seriously mentally ill.

The announcement is causing a minor revolt in the psychotherapy industry in the Netherlands, although it has nobody to blame but itself. It has refused to regulate itself and has allowed all kinds of treatments to go under the name of therapy. It abandoned the scientific scrutiny of absurd alternative therapies and became rife with outlandish, guru-driven practices, most of which were absolutely useless talking cures and some of which were even dangerous, much of it paid for with taxpayers' money.

Thanks to the work of a few vocal people in the Werkgroep Fictieve Herinneringen and the university researchers such as Willem Albert Wagenaar, Peter van Koppen, Harald Merckelbach, and Hans Crombag, the ministry has finally seen the light. These vocal people were willing to point out the farce of repressed /recovered memory therapy and the fact that millions of precious health expenditures had been spent on therapy that was useless.

(I am greatly indebted to Mr. Jan Buijs of the WFH for reviewing this article and was helped by much of the information on the WFH's website: <http://www.werkgroepwfh.nl/>)

1. Draijer, N. (1988). *Een lege plek in mijn geheugen: Seksueel misbruik van meisjes door verwanten* [A gap in my memory: The sexual abuse of girls by relatives]. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid.

2. Draijer, N. (1990). *Seksuele traumatisering in de jeugd: Lange termijn gevolgen van misbruik van meisjes door verwanten* [Sexual traumatizing during youth: Long-term sequelae in girls abused by rela-

tives]. Amsterdam: Socialistische Uitgeverij Amsterdam. Draijer used the reports as the basis for her 1990 doctoral thesis. She is a traumatologist and a proponent of repressed/recovered memories.

3. The word "false" (in Dutch "vals") was avoided because in Dutch it also may mean nasty, vicious, bogus, or forged. The word "incest" also was dropped because people objected to receiving mail with that word on the envelope.

4. Some academic professionals, notably memory specialist Prof. Dr. Willem Albert Wagenaar of Leiden University, were well aware of what had been brewing in the U.S. They realized that many therapists in the Netherlands had already been infected by the notions of North American gurus teaching repressed memory, multiple personality, and even ritual abuse theories.

5. Hulsenk, J.A. (1994). *Rapport werkgroep ritueel misbruik* [Report of the Working group on ritual abuse]. The Hague: Ministry of Justice.

6. Nevertheless the Netherlands and Flemish Society for the Study of Dissociative Disorders (Nederlandse en Vlaamse Vereniging ter bestudering van Dissociatieve Stoornissen), the organization responsible for the spread of MPD diagnoses, continued pushing for further investigation as late as 1998.

7. The report is available in English: *Recovered crimes: Sexual abuse reported to the police after therapy - Advice to the Minister of Justice*. Prof. Dr. Peter van Koppen, 1997.

Coincidentally, at the same time as Van Koppen's report appeared, the WFH published *Een kleine fout* [A minor slip-up], a brochure documenting the problem of incest delusions resulting from psychotherapeutic malpractice. It also described what the WFH had done since 1994 to expose the problem. The title was taken from an article by two leaders in the recovered-memory movement, therapists Onno van der Hart and Kees van der Velden, who stated in a journal for therapists:

"When therapists doubt the truthfulness of a patient's reporting of sexual abuse and maltreatment, it is wiser to trust the patient than not to do so. Should it turn out that in reality the patient never was abused or maltreated, then the therapist has only made a minor slip-up by trusting her." Prof. Dr. Onno van der Hart, University of Utrecht, and Kees van der Velden, psychotherapist, in *Dth, tijdschrift voor Directive therapie* [Journal for Directive Therapy], 2-5-1995.

8. Landelijke Expertisegroep Bijzondere Zedenzaken (National Expert Group on Unusual Sexual Crimes) included people with solid insight into the problem of memory distortion such as psychotherapist, forensic psychologist and sexologist Prof. Dr. R.A.R. Bullens of the Vrije Universiteit, Amsterdam; forensic psychologist, Prof. Dr. P.J. van Koppen; and memory researcher and rector magnificus at Leiden University Prof. Dr. W.A. Wagenaar. It produced its first report called: *De feiten beschouwd* [Examining the facts] *verslag van de Landelijke Expertisegroep Bijzondere Zedenzaken over de periode 1 oktober 1999 - 31 december 2000* [Investigation report over the period from 1 October 1999-31 December 2000].

9. This lengthy document, not available in English, analysed 26 cases. These involved allegations of remembered abuse a) prior to age 3 years, b) satanic

/ ritual abuse, and c) allegations based on supposedly repressed/recovered and often decades-old memories of abuse that only surfaced after suggestive therapy. In the end, two-thirds of the cases were dismissed. In nine cases the experts deemed the complaint not credible. In fifteen cases the experts found that the cases had been improperly investigated. Only in two "always remembered" cases, did the experts find solid evidence to support the allegations. The report criticized the methods of investigation, the leading questioning used by some police investigators and prosecutors, and the biased attitudes of victim-assistants. As a result, the College of Attorneys-General decided to upgrade the training of such officers.

10. *Rapport 2000/105, Nationale Ombudsman*.

11. Landelijke Expertisegroep Bijzondere Zedenzaken (National Expert Group on Unusual Sexual Crimes) (2003, November). *De ontstaans-geschiedenis ontrafeld: Onderzoeksverslag over de periode 2001-2002* [The Genesis [of false sexual allegations] Unraveled: Investigation report over the period from 2001-2002]. Unfortunately, no English-language version is available.

The team scrutinized 30 unusual cases. Ten of these cases involved allegedly repressed memories recovered in therapy. Some of these included memories of sexual abuse prior to age 3 years and memories of ritual abuse. In one case the complainant claimed always to have remembered the ritual abuse. In seven cases the complainants were not sure whether the abuse memories had been "recovered" or had always been remembered. Six of the cases originated from caregivers who noticed symptoms in a child that made them suspect that the child had been abused. The remaining six cases were highly complex.

12. The report devotes a special chapter to these last two factors (therapy and counselling) because in 23 out of the 30 cases, the accusers had been in therapy or counselling, in 6 of these cases even switching from one therapist or counsellor to yet another many times.

13. Loftus, E., and Ketcham, K. (1996). *Graven in het geheugen, de mythe van de verdrongen herinnering* [Dutch translation of *The Myth of Repressed Memory*]. (1994).

14. Crombag, H.F.M., and Merckelbach, H. (1996). *Hervonden herinneringen en andere misverstanden* [Recovered memories and other misconceptions]. Amsterdam, Contact.

15. During one of my visits to the Netherlands, I spent a day with one of the families whose disturbed daughter had appeared on the TV series. Having listened to many accounts of falsely accused parents over the years, I again became aware of the enormous, irreparable damage that misguided talking therapy can do to a daughter sorely in need of proper evidence-based mental health care. The devastation, which this monstrously sensational TV program had further added to the already deeply grieving, falsely accused, elderly parents, deserved to be met with the strongest punishment the law has to offer. I do not think that happened.

16. The network and its producer escaped facing prosecution for a similar, equally absurd 1992 docudrama involving a woman who had been talked into having MPD, allegedly the result of years of incest. Nevertheless this film was used for many years to

train therapists creating more MPD cases. (De Ontkenning [Denial]. LAVA Film Distribution & Sales.)

17. Hans Israels is a sociologist and Freud scholar specialising in the history of psychology and an expert in exposing scientific fraud. He analyzed the findings of Draijer's 1988 report and found that her figures did not quite add up. His book: *Heilige verontwaardiging: Een onderzoek naar de feministische visie op incest*, [Holy indignation: An investigation into the feminist vision of incest] created quite a stir. Although many clinicians condemned his work, beliefs in repressed/recovered memories were now well on the way out. Those in government, although silent on the issue, took note.

□

Safe and Effective Mental Health Treatment Bill Approved in New Hampshire

On February 20, 2004, the New Hampshire Board of Mental Health Practice approved a new bill of rights for mental health patients.

The law states that patients have the right not only to information about a therapist's qualifications, fees, diagnoses, treatment options, confidentiality and complaint procedures but also to "informed consent" and "effective treatment."

Consumer advocate Charles E. Proulx, Jr. and psychologist John Brown, Ph.D., were the forces pushing for the new language and the passage of this bill.

The new standard states:

"Clients have the right to documented informed consent: To be fully informed of the risks and benefits of alternative treatments and the risks and benefits of no treatment. When obtaining informed consent for treatment for which safety and effectiveness have not been established, therapists inform their clients of this and of the voluntary nature of their participation."

The text of the patient bill of rights is on the Board of Mental Health Practice Web site:

www.state.nh.us/mhpb

Talbot, R. (2004, March 7). Innovative rights bill OK'd for MH patients. *Union Leader*.

□

L E G A L

C O R N E R

Crawford v. Washington

No. 02-9410 Supreme Court of the United States, 204 U.S. LEXIS 1838; 72

U.S.L.W. 4229, March 8, 2004 Decided

On March 8, 2004, the U.S. Supreme Court ruled, in a 9-0 decision, that defendants have the right to cross-examine witnesses. The decision disallows hearsay evidence that had increasingly been allowed over the past quarter century.

The Crawford decision abandons a 1980 Supreme Court ruling, Ohio v. Roberts, that allowed hearsay evidence if a judge found it trustworthy.

Michael Crawford was convicted of assault in 1999 because he stabbed a man he thought had tried to rape his wife. Crawford claimed self-defense, stating that the victim was going for a weapon when he was stabbed. Crawford's wife did not testify in the trial, but the judge said that the prosecution could use her taped statement in which she said there was no weapon.

The Washington Court of Appeals reversed the conviction stating that the wife's statement was not reliable. Then Washington Supreme Court reinstated the conviction concluding that the wife's statement was trustworthy. The U.S. Supreme Court overturned the Washington Supreme Court decision by deciding that the wife's statement to the police was not admissible because the defense could not cross-examine her.

Justice Antonin Scalia wrote the opinion and stated, "Dispensing with confrontation because testimony is obviously reliable is akin to dispensing with jury trial because a defendant is obviously guilty."

Some prosecutors are concerned that Crawford will limit their ability to try sensitive domestic abuse and child abuse cases. For example, in some cases, prosecutors previously relied on

statements from police in trials. Now they must produce a witness.

□

Is Reason Returning to the Supreme Court?

Some impressions upon reviewing MICHAEL D. CRAWFORD, PETITIONER v. WASHINGTON No. 02-9410, SUPREME COURT OF THE UNITED STATES

by R. Chris Barden, Ph.D., J.D.

The Constitution-Bill of Rights of the United States is a sacred contract binding together the lives, fortunes and honor of the citizens of the United States of America. The Framers incorporated centuries of wisdom by codifying—in clear language—fundamental rights that could not be usurped by the Government. The Supreme Court was viewed as the protector of those fundamental—clearly documented—liberties.

In contrast, for the past several decades too many of the U.S. Supreme Court's decisions have seemed little more than fanciful constructions of "politically correct" notions. From "penumbras" to "particularized guarantees of trustworthiness" to other forms of legislating from the bench, the court has often departed from the original intent of the Founding Fathers. The result has been a steady erosion in respect for the law and the Court.

For example, the Sixth Amendment to the U.S. Constitution guarantees defendants in criminal trials the right to confront and cross-examine accusers. That fundamental right was abrogated by a series of unfortunate rulings from the U.S. Supreme Court beginning with Ohio v. Roberts 448 U.S. 56 (1980). The Roberts ruling led down a dark path to defendants facing conviction from nothing more than videotaped "victim statements" without an opportunity for confrontation or

cross-examination.

In the recent and historic 9-0 decision in Crawford v. Washington, the U.S. Supreme Court overturned Ohio v. Roberts, thus returning the protection of the Sixth Amendment to the people. The Court's decision in Crawford is a stinging rebuke of the kind of run-a-way judicial "legislation" that has plagued America for decades. In an intense stinging critique of former decisions by the Court, Justice Scalia wrote, "Dispensing with confrontation because testimony is obviously reliable is akin to dispensing with jury trial because a defendant is obviously guilty . . . this is not what the Sixth Amendment prescribes." He continued "the Roberts test allows a jury to hear evidence, untested by the adversary process, based on a mere judicial determination of reliability. It thus replaces the constitutionally prescribed method of assessing reliability with a wholly foreign one."

The Crawford decision is also a not-so-subtle admission that many, many citizens may well have been improperly imprisoned using methods and procedures that were clearly unconstitutional. How such a travesty of justice survived for decades is an excellent—and well-documented—example of how unrestrained political ideology and junk social science have damaged America's legal system. In looking back on the last 24 years, judges and prosecutors must now answer the question of how they failed to enforce one of the most fundamental of all American rights—the right to confront and cross examine one's accusers. In considering how many people in America are convicted and imprisoned on the testimony of a single witness one comes to realize the essential nature of the right to confrontation and cross-examination. How could the legal system "lose" this important right for 24 years?

Even more harmful and widespread has been the devastating effect

of this lost protection on the family law system. With the ease of prosecutions based upon nothing more than videotaped "victim statements," countless parents across the U.S. (almost always fathers) have been forced to "negotiate" away fundamental parental rights under the threat that the custodial parent could easily "produce" allegations of some kind of abuse—especially with the aid of "therapists"—some being hired for just such a purpose. The Crawford decision is likely to impede the spread of such continuing corruption in the family law system.

The rise of pernicious "politically correct" legal and psychobabble theories in the 1960s and 1970s left America with a legal system increasingly contaminated by pseudoscience. For example, in this Alice in Wonderland world children could be abusively and repeatedly mis-interviewed by "therapists" or investigators—using threats, bribes, and lies—until a "story" was in place. Then a videotape of the child "performing" the "story" could be played to a jury with no opportunity for cross-examination. How many citizens were convicted using such barbaric—clearly unconstitutional—methods? Even more sinister (and bizarre) were criminal prosecutions based upon nothing more than the hypnotically "recovered memories" of psychotherapy patients.

The tide began to turn towards rationality in the 1990s. With a series of historic decisions including Daubert and Kumho, the Court called for trial judges to carefully review and rein in pseudoscience. This led to the end of "expert" testimony regarding "repressed memories" and various "abuse syndromes." The scientific-forensic use of DNA evidence proved conclusively that the criminal justice system, once believed to be highly reliable in avoiding convictions of the innocent, was in fact, convicting many innocent citizens. A wave of highly successful lawsuits against "recovered

memory therapists" coupled with Daubert hearings exposing the irrationality of these and other psychobabble notions, added to the perception that the legal and mental health systems had gone badly off track. Definitive research on the suggestibility of children's memory was perhaps the final straw in helping the public, legal profession and law enforcement communities realize that they had been deceived by junk science, psychobabble theories of "victimhood".

The essential task of catching and convicting criminals will continue after the Crawford decision—with the reliable scientific methods required by Daubert-Kumho and the confrontation protections required by the Sixth Amendment. The dedicated men and women who work hard to make our society safe may now pursue their important work using more rational and reliable methods and procedures. Dedicated law enforcement professionals should be able to rely upon legal and scientific processes that are fair and reliable—the Crawford decision is a major step in that direction.

Finally, it is indeed heartening that the Crawford decision relies upon clear, rational historical evidence of the intent of the Founding Fathers. This is a breath of fresh air and stability from a Court that has shown a predilection to wander into international law and psychobabble theories in support of some of its opinions. Hopefully, the Crawford decision bodes well for our hopes that the Supreme Court will continue to enforce and protect the precious Constitution that binds us together as a nation.

□

The National Association for Consumer Protection in Mental Health Practices and the Commission for Scientific Medicine and Mental Health have announced they are merging to form a stronger international force against mental health quackery.

(Barden, C and Lilienfeld, S.,
April 23, 2004.)

Call 716-636-1425 x 218 for information.

Update of Amirault Case

Gerald Amirault is expected to be released at the end of April. Amirault was convicted of molesting children at the family-run Fells Acres day care center in 1986. Although he was granted parole last October, Middlesex, Massachusetts District Attorney Martha Coakley had six months in which to file an appeal. After keeping Amirault incarcerated as long as she could without revealing the fundamental weaknesses of the State's case, on April 21 she said: "The Commonwealth does not believe that it could garner evidence to meet its burden of proof required under the statute that Mr. Amirault would likely re-offend."

In July 2001, the state Board of Pardons had recommended that Amirault's sentence be commuted, but this was rejected by then-acting Gov. Jane Swift. Gerald's sister, Cheryl Amirault LeFave, and his late mother, Violet Amirault were released in 1995.

The Amirault case has become one of the most disputed child-molestation cases in the country. The Amiraults always denied the accusations, insisting that they were victims of the day care sex abuse hysteria that swept the country in the 1980s. The accusers have not wavered in their belief that they were abused. In recent years, however, a compelling body of scientific evidence has shown that the interviews of the children were highly suggestive and their stories not reliable.

According to Coakley, Amirault (50) will be on parole until November 2023. He will be required to register as a sex offender, submit to drug testing, and is banned from being in contact with children under the age of 18. Any violation could send him back to prison under state law.

Ellement, J. (2004, April 22). Amirault will soon be a free man: Convicted molester heads home next week. *Boston Globe*.

Maguire, K. (2004, April 21). Mass. Day-care rapist closer to parole. *Seattle Post-Intelligencer*.



Psychologist, Spiritual Counselor and "Soul Surgeon" Settle Case with Former Patient

Lackey v. DePaoli, Earl and NW Family Ministries, Case No 0201-00733 filed Feb., 2002 and Lackey v. Baker and Lacey. Case No. 0303-03121, filed Feb. 2001 Circuit Ct. Multnomah, County, OR by Michael Shinn, Esq.

A final settlement of the extraordinary case of Diane Lackey v. Pastor Peter DePaoli and Rhonda Earle, dba^[1] Northwest Family Ministries, Pastor Clifford A. Baker and Deborah Lacey, dba Catalyst Connections, Inc, defendants has been reached. This case shares similarities with many other false memory syndrome cases reported in the FMSF newsletter over the years. However, it features what may be a unique distinction: the therapists asserted that Dr. Joseph Mengele, the notorious medical "experimenter" at Auschwitz, is the founder of Multiple Personality Disorder in America, and that he helped develop satanic rituals for the Masonic Temple which Masons use to this day.

Diane Lackey is a dynamic, attractive mother and successful businesswoman. She also has a personal history which included drug abuse and bisexual relationships. In June of 2001, she had a traumatic breakup with her life partner of three years. This sent her into a deep depression. She had a delusional episode in which she believed she was possessed by demons.

She began reading the Bible and rendering literal interpretations of it. She went to the New Song Church for "deliverance." There she met Pastor Cliff Baker who signed her up for his "prayer ministry" program. Participation in this program required her to sign a legal "release, assumption of the

risk and indemnity agreement" which attempted to exonerate the pastor from all legal liability before his counseling had even begun. When she entered this program, Ms. Lackey had no memories whatsoever of being physically or sexually abused by anyone in her family. She had no memory of participating in any sex rituals as a child, or of being involved with Masons in any way.

During the ensuing four months, Diane dutifully attended Baker's sessions, which failed in any way to address what was later diagnosed as Bipolar Disorder. This manifested itself with delusions and hallucinations about demons and little inner voices. (Delusions are a key characteristic of several mental disorders). It never dawned on Pastor Baker that these might be symptoms of a mental illness. Instead, he introduced Diane to Deb Lacey who has a doctorate in divinity. She has assigned herself the title of "Soul Surgeon" and promotes herself as an expert on MPD.

The Soul Surgeon worked with Diane Lackey in three lengthy sessions. Her "therapy" required Diane to describe and then to renounce every sexual act that she had ever committed. She was compelled to do this in the presence of Lacey, Baker, and a "prayer intercessor." She found this humiliating and agonizing. Lacey did additional work with Diane's demons. Pastor Baker later testified that he witnessed Diane levitating a foot above the floor and spinning around so furiously that they had to pull her back into her chair to prevent her from hitting her head on the wall.

Ms. Lacey inquired about Diane's heritage. She wanted to know if anyone in her family had been a member of the Masons, Mormons, Oddfellows, Elks, Moose or Eagles lodges, Job's Daughters and the Rainbow or Order of Demolay. She elicited the fact that an uncle had been a member of the Masons and declared that therein lay

It is not enough to demand evidence and answers from accusers. It is necessary to extend justice to those who are and have been wrongfully accused.

Wendy McElroy (2004, March, 17).
[www.ifeminists.net/introduction/
editorials/2004/0317.html](http://www.ifeminists.net/introduction/editorials/2004/0317.html)

the key to Diane's problems. Presumably, membership in any of the other aforementioned organizations would also have been inculpatory.

She then required Diane to read a "Prayer of Release for Freemasons and Their Descendants" to Lacey, Baker, and the intercessor. This five page document included such passages as: "I renounce the oaths taken and the curses involved in the First or Entered Apprentice degree, especially their effects on the throat and tongue. I renounce the Hoodwink, the blindfold, and its effect on emotions and eyes, including all confusion, fear of the dark, fear of the light and fear of sudden noises.... I renounce the mixing and mingling of truth and error, and the blasphemy of this degree of Masonry."

When asked why Diane was forced to renounce Masonic activity of which she had no memory or known history whatsoever, Baker and Lacey testified that as a descendant of a Mason, she was equally afflicted and needed this cleansing ceremony. They overlooked the fact that Diane was adopted and that "Uncle Bob" was not even a blood relative.

Under the tutelage of Baker and Lacey, Diane began developing horrifying images of being subjected to lurid sex orgies with Uncle Bob and his Masonic colleagues. Deb Lacey persuaded Diane that she had been victimized at the age of four, because that was the age she assigned to one of her inner voices, Sarah. Diane confronted Uncle Bob about these activities, and promised to expose him. He wisely reported this to the local police and to her father. Her father informed her by e-mail that Uncle Bob didn't even join the Masons until she was 13 and that there was no indication she was ever abused by anyone as an infant or child.

By now, Diane believed she was possessed by eleven alter personalities. Perplexed by her father's e-mail, she inquired of Pastor Baker if these might be false memories. No, he said, lying

about their guilt was characteristic of Masons. She needed to trust her new memories and could expect to retrieve more of them.

To assist her in this adventure, Baker brought her to Pastor Peter DePaoli (a licensed clinical psychologist) at Northwest Family Ministries. During her first session there, Diane was shown a videotape of Dr. Joseph Mengele and the Auschwitz death camp. Questioned about this in depositions, DePaoli claimed he knew little about Mengele and just happened to show her the video because she had some questions about Mengele. I impeached DePaoli with a 45-minute tape recording of a speech he gave in 1998 in which he told the International Conference of Pastoral Counselors that his research had uncovered the fact that Mengele was the "father of MPD in America," (where he came after WWII and not to Argentina). DePaoli convinced Diane Lackey that she was possessed by a Mengele demon, among many others.

Throughout the course of the summer of 2002, Diane was plagued with terrifying images of Joseph Mengele, Masonic temple orgies, blood sacrifices, and demons of all varieties. When these images became so bizarre that she realized they were not likely true, she informed Baker that she suspected they were false memories. She was considering suing DePaoli. In response, Baker affirmed DePaoli's work and promptly terminated his counseling relationship with her.

When she came to my law office, I referred her to competent mental health professionals. After months of therapy and psychiatric medication, she finally broke away from the demon delusions and was able to revive her nearly bankrupt business.

Early in the legal proceedings, Pastor Baker filed a motion to have the case dismissed noting that he was a "spiritual" counselor and that his First Amendment rights protected him. The

plaintiff argued that a counselor was like a primary care physician, with the responsibility not only to treat problems, but also to recognize and diagnose problems that are beyond the counselor's ability to treat. Although he was her pastor, he was also her professional counselor and provided direct therapeutic services and arranged for additional psychological care from others. As such, he was bound by the responsibilities detailed in the Pastoral Counselors' Code of Ethics.

Among these were the duties to:

- Evaluate the nature and potential causes of her problems;
- Engage in a "differential diagnosis." (Even though he was not a licensed clinical psychologist, due care in the setting should include a consideration of all potential causes rather than limited ones.);
- Keep himself adequately informed about available treatment;
- Provide the client with adequate warnings about any significant hazards or risks that accompanied certain methodologies;
- Refrain from reinforcing methodologies and treatment which were known to be unscientific and lacked reliable independent corroboration.

Plaintiff's attorney: Michael R. Shinn of Portland, Oregon.

Defendants' attorneys: Michael Hoffman, Paul Cooney, David Ryan of Portland, Oregon.

1. "dba" refers to "doing business as."

□

[I]f your therapist suggests you might have a repressed memory, check the small print on the wall plaque; [he/she] may be a correspondence-course therapist. Ditto for satanic abuse that is sooooo Eighties!... Multiple personalities have been over-rated and past lives are now the preserve of Woman's Day.

Diedre Macken, (2004, April 23). Off our trolley in the psychic marketplace. *Australian Financial Times*. p. 44.

Recovering from Recovered Memories

Mark Pendergrast

Here is another installment from Mark Pendergrast's book proposal for *Recovering from Recovered Memories*, continuing with a fictional case study from Chapter 1, "How Could This Have Happened to Me?" Pendergrast has written this quite realistically and objectively, so much so that those who are "believers" in massive repression could probably see the story as supporting the idea that the father really was an abuser. The next installment (the end of the chapter) will put the story in context.

Betty O'Connor came from a very close-knit, traditional Massachusetts Irish Catholic family. Her mother was over-protective and fussed over her. Her father, who had romped and played with her when she was a child, became more emotionally distant as she matured, but he still gave her everything money could buy. A good student, Betty was somewhat awkward socially, but she found herself in high school theater productions, where she could throw herself into different roles.

Her freshman year of college, Betty was desperately homesick. She was not used to being away from the safety and security of her family. She had dated only one boy in high school, and she had never gone beyond kissing good night. Betty went to a fraternity party where she drank too much, and her date took advantage of the situation to force her into sexual intercourse. Horrified and angry at what had happened to her, but too embarrassed to tell her parents, Betty went to see Sheila White, a college counselor.

Sheila was extremely sympathetic and explained that Betty had been date-raped. Rather than concentrating on her current stress, however, the counselor began to ask her detailed questions about her parents, particularly about her feelings towards her father. "Your reactions to this date-rape incident were so strong," Sheila said, "that I think we have to look into your childhood for clues. I think there

may be something you've buried that is trying to come out." She gave her a book called *The Courage to Heal* and asked her to read it.

Betty protested that she loved her parents. Sure, her father was too strict about some things, and he had stopped hugging her when she turned into a teenager, but that was all. He loved her. He really loved her.

Sheila smiled a tight, knowing smile. "Oh, yes," she said, her voice turning hard. "I'm sure he loves you, all right." Then, leaning forward earnestly, she looked right into Betty's frightened eyes, held her hand, and spoke softly. "Betty, please read the first three chapters of this book, and I'll see you next week. OK?"

Betty, a good student, did as she was told. Sheila White seemed to know what she was doing, and she had such a soothing manner. That night, Betty began to read *The Courage to Heal*. "Forgetting is one of the most effective ways children deal with sexual abuse," she read. "The human mind has tremendous powers of repression. Many children are able to forget about the abuse, even as it is happening to them."

Betty threw the book away from her, to the other side of the bed. She couldn't breathe. Then she found herself hyperventilating, taking great gulps of air and crying aloud. No! This book couldn't be meant for her! She had never been sexually abused as a child. Never. But — why would Sheila have given her the book if she wasn't?

Hesitantly, fearfully, Betty picked up the book again. "You may think you don't have memories," she read, "but often as you begin to talk about what you do remember, there emerges a constellation of feelings, reactions, and recollections that add up." Then she read a warning from the authors that reading the book could be extremely upsetting. *I'll say*, Betty thought. "If you breeze through these chapters," she read, "you probably aren't feeling

safe enough to confront these issues."

I'm brave enough to face anything if I have to, Betty thought, *but I just don't believe this*. Yet she read on, becoming absorbed in the book. It kept setting off alarm bells with virtually every sentence. It was as if Ellen Bass and Laura Davis, the authors, knew her personally and were writing straight at her. "Do you feel powerless, like a victim?" Oh, yes, she did. "Do you feel different from other people?" Absolutely. She felt that everyone else at college seemed so sure of themselves. She felt so out of place, so odd. "Do you feel you have to be perfect?" Tell me about it! It seemed that nothing she did could ever really measure up to her parents' expectations. "Do you feel alienated or lonely?" And on and on. These were the symptoms of someone who had been sexually abused.

By the time she came for her second appointment, Betty had read not only three chapters, but most of the book. She looked horrible. She hadn't slept. She was completely torn up. Could it be true? Could she have been abused as a child? Who could have done it? *The Courage to Heal* had example after example of fathers abusing their daughters. But it just *couldn't* have been her father. Maybe her Uncle John, her mother's brother? He used to visit all the time. Maybe it was him.

Betty poured out her fears and suspicions to Sheila, but her counselor remained noncommittal. "Yes, it could have been your uncle. That's quite possible. We just don't know. As you are feeling safer in therapy, your repressed memories may begin to come back. For the moment, though, we just have to live with uncertainty. I want you to join a local group I know about for incest survivors. Even if you're not sure about your memories, it is a good idea, and stories in the group may trigger something for you. Besides, you will feel validated and safe there. When I feel that you are ready to han-

dle it, when it's appropriate, we might try guided imagery." Sheila explained that this was a relaxation technique that gave access to the subconscious.

Betty joined the incest survivors group. The horrifying stories didn't "trigger" specific memories for her, but they certainly upset her enormously, and that must indicate something. She went to the bookstore and bought other books. *Secret Survivors*, by E. Sue Blume. *Repressed Memories*, by Renee Fredrickson. They all said the same thing. She fit most of the incest survivor checklists.

During the next few sessions, Sheila continued to explore Betty's feelings about her father. Yes, she remembered now being afraid of him as a child. It had been exciting to play horsy with him, and to have him tickle her, but he had gone too far. There was something else there. And at night, why had he always insisted on telling her bedtimes stories alone? Why wasn't her mother there? Why didn't her mother ever tell her stories? And why had her father suddenly frozen up when she became a teenager? What was that about?

Finally, on her fifth visit to Sheila, Betty asked if she could try guided imagery. She knew something about it now from reading Renee Fredrickson's description, and she simply *had* to know the truth. Sheila agreed, and Betty closed her eyes. Sheila's soothing voice instructed her to create her own "safe place," a peaceful scene. Betty chose a beautiful lake in the summertime, with a soft breeze blowing. She described it aloud, in a soft, distant, sleepy voice. "Now, I want you to picture a road leading away from the lake," Sheila said. Leading her down the road, Sheila took her back to the house where she lived as a three-year-old. She went up the steps and through the front door, then up the stairs to the bedroom. . . .

"Now what do you see? What do you feel? Who's there with you?"

Sheila said. Betty was silent. Her breathing stopped. She gripped the edges of her chair. "No, *no, NO!*" she screamed suddenly. "Leave me alone! Stop!" Her entire body contorted.

Alarmed, Sheila quickly ended the guided imagery session, taking Betty back to the safe place at the lake, and then bringing her back to the present. "Oh, my God," Betty sobbed. "Oh, my God." And she cried and cried. Sheila held and rocked her, soothingly brushing her hair out of her face. "It's all right, it's going to be all right," she said. "I know it hurts. But this had to be. You had to face it."

Now Betty knew. It was her father. She was, indeed, an incest survivor. Over the next few months, she solidified and rehearsed the memories and added many more. Some came through guided imagery, but she also journaled about her dreams. The memories became more concrete, vivid, and violent. It turned out that she had been abused from the time she was three until she was fourteen years old, not only by her father, but her uncle and grandfather. And her mother had known and done nothing.

After spending several counseling sessions working on drafts of a letter to her parents, Betty finally mailed it. She told her father that she now remembered all of the horrors she had been forced to endure in her childhood. She was now trying to heal. She told him that unless he confessed and sought therapy for himself, she could no longer feel safe in his presence. And unless her mother admitted that she had stood by and done nothing, she, too, would be cut out of Betty's life.

Betty's parents called. They denied the allegations and begged her to come home to talk it all over. She refused. Shortly afterwards, Betty dropped out of college. She secured a job as a secretary, though her life was in such an upheaval, she found it difficult to concentrate. Sheila continued to see her, even though Betty could not

afford to pay her regular fee. "You've gone through so much, and you've been so brave," Sheila told her. "I can't abandon you now, as your family has. You have had enough trauma in your life."

Fortunately, this story has a somewhat happy coda, though the real ending has yet to occur. After five years, both Betty and her counselor finally burned out on her therapy. "I know that I'm an incest survivor," Betty wrote in her diary, "and my family betrayed my trust. They stole my childhood. But I can't go on like this. It's just too hard. I feel like a walking, open, raw wound all the time. I need a break." She decided to drop out of her incest survivor group and go back to college. She needed money from her family to do so. Besides, even if she still believed in her memories, she missed her parents and her brothers and sisters. Fearfully, she called her mother. "Mom, I'm not taking anything back, and I don't want to see Dad, but could we meet for lunch?" Her mother agreed.

Today, Betty has graduated from college, and she is seeking a career in public relations. She regularly visits her family, including her father, but she has not taken back her allegations. She refuses to talk about them and simply acts as if nothing ever happened. Though there is a great deal of unspoken tension, her parents have decided that time must pass before Betty will be able to talk about her "memories." Fortunately, they have educated themselves on the issue and have let Betty know that when she is ready, they have a reading list for her. So far, she refuses to deal with the issue at all. She knows that there is a great deal of controversy surrounding recovered memories, but she can't bring herself to admit that she could have been so wrong. And so she simply avoids talking about it or dealing with it. She tries not to think about it.

□

Recommended Reading

I am still excited about the wonderful article in the March 11 issue of the *New York Review of Books* by Fred Crews. I have been reading the article very slowly so that I can try to get every point being made. I just finished reading the section about PTSD and how that “ailment” is used as a kind of garbage pail for all sorts of pseudo-illnesses such as recovered memories and MPD.

That article is a real crash course on “pop psychology” and the struggle to bring “reason” back to reality. The article seems to indicate that a “war” is going on between two sides. At this point in time it seems that “our side” is doing the challenging and the other side is taking the defense. It seems as though there is much more skepticism in the general public now than a decade ago.

I know I will want to re-read it a few times more and that I will also need to look up some words in the dictionary, but it is a very exciting piece of writing and I recommend it to all FMSF Newsletter readers.

A mom

Crews, F. (2004, March 11). The trauma trap. *New York Review of Books* 51 (4), pp. 37-40.

□

Picked Up Where We Left Off

Our daughter called us this past September after no communication for 12 years. I really believed that this would never happen, but no one could have foretold the sequence of events.

The event that brought about contact was the unfortunate death of my husband’s brother and his wife. They were flying across Canada in their own plane to visit us when they crashed in a dense forest area. The date of the accident was 9/11, but even more unlikely, the crash site was very close to our son’s summer camp, so he was able to

handle the sad details of the accident for the rest of the family.

You can imagine the emotional double whammy on hearing from our daughter the following morning. She was terribly upset, of course, about the death of her aunt and uncle. She said that she had wanted to call for the past 2 years, but she was afraid that we would hang up. She said that she wouldn’t blame us if we did.

We have since visited her and her three children. Actually, we have seen the children each summer for the past 6 or 7 years because their father brought them to our summer cottage. We missed 5 years of their lives, but they did not forget us and we have a good relationship with them.

This past Christmas there were gifts and phone calls all around. We all seemed to be able to almost pick up where we left off without much difficulty. We have not discussed the past 12 years and do not intend to. I think we all prefer it that way.

Thanks to FMSF, we feel that we have an understanding of what went wrong. We were educated by many wonderful people at the various conferences and meetings. We will be eternally grateful for the wonderful support we received from the Foundation and the network of other accused persons and our relatives and friends.

A very happy mom

□

A Miracle

My wife died in January of this year. One of our daughters, the only person in the entire family who had remained in touch with our accusing daughter over the past decade, called her that night to let her know.

My wife had pre-planned the contents of her memorial service—what we call a “Thanksgiving celebration of life.” The next day, I called our accusing daughter and asked if she would like to read one of the scriptures at the service since her brother and sister would be reading the others. She

agreed.

On the day we gathered for the service, I asked her to come to the microphone to read her passage. When she reached the podium, she gave me a hug and said, “Hi, Dad.” And later in the service, at the time for reflections, she came forward to the microphone again and she contributed enthusiastic memories—as did her daughter, our granddaughter. Even at the reception, my accusing daughter was not only there physically but she actively participated.

Our many friends “in the know” were as touched by this miracle as I was, I’m sure. I have no predictions about what may happen beyond today, but I wanted to share this remarkable event with you.

A dad

□

Always Worry

Our daughter has been back for some time. She has even told us that she doesn’t know why she ever thought that she had been abused. We are very glad that she is back, but we always worry that it will happen again.

A mom and dad

□

Patience Worked

We have some good news. Our son, who has had no contact with us for many years, called to apologize for treating us the way he has for so long. He did not recant his accusations, but his apology was a great step in the right direction for uniting our families again.

Having patience and waiting for him to realize on his own that we are not the ogres he has made us out to be has been the only course we could take and we are continuing to take. Now, without any pressure from us, recent events in his own life have made a change, if only a small one, in his attitude toward us. It is a start.

Thankful parents

□

Victims of Memory: Sex Abuse Accusations and Shattered Lives

by Mark Pendergrast.
Upper Access Books.

“An impressive display of scholarship...a comprehensive treatment of the recovered-memories controversy.... Pendergrast offers a broader portrayal of the social and cultural contexts of the recovered-memories phenomenon [than other books on the subject]. His treatment is also distinguished by some welcome historical perspective.... Pendergrast demonstrates a laudable ability to lay out all sides of the argument.... [He] renders a sympathetic portrayal of recovery therapists as well-intentioned but misinformed players in a drama that has veered out of control.”

Daniel L. Schacter,
Scientific American

**To order: 800-310-8320 or
www.upperaccess.com/books.htm
#226v2**

The Rutherford Family Speaks to FMS Families

The video made by the Rutherford family is *the* most popular video of FMSF families. It covers the complete story from accusation, to retraction and reconciliation. Family members describe the things they did to cope and to help reunite. Of particular interest are Beth Rutherford's comments about what her family did that helped her to retract and return.

Available in DVD format only:

To order send request to

FMSF Video, 1955 Locust St.
Philadelphia, PA 19103
\$10.00 per DVD; Canada add \$4.00;
other countries add \$10.00
Make checks payable to FMS

SNOWBIRDS

Please send the FMSF your change of address.

Web Sites of Interest

comp.uark.edu/~lampinen/read.html
The Lampinen Lab False Memory Reading Group,
University of Arkansas

www.exploratorium.edu/memory/
The Exploratorium Memory Exhibit

www.ctnow.com/memory
Hartford Courant memory series
www.tmdArchives.org

The Memory Debate Archives
www.francefms.com
French language website

www.StopBadTherapy.com
Contains phone numbers of professional
regulatory boards in all 50 states

www.IllinoisFMS.org
Illinois-Wisconsin FMS Society

www.ltech.net/OHIOarmhp
Ohio Group
www.afma.asn.au

Australian False Memory Association

www.bfms.org.uk

British False Memory Society

www.geocities.com/retractor
This site is run by Laura Pasley (retractor)

www.geocities.com/therapyletters
This site is run by Deb David (retractor)

www.sirs.com/uptonbooks/index.htm
Upton Books

www.angelfire.com/tx/recoveredmemories/
Locate books about FMS
Recovered Memory Bookstore

www.religioustolerance.org/sra.htm
Information about Satanic Ritual Abuse

www.angryparents.net
Parents Against Cruel Therapy

www.geocities.com/newcosanz
New Zealand FMS Group

www.werkgroepwfh.nl
Netherlands FMS Group

www.falseallegation.org
National Child Abuse
Defense & Resource Center

www.nasw.org/users/markp
Excerpts from *Victims of Memory*

http://www.rickross.com/groups/fsm.html
Ross Institute

[www.hopkinsmedicine.org/jhhpsychiatry/
perspec1.htm](http://www.hopkinsmedicine.org/jhhpsychiatry/perspec1.htm)

Perspectives for Psychiatry
by Paul McHugh

www.enigma.se/info/FFI.htm
FMS in Scandnavia - Janet Hagbom

www.ncrj.org/
National Center for Reason & Justice

Legal Web Sites of Interest

- www.caseassist.com
- www.findlaw.com
- www.legalengine.com
- www.accused.com
- www.abuse-excuse.com

New Web Site of Interest

Is Theophostic Ministry biblical? Is it safe? What are theologians and Christian apologists saying about this controversial Christian therapy?

Visit this site to read a free e-book (in PDF and HTML): “Lying Spirits: A Christian Journalist’s Report on Theophostic Ministry.” This in-depth, investigative report is written by Jan Fletcher, a Christian journalist from Campbellsville, KY., home of Theophostic Ministry.

<http://www.undergroundbride.com/lyingspirits.html>

New web site of interest

<http://home.wanadoo.nl/traumaversterking>

This English language website has been established by a retractor in the Netherlands.

Remembering Trauma

by Richard McNally

Harvard University Press

The most comprehensive review of research about trauma and memory

Highly recommended

Science and Pseudoscience in Clinical Psychology

S. O. Lilienfeld, S.J. Lynn and

J.M. Lohr (eds.)

New York: Guilford Press (2003)

Highly recommended

CONTACTS & MEETINGS - UNITED STATES

ALABAMA
See Georgia

ALASKA
Kathleen 907-333-5248

ARIZONA
Phoenix
Pat 480-396-9420

ARKANSAS
Little Rock
Al & Lela 870-363-4368

CALIFORNIA
Sacramento
Joanne & Gerald 916-933-3655
Jocelyn 530-873-0919
San Francisco & North Bay
Charles 415-984-6626 (am);
415-435-9618 (pm)
San Francisco & South Bay
Eric 408-245-4493
East Bay Area
Judy 925-952-4853
Central Coast
Carole 805-967-8058
Palm Desert
Eileen and Jerry 909-659-9636
Central Orange County
Chris & Alan 949-733-2925
Covina Area -
Floyd & Libby 626-330-2321
San Diego Area
Dee 760-439-4630

COLORADO
Colorado Springs
Doris 719-488-9738

CONNECTICUT
S. New England -
Earl 203-329-8365 or
Paul 203-458-9173

FLORIDA
Dade/Broward
Madeline 954-966-4FMS
Central Florida - Please call for mtg. time
John & Nancy 352-750-5446
Sarasota
Francis & Sally 941-342-8310
Tampa Bay Area
Bob & Janet 727-856-7091

GEORGIA
Atlanta
Wallie & Jill 770-971-8917

ILLINOIS
Chicago & Suburbs - 1st Sun. (MO)
Eileen 847-985-7693 or
Liz & Roger 847-827-1056
Peoria
Bryant & Lynn 309-674-2767

INDIANA
Indiana Assn. for Responsible Mental
Health Practices
Pat 260-489-9987
Helen 574-753-2779

KANSAS
Wichita - Meeting as called
Pat 785-738-4840

KENTUCKY
Louisville- Last Sun. (MO) @ 2pm
Bob 502-367-1838

MAINE
Rumford -
Carolyn 207-364-8891
Portland - 4th Sun. (MO)
Wally & Bobby 207-878-9812

MASSACHUSETTS/NEW ENGLAND
Andover - 2nd Sun. (MO) @ 1pm
Frank 978-263-9795

MICHIGAN
Grand Rapids Area - 1st Mon. (MO)
Bill & Marge 616-383-0382
Greater Detroit Area -
Nancy 248-642-8077
Ann Arbor
Martha 734-439-4055

MINNESOTA
Terry & Collette 507-642-3630
Dan & Joan 651-631-2247

MISSOURI
Kansas City - Meeting as called
Pat 785-738-4840
St. Louis Area - call for meeting time
Karen 314-432-8789
Springfield - Quarterly (Apr., Jul., Oct., Jan.
- last Sat. of month) @ 12:30pm
Tom 417-753-4878
Roxie 417-781-2058

MONTANA
Lee & Avone 406-443-3189

NEW HAMPSHIRE
Mark 802-872-0847

NEW JERSEY
Sally 609-927-5343 (Southern)
Nancy 973-729-1433 (Northern)

NEW MEXICO
Albuquerque - 2nd Sat. (BI-MO) @ 1 pm
Southwest Room -Presbyterian Hospital
Maggie 505-662-7521(after 6:30pm) or
Sy 505-758-0726

NEW YORK
Manhattan
Michael 212-481-6655
Westchester, Rockland, etc.
Barbara 914-761-3627
Upstate/Albany Area
Elaine 518-399-5749

NORTH CAROLINA
Susan 704-538-7202

OHIO
Cleveland
Bob & Carole 440-356-4544

OKLAHOMA
Oklahoma City
Dee 405-942-0531 or
Tulsa
Jim 918-582-7363

OREGON
Portland area
Kathy 503-655-1587

PENNSYLVANIA
Harrisburg
Paul & Betty 717-691-7660
Pittsburgh
Rick & Renee 412-563-5509
Montrose
John 570-278-2040
Wayne (includes S. NJ)

Jim & Jo 610-783-0396

TENNESSEE
Nashville
Kate 615-665-1160

TEXAS
Houston
Jo or Beverly 713-464-8970
El Paso
Mary Lou 915-591-0271

UTAH
Keith 801-467-0669

VERMONT
Mark 802-872-0847

VIRGINIA
Sue 703-273-2343

WASHINGTON
See Oregon

WISCONSIN
Katie & Leo 414-476-0285 or
Susanne & John 608-427-3686

WYOMING
Alan & Lorinda 307-322-4170

CONTACTS & MEETINGS - INTERNATIONAL

BRITISH COLUMBIA, CANADA
Vancouver & Mainland
Lloyd 250-741-8941
Victoria & Vancouver Island -
John 250-721-3219

MANITOBA CANADA
Roma 204-275-5723

ONTARIO, CANADA
London
Adriaan 519-471-6338
Ottawa
Eileen 613-836-3294
Warkworth
Ethel 705-924-2546
Burlington
Ken & Marina 905-637-6030
Waubaushe
Paula 705-543-0318

QUEBEC, CANADA
St. André Est.
Mavis 450-537-8187

AUSTRALIA
Evelyn everei@adam.com.au

BELGIUM
werkgr.fict.herinneringen@altavista.net

ISRAEL
FMS ASSOCIATION fax-972-2-625-9282

NETHERLANDS
Task Force FMS of Werkgroep Fictieve
Herinneringen
Jan 31-184-413-085

NEW ZEALAND
Colleen 09-416-7443

SWEDEN
Ake Moller FAX 48-431-217-90

UNITED KINGDOM
The British False Memory Society
Madeline 44-1225 868-682

Deadline for the JULY/AUGUST
Newsletter is June 15. Meeting
notices MUST be in writing and
should be sent no later than two
months before meeting.

Copyright © 2004 by the FMS Foundation

1955 Locust Street

Philadelphia, PA 19103-5766

Phone: 215-940-1040

Fax: 215-940-1042

mail@FMSFonline.org

www.FMSFonline.org

ISSN # 1069-0484

Pamela Freyd, Ph.D., Executive Director

FMSF Scientific and Professional Advisory Board

May 1, 2004

Aaron T. Beck, M.D., D.M.S., University of Pennsylvania, Philadelphia, PA; **Terence W. Campbell, Ph.D.**, Clinical and Forensic Psychology, Sterling Heights, MI; **Rosalind Cartwright, Ph.D.**, Rush Presbyterian St. Lukes Medical Center, Chicago, IL; **Jean Chapman, Ph.D.**, University of Wisconsin, Madison, WI; **Loren Chapman, Ph.D.**, University of Wisconsin, Madison, WI; **Frederick C. Crews, Ph.D.**, University of California, Berkeley, CA; **Robyn M. Dawes, Ph.D.**, Carnegie Mellon University, Pittsburgh, PA; **David F. Dinges, Ph.D.**, University of Pennsylvania, Philadelphia, PA; **Henry C. Ellis, Ph.D.**, University of New Mexico, Albuquerque, NM; **Fred H. Frankel, MBChB, DPM**, Harvard University Medical School; **George K. Ganaway, M.D.**, Emory University of Medicine, Atlanta, GA; **Martin Gardner**, Author, Hendersonville, NC; **Rochel Gelman, Ph.D.**, Rutgers University, New Brunswick, NJ; **Henry Gleitman, Ph.D.**, University of Pennsylvania, Philadelphia, PA; **Lila Gleitman, Ph.D.**, University of Pennsylvania, Philadelphia, PA; **Richard Green, M.D., J.D.**, Charing Cross Hospital, London; **David A. Halperin, M.D.**, (deceased) Mount Sinai School of Medicine, New York, NY; **Ernest Hilgard, Ph.D.**, (deceased) Stanford University, Palo Alto, CA; **John Hochman, M.D.**, UCLA Medical School, Los Angeles, CA; **David S. Holmes, Ph.D.**, University of Kansas, Lawrence, KS; **Philip S. Holzman, Ph.D.**, Harvard University, Cambridge, MA; **Robert A. Karlin, Ph.D.**, Rutgers University, New Brunswick, NJ; **Harold Lief, M.D.**, University of Pennsylvania, Philadelphia, PA; **Elizabeth Loftus, Ph.D.**, University of California, Irvine, CA; **Susan L. McElroy, M.D.**, University of Cincinnati, Cincinnati, OH; **Paul McHugh, M.D.**, Johns Hopkins University, Baltimore, MD; **Harold Merskey, D.M.**, University of Western Ontario, London, Canada; **Spencer Harris Morfit**, Author, Westford, MA; **Ulric Neisser, Ph.D.**, Cornell University, Ithaca, NY; **Richard Ofshe, Ph.D.**, University of California, Berkeley, CA; **Emily Carota Orne, B.A.**, University of Pennsylvania, Philadelphia, PA; **Martin Orne, M.D., Ph.D.**, (deceased) University of Pennsylvania, Philadelphia, PA; **Loren Pankratz, Ph.D.**, Oregon Health Sciences University, Portland, OR; **Campbell Perry, Ph.D.**, (deceased) Concordia University, Montreal, Canada; **Michael A. Persinger, Ph.D.**, Laurentian University, Ontario, Canada; **August T. Piper, Jr., M.D.**, Seattle, WA; **Harrison Pope, Jr., M.D.**, Harvard Medical School, Boston, MA; **James Randi**, Author and Magician, Plantation, FL; **Henry L. Roediger, III, Ph.D.**, Washington University, St. Louis, MO; **Carolyn Saari, Ph.D.**, Loyola University, Chicago, IL; **Theodore Sarbin, Ph.D.**, University of California, Santa Cruz, CA; **Thomas A. Sebeok, Ph.D.**, (deceased) Indiana University, Bloomington, IN; **Michael A. Simpson, M.R.C.S., L.R.C.P., M.R.C., D.O.M.**, Center for Psychosocial & Traumatic Stress, Pretoria, South Africa; **Margaret Singer, Ph.D.**, (deceased) University of California, Berkeley, CA; **Ralph Slovenko, J.D., Ph.D.**, Wayne State University Law School, Detroit, MI; **Donald Spence, Ph.D.**, Robert Wood Johnson Medical Center, Piscataway, NJ; **Jeffrey Victor, Ph.D.**, Jamestown Community College, Jamestown, NY; **Hollida Wakefield, M.A.**, Institute of Psychological Therapies, Northfield, MN; **Charles A. Weaver, III, Ph.D.**, Baylor University, Waco, TX

Do you have access to e-mail? Send a message to

pjf@cis.upenn.edu

if you wish to receive electronic versions of this newsletter and notices of radio and television broadcasts about FMS. All the message need say is "add to the FMS-News". It would be useful, but not necessary, if you add your full name (all addresses and names will remain strictly confidential).

The False Memory Syndrome Foundation is a qualified 501(c)3 corporation with its principal offices in Philadelphia and governed by its Board of Directors. While it encourages participation by its members in its activities, it must be understood that the Foundation has no affiliates and that no other organization or person is authorized to speak for the Foundation without the prior written approval of the Executive Director. All membership dues and contributions to the Foundation must be forwarded to the Foundation for its disposition.

The FMSF Newsletter is published 6 times a year by the False Memory Syndrome Foundation. The newsletter is mailed to anyone who contributes at least \$30.00. It is also available at no cost by email (see above) or on the FMSF website: www.FMSFonline.org

Your Contribution Will Help

PLEASE FILL OUT ALL INFORMATION
PLEASE PRINT

__ Visa: Card # & exp. date: _____

__ Discover: Card # & exp. date: _____

__ Mastercard: # & exp. date: _____

(Minimum credit card is \$25)

__ Check or Money Order: **Payable to FMS Foundation in U.S. dollars**

Signature: _____

Name: _____

Address: _____

State, ZIP (+4) _____

Country: _____

Phone: (_____) _____

Fax: (_____) _____

Thank you for your generosity.