Dear Friends,

A $7.5 million settlement for Elizabeth Gale in February set a record for individual psychiatric repressed-memory malpractice suits.[1] Ms. Gale, a young woman with no history of psychiatric problems, had sought help for depression. In an all-too-familiar story of hypnosis and memory recovery therapy, she came to believe that she had multiple personalities and was a breeder for a satanic ritual abuse cult. She even had a tubal ligation, approved by her doctor, Bennett Braun, M.D., so that she could no longer be used by the cult. Between 1988 and 1994, Ms. Gale was hospitalized 18 times, for a total of 5 1/2 years. If the names of defendants Bennett Braun, M.D., Roberta Sachs, M.D., Corydon Hammond, Ph.D., and Chicago’s Rush-Presbyterian-St. Luke’s Medical Center seem familiar, it is because you have read about them many times. Braun, Sachs, and the Medical Center were also defendants in the $10.6 million settlement to Patricia Burgus and her family in 1997.

Dr. Braun, currently practicing in Helena, Montana, following restoration of his suspended license, was one of the founders of the International Society for the Study of Multiple Personality and Dissociation.[2] Ms. Gale had the misfortune of being referred to Dr. Braun at the height of the multiple personality and satanic ritual abuse madness supported by that organization.

One would think that the huge retractor settlements and awards in recent years would prove a deterrent to others bent on finding ritual abuse in patients. Unfortunately, that is not the case. The California Psychological Association (CPA) will present a workshop on “Psychotherapy with Ritual Abuse Survivors” at its San Diego conference on March 25-28.[3] Speakers Ellen Lacter, Ph.D., and Mary Battles, MFCC, have long advocated the unscientific ritual abuse beliefs that have brought such misery to so many patients and families. It is amazing that the CPA displays such disregard for patient safety. However, as attorney Chris Barden has noted: “The associations and licensing boards have proven virtually worthless in policing their own ranks…”[4] Dr. Barden thinks that both encouraging professionals to base their practice in science and bringing highly visible litigation are needed for change.

In the past, some therapists have argued that understanding science will not make them better therapists. We thought of that argument when we read the following recent comment by Fred Crews:

“The reason why psychotherapists ought to familiarize themselves with actual knowledge about the workings of memory, and why their professional societies should stop waffling and promulgating misinformation about it, is not that good science guarantees good therapy; it is simply that pseudoscience inevitably leads to harm.”[5]

Psuedoscientific beliefs about recovered memories and satanic abuse have harmed thousands of people in the past decade, both patients such as Elizabeth Gale, who came to hold false beliefs, and the people who were accused on the basis of false beliefs. One of those accused people was Saskatchewan’s Richard Klassen, who brought a lawsuit against those who prosecuted him. He claimed that the prosecutors were malicious because, among other things, they should have recognized the absurdity of most of the claims. In January, Justice George Baynton held that Klassen had proven the case for malicious prosecution, writing:

“The lives of the plaintiffs have been irrevocably damaged. The unlawful actions of the defendants caused them to be held up to hatred and public ridicule by being branded as pedophiles and wrongfully charged with the most horrible and distasteful crimes in our society … In my respectful view, the lack of any regret or remorse for what was done to the plaintiffs is a strong indicator of malice on the part of each of the defendants.”[6]

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The next issue will be May/June 2004
A common thread among those who say that they were falsely accused of abuse, such as Kelly Michaels and George Franklin, has been the effort to clear their names. Parents who were not prosecuted feel the same. One father wrote to us saying that he wanted to “stand on the rooftop and shout to the world, ‘I am innocent.’” Sadly, few people falsely accused have received or are likely ever to receive an apology. In this Newsletter issue, you will read that Jesse Friedman has filed a lawsuit against prosecutors. Jesse said: “I’ve been waiting 16 years now to prove my innocence.” Jesse’s suit uses new evidence found in the making of the documentary Capturing the Friedmans, which has been nominated for an Academy Award.

Claims of satanic ritual abuse and new false accusations based only on recovered memories do seem to have dropped sharply since the explosion of the early 1990s. Although there remain cases from that period in which people such as Bruce Perkins or Cecil Miller languish in prison (see “Project Jericho,” p. 4), the feeling is that the situation has improved. FMSF groups in Ohio and Indiana have stopped publishing newsletters. An FMSF group in Cincinnati no longer feels the need to meet. And volunteers in Georgia wrote to us that “we have had no new FMS contacts this past year. We hope that there will be no new cases, but we are afraid that it could start again when memories of the lawsuits and large settlements fade.”

The fact that the California Psychological Association has a session about ritual abuse on its program is evidence of how easily the return to reason could be derailed. The comment by Dr. Steven Hyman (found in the large box below) about the reluctance of professionals to employ evidence-based therapies is an indication that the foundation for continued improvement is not solid. Reviewing

“Most counsellors find cognitive-behavioral techniques unappealing. Dr. Steven Hyman is a neuropsychiatrist and the provost of Harvard University; in 2001, he was the head of the National Institutes of Mental Health. ‘When I was N.I.M.H. director, I was upset by how few people wanted to learn cognitive-behavioral therapy,’ Hyman told me. ‘Here was a therapy proven to be effective by clinical trials. But psychologists and psychiatrists are so interested in people, and they want to cure you with their understanding and empathy and connection. The cognitive-behavioral approach is by-the-book, mechanical, pragmatic. The therapists find it boring. It’s not their idea of therapy, and they don’t want to do it.’ Debriefing holds more allure for most counsellors, for it reflects a prevailing cultural bias; namely, that a single outpouring of emotion—one good cry—can heal a scarred psyche.


Remembering Trauma and Memory, Trauma Treatment, and the Law in the March 11 issue of the New York Review of Books, Fred Crews warns:

It would be a serious mistake... to assume that reckless traumatology has now been permanently laid to rest. The conviction that fathers are naturally prone to incestuous rape is still current. In some academic departments, a dogged literalism about the repression/dissociation of trauma has become oddly wedded to postmodernist suspicion of science. Furthermore, most of the “trauma centers” that sprang up in the 1990s to study and treat psychogenic amnesia are still operating under the same premises as before. As for the theoreticians of recovered memory, they continue to use their positions of authority in universities, hospitals, and professional organizations to advance the views whose hollowness McNally has exposed, and they can still count on a surprising level of support from their colleagues.

It seems, then, that there is movement on the continuum from some unscientific beliefs about memory in the early 1990s to an ideal in which people can expect safe and effective psychotherapy, but the progress is fragile. A huge malpractice settlement in the Gale case is countered by a professional organization’s support for ritual abuse. Acknowledgement of malicious prosecution in the Klassen case is countered by professional reluctance to practice evidence-based therapy and by the institutionalization of unscientific beliefs.

The climate has improved, but it can get better.
In Memoriam

David A. Halperin, M.D., died on December 3, 2003, at the age of 69 in New York City. After obtaining his M.D. degree at the University of Virginia in 1960, Dr. Halperin launched an illustrious 43-year career. Maintaining a private practice in psychiatry and psychoanalysis, Dr. Halperin was a consulting psychiatrist for the Custody Panel, Supreme Court of the State of New York. He also was an Associate Clinical Professor in the Department of Psychiatry at Mount Sinai School of Medicine, New York City, and an Adjunct Associate Professor at the John Jay College of Criminal Justice of the City University of New York.

Throughout his career, Dr. Halperin was concerned about the dangers of destructive cults, and he spoke and wrote about this topic frequently. He helped found the Cult Hotline and Clinic, which was awarded the William Lederer Award from the National Jewish Child Guidance Association.

Dr. Halperin always was available to help FMS families in need. Many people got to know him in 2000 when he organized “False Memory Syndrome: New Perspectives,” the excellent conference on April 7 that was sponsored by the New York Medical College Department of Psychiatry and Behavioral Sciences and the Westchester Medical Center Behavioral Health Center for professionals. A conference for families followed this event.

Dr. Halperin served since 1993 as a member of the FMSF Scientific and Professional Advisory Board. During the challenging first years of the Foundation’s activities, he frequently appeared on television talk shows countering “recovered memory” proponents such as Ellen Bass. It was a time when the general climate could be quite hostile to the notion of false memories. FMSF member Shirley Souza commented, “David Halperin was so special to us because he was willing to come on the Sallie Jesse show with us. I hope that people who are relatively new to FMSF will benefit from his vast knowledge and writings.”

Dr. Halperin will be greatly missed.

Study Prompts Broad Interpretations


A study by Anderson et al. appearing in the January 9, 2004 issue of Science generated many news stories claiming that the mental mechanism for Freudian suppression had been found. Some stories related the research to the current recovered memory debate.

The researchers asked 24 participants to memorize 36 sets of word pairs—for example, “steam-train.” Sometimes participants were asked to suppress the target word (e.g., train), sometimes they had to remember the target word, and sometimes they didn’t have any practice with the pair at all. The researchers tracked brain activity using functional magnetic resonance imaging. The results showed that after many efforts to suppress the target word, participants were slightly less able to recall it when encouraged to do so.

Anderson et al. said that the research shows the “active process by which people can prevent awareness of an unwanted past experience and specifies the neural systems that underlie it.”

The study is essentially the same as that reported by Anderson and Green in 2001 [1] with the addition of the brain imaging procedures. FMSF advisors Henry Roediger, III, and August Piper, Jr. commented in FMSF Newsletters [2] on the 2001 study, noting that the results were modest, that neutral words were not traumatic events, and that caution in interpretation of the results was needed. Those comments also apply to the new study.

Neuropsychologist Larry Squire has questioned whether Anderson et al. actually measured the neurological basis for how people can shove something out of mind as claimed by the researchers. He noted that “It’s possible the subjects are simply directing their attention elsewhere and using a lot of energy and brain resources to think of something different. I don’t think it is necessarily an indication of active repression.” [3]

The data from Anderson et al. do not appear to relate to the recovered memory debate. The claims challenged in that controversy are that there is a special mental mechanism for traumatic memories, that people commonly repress traumatic memories, that these memories are stored unchanged in a leaky container somewhere in the brain, and that the memories can later be accurately recovered. The notion that some people can push unwanted ideas out of awareness has never been at issue. [4]


Anderson Study

“Here’s a good piece of research from two world-leading universities showing that people have some conscious control over what they remember and what they forget. It uses pairs of words. What that has to do with repressed memories of child sex abuse is another question….People are all in agreement that some forgetting is under our control. But it’s another big step to say that the same processes are involved in forgetting more traumatic memories.”

We Canadians cannot close the door on this twisted chapter in our legal history without revisiting Canada’s largest ritual abuse investigation, which started in the town of Prescott, Ontario, in 1989. Here was a small community in which social workers, police, and prosecutors claimed to find 119 pedophiles engaged in a multifamily, multigenerational network of child molestation: 275 children and adults were declared to be victims, 42 children were taken from their homes, and 28 were eventually made wards of the Crown. Social worker Pam Gummer, who helped coordinate the investigation, later said that “[Prescott] is not a unique situation in terms of abuse,” as though almost any town the investigators cared to examine might yield up the same results.

The Prescott investigation, known as Project Jericho, started with three children, who journalist Judy Steed called Lucy, Freddy, and Joey.[3] Lucy was the oldest at 7 and her younger brothers were barely verbal. There is no question that the children were neglected by their mother. The house was a pigsty, and the family was being supervised by Child Protective Services. The authorities were right to intervene with this family. But in this case, they took a bad situation and turned it into a nightmare.

One day, a social worker observed Lucy rubbing herself. The child might have had a urinary infection, which wouldn’t be surprising considering the family’s lack of hygiene. But the mother’s common-law husband, Billy Elliott (who was father to none of the children) came under suspicion. Lucy, Freddy, and Joey were examined by a doctor and apprehended. No charges were laid at that time.

Instead, according to Steed’s account, the three children were placed in a succession of foster homes and a year went by. In the summer of 1989, their third set of foster parents reported that the children were telling bizarre stories of sexual abuse, of strange rites in the basement with groups of adults “dressed in gowns and masks,” of being given “yucky juice” to drink, of killing animals, of digging up skeletons from the cemetery, of being threatened with guns and knives, and of being sexually assaulted and videotaped. Steed wrote that the police found evidence to corroborate the charges. Whatever the evidence was, it was not videotaped. No videotape evidence was ever presented. The only physical evidence Steed mentions is that that Lucy claimed to have been abused in the basement and, lo and behold, investigators found a crawl space filled with garbage at her grandparents’ house. Another newspaper article states that the children had been cut with knives, but the final Prescott report states that the children had been “terrorized” with knives.

Those familiar with well-known ritual abuse hoaxes, like Bakersfield and McMartin Daycare in California and Fells Acres in Massachusetts, will recognize that familiar feeling of dismay when reading the press coverage of the Prescott investigation:

Social workers at first wanted to investigate whether the abuse was part of a Satanic ritual.... Police often met with child victims several times, because it took time to win their trust.... Investigators went beyond the traditional boundaries that had been set when probing such cases.... “What we did differently was ask the question: ‘Has anyone else done anything like this to you?’”

Over a period of months, the accusations bloomed to include the murder of a baby named Joshua. As the investigation progressed, Billy Elliott’s relatives and acquaintances also came under suspicion. According to Steed, the accused could be described as hillbillies or “white trash.” Many were uneducated, poor, on welfare, and of below-average intelligence. One man was pulled off the street for questioning because neighbors pointed him out as a weirdo who was always hanging around. The man, Cecil Miller, was retarded, illiterate and slightly crazy. When questioned, he admitted to abusing 17 children, and he named other
adult abusers. Another mentally handicapped man was described as “easily manipulated.” He was one of those who pled guilty.

It’s possible that some genuine pedophiles were caught in the Project Jericho dragnet—after all, the investigators interviewed half the adults in town. But it’s also probable that accusations and confessions were obtained through intensive questioning of a group of vulnerable people. Some persons were identified as both perpetrators and victims, because the hidden abuse had allegedly gone on for generations. So how did a perpetrator fare in court if he did not also claim victimhood? And how could he claim victimhood without accusing others? One young mother said she accused her own parents because that’s what the police and social workers wanted to hear. They had apprehended her son, whom she desperately wanted to get back.

The web of accusations and counter-accusations grew to ensnare hundreds of people. Entire families were decimated. One of the accused committed suicide. It’s as though a slum clearance project was conducted with social workers instead of bulldozers. Bulldozers would have been kinder.

Many adults were sentenced to prison whereas the children were sentenced to counselling. One doesn’t know whether to laugh or cry while reading Judy Steed’s account of the therapy sessions:

They would arrive for therapy and just sit in the playroom, surrounded by toys, not knowing what to do.... “They wanted us to think they were happy, and that’s all they wanted us to think,” says [one of the therapists]... “A typical client, 10 years old, who arrives for her session, says, ‘I’m fine,’ and makes it very clear she’s not interested in talking about abuse or going to court.”

When the child victims got to court, most of the initial ritual elements were not presented. At trial, when asked to talk about what happened down in the basement, Lucy and Freddy couldn’t or wouldn’t talk about it.

It is a point of pride with Desmond McGarry, the special prosecutor appointed to try the Prescott accused, that the trials focused on criminal sexual acts and nothing more: “If you review the transcripts of the Jericho cases, you will nowhere find the [courts] or the police asserting a ritual element to these offences...and while there is no question there were allegations that either did not happen or that could not be proven, I think it is fair to say that no one was prosecuted for an offence that did not happen.”

On the other hand, if the jury was deprived of hearing and understanding the context in which the allegations arose, then it appears that valuable exculpatory evidence was kept from the courtroom. “Billy touched my private parts” is a straightforward accusation. “Billy touched my private parts, then buried me in a dungeon and shot a baby” is something else again. While McGarry blamed the media for sensationalizing the case by dwelling on the satanic and ritual aspects, the media were not the ones who dubbed the investigation “Project Jericho,” a reference to the biblical Joshua, in honor of the infant allegedly murdered.

Billy Elliott served eight-and-a-half years in prison. At one point, he was charged with murdering baby Joshua, but that charge was dropped when police couldn’t find a body. Another defendant died in prison. The other Prescott defendants were given shorter sentences.

The Project Jericho investigators claimed to consult with experts, yet they believed they were forging new ground. A report on the investigation states “Most of the available literature was based on the American experience and wasn’t very helpful.” But at the same time the Prescott investigators were drawing accusations out of dozens of children, California’s McMartin Daycare case disintegrated as the jury realized that children could be pressured into telling absurd tales. Even as the Ontario police were excavating backyards in the search for baby Joshua, researchers such as Dr. Maggie Bruck of McGill University were doing ground-breaking research into the suggestibility of young children. There was ample evidence to conclude that mass molestation cases must be viewed with suspicion.

The people of Prescott, understandably, would just as soon forget about Project Jericho. But this is a case which deserves scrutiny.

Lona Manning is a freelance writer and advocate for persons wrongfully accused of ritual child abuse. She maintains a website, “Imaginary Crimes,” at http://members.shaw.ca/imaginarycrimes.

1Steed’s account of the Prescott case appears in her 1994 book, Our Little Secret: Confronting Child Sexual Abuse in Canada.

Recovering from Recovered Memories
Mark Pendergrast

The November/December issue of the FMSF Newsletter included the introduction to an unpublished book proposal by Mark Pendergrast, to be called Recovering from Recovered Memories, with a promise to bring you more excerpts in installments. Here is the end of the introduction and beginning of Chapter 1.

Recovering from Recovered Memories is addressed primarily to those who were most directly affected, those with the “recovered memories.” They have lost the most and have the most confusion and guilt. The book is also intended for everyone involved in this phenomenon, including:

- adult children who recovered memories and still believe them to be memories of actual events.
• adult children who recovered memories and are now questioning them to some degree.
• adult children who recovered memories and have now fully retracted their accusations.
• spouses of accusing adult children.
• siblings who supported their accusing sibling’s memories.
• siblings who supported their accused parents.
• parents who lost their children to recovered memories.
• extended family members (aunts, uncles, cousins, grandparents).
• friends of the family, including clergymen, teachers, lawyers.
• mental health professionals who wish to help families seeking to reunite and heal.

As you read this book, keep the words of the poet William Blake in mind:

_Mutual Forgiveness of each Vice, Such are the Gates of Paradise._

Chapter 1: How Could This Have Happened to Me?

“We are frightened, we are embarrassed, we are confused, and we are in shock.”

So writes Melody Gavigan, a “retractor” who concluded that her incest memories, recovered during therapy in 1990, were illusory. Her father never had sex with her. All of her accusations were false.

Yet she still has the images of those “memories” etched on her brain. She still has the anger and the emotions sometimes, directed at her father and her mother, who had been accused of knowing about the abuse and doing nothing. Melody still doesn’t really understand what happened to her. Not only that, Melody has to put up with the resentment and hatred of others who do not understand what happened to her.

“You’re a liar who ruined your family.”

“You must have been really sick or psychotic to fall for that.”

“How could you have been so stupid?”

“How could you let someone play with your mind like that?”

“Well, your memories might not be real, but your father must have abused you in some other way.”

“You really were a victim of incest. Now you’re in denial again.”

“If you can’t trust your memories, how do you know your memory is correct now?”

People coming out of their recovered memories face a devastating reality: They were had. They were wrong in a fundamental, terrible way about their own pasts, their own memories. How could this have happened? Doesn’t this mean that they were crazy, or that they were stupid?

No. Throughout history, people have been susceptible to group fears, to social pressure, to fad diagnoses. For two centuries (the 16th and 17th), for instance, all of civilized Europe engaged in a terrible hunt for witches — and many of the accused came to believe that they were, indeed, witches or that they were possessed by demons. In the late nineteenth century, only a hundred years ago, a mythical disease called “neurasthenia” afflicted many people, particularly those in the upper classes. Neurasthenics supposedly suffered from overly refined, sensitive nervous systems, and their supply of “nervous force” was depleted. The cure for such a delicate, neurasthenic woman was to lie in bed and be fed and washed by attendants. She must not even speak, use her hands, or read. And, most important, she was to be isolated from her family, relying completely on her all-wise physician.

What happened to you was not really so unusual. It is understandable. You were offered an explanation for problems in your life that otherwise seemed inexplicable. You probably resisted that explanation, since it hurt so badly, but it became an obsession to know the truth, to face your horrible past. And you entered a downward spiral in which incest memories were the inevitable result.

What most people looking at the recovered memory phenomenon do not understand is how compelling it is, how much it explains, how it provides the key to the puzzle of your life.

If you who are reading this sentence recovered memories of abuse, it is 99% certain that you did so after going through a very difficult time in your life, often a transitional period of uncertainty and stress. Here is one typical case study [to be printed in the next issue of the Newsletter].

In each chapter, we will introduce another real-life situation, but all names have been changed. In this particular instance, the stress that preceded the “memories” involved the difficult transition from adolescence to adulthood, during the college years. Many other cases involve troubled relationships, moves to a new home, job difficulties, sexual dysfunction, substance abuse, eating disorders, depression, panic attacks, or illness. It does not appear to matter what the precipitating life stressor was. If the person then sought therapy from someone who believed in massive repression, the end result was the same.

It is important to understand that therapy is not necessary for someone to recover questionable “memories” of abuse. In many cases, just reading a book, talking to a friend, attending a lecture or church meeting, joining a support group, or watching a television show were sufficient.

Mark Pendergrast is the author of _Victims of Memory: Incest Accusations and Shattered Lives_ as well as _God, Country and Coca Cola, Uncommon Grounds, and Mirror, Mirror_. Mark welcomes your responses to this proposal.

E-mail: markp@nasw.org

□
A Retractor Honors
Margaret Thaler Singer
by Jeanette D. Bartha

Humanity lost a kind soul and a great mind when Dr. Singer died this past December.

As a retractor who experienced the inhumane aspects of repressed memory therapy, I am grateful for this unique opportunity to share with you how her life’s work facilitated my understanding of the mechanisms of recovered memory therapy. This in turn sparked my healing process.

The voluminous writings of Dr. Singer brought the concepts of brainwashing, thought reform, and coercion from dusty peer-reviewed articles into mainstream publications, where I first read her work. After years of study, I believe these concepts are at the crux of repressed memory therapy. Without doubt, I know that I did not receive psychotherapy but rather a potent form of psychological manipulation.

Margaret Thaler Singer was raised and educated in the mountains of Colorado, likely contributing to her ability to stand soundly in practicality, while some of her contemporaries shot off into fringe therapies that both harmed patients and led to the decline in credibility of psychotherapy as a whole.

The death of Dr. Singer passes the torch to each of us taught in the web of deceitful psychotherapy. We are challenged to carry on her work by fearless-ly exposing psychological manipulation that destroys individuals who seek help and often leads to the disintegration of their loving families.

I will miss knowing she is there to guide me, to counsel me, and to laugh with me. I agree with Pat Crossman, a long-time friend of Dr. Singer’s, who tenderly told me, “Margaret was a good soldier to the end.”

Butterfly Effect
Takes MPD to New Level
Pamela Freyd

In response to reader requests for comments, we went to see the new multiple personality movie, Butterfly Effect, on its opening weekend. Even though the film was number one in box office receipts on the weekend of January 24 and 25, its reviews were predominately negative. For example: “staggeringly bad.” (New York Times); “Hollywood has surpassed itself in its contempt for the audience’s intelligence.” (The Times [London]); “If you approach this movie in the right frame of mind—that is, with total contempt—you can still enjoy it as a comedy.” (Buffalo News).

The story begins when 7-year-old Evan Treborn’s mother is asked to go to his classroom to see a particularly gruesome picture that he had drawn. Evan does not remember making the picture because he regularly experiences blackouts that no one can explain. Thirteen years later, a college-aged Evan (played by Ashton Kutcher) starts to recover long-repressed memories of what had happened during the blackouts. He recalls an incident of sexual abuse, his father trying to strangle him, and other unpleasant things. He also discovers a way to go back in his mind and change what happened. When he talks about time travel with his mom, she tells him that his institutionalized father started to engage in time travel when he was Evan’s age.

According to Daniel Newman of the Richmond Times, the driving principle of Butterfly Effect is taken from a classic story by Ray Bradbury, “The Sound of Thunder,” in which a man discovers he can alter the present by making a tiny change in the past. (You can read it on http://www.sba.muhio.edu/snavely/415/thunder.htm). The Butterfly Effect takes child abuse and loss of memory to the ultimate level. The protagonist changes not only his own personality, but also the history and personalities of all the other characters. By altering one moment in his life, he also alters the lives of his friends. And Evan does this time and time again, trying to make the present perfect.

How does Evan manage such time travel? All he has to do is read his old journals. Then, accompanied by a whooshing sound and getting a nosebleed, off he goes. The film can be seen as a spoof on MPD: Why stop at multiple personalities? Let’s have multiple histories instead. Multiple universes! We think it highly unlikely that movie-goers will leave the theater as believers in MPD.


Every now and then a book appears that can be instantly recognized as essential for its field—a work that must become standard reading if that field is to be purged of needless confusion and fortified against future errors of the same general kind. Such a book is Remembering Trauma, by the Harvard psychology professor Richard J. McNally...

McNally’s title Remembering Trauma neatly encapsulates the opposing views that, for a whole generation now, have made the study of trauma into psychology’s most fiercely contested ground. Are scarring experiences well remembered in the usual sense of the term, or can some of them be remembered only much later, after the grip of a self-protective psychological mechanism has been relaxed? This is the pivotal issue that McNally decisively resolves. In the process, he also sheds light on a number of related questions. Does memory of trauma stand apart neurologically from normal memory? Does a certain kind of traumatic experience leave recognizable long-term effects that can vouch for its historical reality? What memory problems typify traumatic stress disorder, and does the disorder itself “occur in nature” or is it a cultural construct? And is memory retrieval a well-tested and effective means of helping adults to shed depression, anxiety, and other psychological afflictions?

Ms. Gale’s treatment with Braun ended in 1994, and her treatment with Sachs ended in 1997. She started to reflect on her therapy after reading about the Burgus case. When asked how she came to believe that her recovered memories had been wrong, Ms. Gale stated: “Very slowly. Actually, I’ve thought about that. I think the process progressed the more I was away from Braun. I know that moving out on my own was a big step towards realization of what happened. There really wasn’t a definitive moment when I said this is all wrong.” Gale is still working to put her life back together.

The case settled even before depositions had been taken, according to attorney Bravos. He said that the evidence spoke for itself, noting that Gale had videotapes given to her by the hypnosis sessions conducted by Hammond.

Mary Ellen Busch, who represented Rush, noted that Braun and his colleagues were not employed by the hospitals. She said that the courts settled because they were concerned that a jury would not understand the methods used by Braun, Sachs, and Hammond. She said that these methods were widely accepted at the time.

Richard H. Donohue, attorney for Roberta Sachs, said that the amount was so high because she is the person who had the insurance coverage. He said that Sachs did not play a large role in Gale’s treatment. Gale, however, has noted that Sachs ran the program.

Sachs is believed to be in Maryland. Braun, whose license was suspended in Illinois for several years, is currently practicing in Helena, Montana, having had his license reinstated. Hammond is on the faculty of the University of Utah and continues to practice.

Rush-Presbyterian-St. Luke’s Medical Center was represented by Mary Ellen Busch and R. Dennis Rasor of Anderson, Bennett & Partners in Chicago. Roberta Sachs was represented by Richard H. Donohue of Donohue, Brown, Matthewson & Smyth in Chicago. Bennett Braun was represented by Martin A. Kanofsky of Merlo, Kanofsky & Brinkmeier Ltd. in Chicago.

Elizabeth Gale was represented by Todd A. Smith and Ken Merlino of Power, Rogers & Smith P.C. in Chicago and by Zachary M. Bravos and Roger H. Kelly of Wheaton, Illinois.


1. Although Patricia Burgus received a $10.6 million settlement in 1997, the
money included payments to her two children. Below is a list of some previous settlements and awards over $1 million. (No information is available on the amounts of the many confidential settlements.)

2. Included in this time were 143 days spent at Charter Hospital in Miami (6-11-90 to 11-01-90).

### Settlements and Awards Exceeding $1 Million in Recovered Memory Malpractice Cases

**Jury Awards**

**Hammane v. Humenansky**, U.S. Dist. Ct., Cook Co., IL, Case No. C4-94-203. In 1995, jury awarded $2.46 million to a woman after finding psychiatrist negligently failed to meet recognized medical standards and directly caused injury. Woman sought treatment for anxiety after a move, but was diagnosed MPD and told she experienced childhood sexual and ritual abuse despite contrary evaluations and lack of memories of abuse. Treatment included hypnosis, guided imagery, sodium amytal, antidepressants, lengthy hospitalizations. No informed consent. Awarded $200,000 to husband for loss of consortium.

**Carlson v. Humenansky**, Dist. Ct., 2nd Dist., MN, No. CX-93-7260. In 1996, unanimous jury verdict found that psychiatrist failed to meet recognized medical standards and directly caused injury. Awarded $2.5 million. Woman had entered therapy for depression and marital problems but claimed therapy caused her to develop false memories of childhood sexual and ritual abuse. Treatment included sodium amytal, guided imagery, hypnosis.

**Carl v. Keraga**, U.S. Federal Ct., Southern Dist., Tex., Case No. H-95-661. In 1997, jury found remaining defendant 24% liable (individually and through her corporation) for injury to patient. Awarded $5.8 million. Several jurors said they were concerned about failure to warn of the risks of treatment. Woman claims she was misdiagnosed MPD and told she had over 500 personalities to cope with childhood abuse, ritual murder, cannibalism, and torture. She was instructed to report herself to the police as a child molester, even though she had no memory of ever abusing her own children. Her teenage children were also hypnotized and told they were victims of a cult. All but 2 of other 25 defendants settled out of court prior to trial.

**Sawyer v. Middelfort**, 1999 Wisc. 595 N.W.2d 423. Jury verdict March 16, 2001. After a three-week trial and 10 hours of deliberations, a jury awarded Thomas and Delores Sawyer $5.08 million in a third-party lawsuit against their daughter's former therapists. The Sawyers had been accused of sexual and physical abuse by their daughter, Nancy, who was deceased. In 1998, the case had been dismissed on summary judgment but was revived in a decision by the Wisconsin Court of Appeals in 1998. In 1999, the Wisconsin Supreme Court held that the third-party claims in this suit should not have been dismissed. The court emphasized that the parents could sue their daughter's therapist for injuries caused directly by the false allegations, but not for the 'loss of society and companionship' of their daughter.


In a strongly worded 169-page opinion, Saskatchewan Justice George Baynton ruled on December 30, 2003, that Richard Klassen and 11 others had demonstrated that they had been victims of malicious prosecution by two Crown prosecutors, therapist Carol Bunko-Ruys, and police Supt. Brian Dueck. Justice Baynton wrote:

“The lives of the plaintiffs have been irrevocably damaged. The unlawful actions of the defendants caused them to be held up to hatred and public ridicule by being branded as pedophiles and wrongfully charged with the most horrible and distasteful crimes in our society ... In my respectful view, the lack of any regret or remorse for what was done to the plaintiffs is a strong indicator of malice on the part of each of the defendants.”

In 1991, Richard Klassen and others were charged with abusing children in bizarre ways: forcing them to eat eyeballs, drink blood, participate in orgies, and watch newborn babies get skinned and buried. The case was called the “scandal of the century.” The real scandal, Justice Baynton wrote, “is the travesty of justice that was visited upon 12 of those individuals, the plaintiffs in the civil action, by branding them as pedophiles, even though each of them was innocent of the horrendous allegations and criminal offenses charged against them.”

The burden of proof in malicious prosecution cases is high. Two years ago, the Canadian Supreme Court in the Benoit Proulx case held that the following must be shown: 1) The proceedings were initiated by the defendant. 2) The proceedings have terminated in favour of the plaintiffs. 3) There is an absence of reasonable and probable cause. 4) The existence of malice, or a primary purpose other than that of carrying the law into effect. “Errors in judgment, ill-advised exercise of discretion, professional negligence or even recklessness on the part of the defendants are not sufficient to establish liability for malicious prosecution.” [1]

Justice Baynton found that malice
had been shown in a number of instances. For example: Many adults had been named as abusers by the children, but only the Klassen and Kvello families were prosecuted. The defendants knew that two of the complaining children were being sexually abused by their brother but made no effort to place them in separate locations. Therapist Bunko-Ruys and Supt. Dueck knew that the children were lying and that their stories were inconsistent. The court’s ruling states:

“Another strong indicator of malice on the part of Bunko-Ruys is the manner in which she responded to [K.R.] when [K.R.] confessed to her that she had lied in court about being abused . . . By withholding and in effect attempting to stifle such evidence, Bunko-Ruys may . . . have run the risk of being charged with the criminal offence of obstructing justice. At the least, her conduct shows bad faith and malice towards all the individuals who were charged, including the plaintiffs. All the defendants, except for Dueck, maintained that the stays were entered by the Crown because the [R.] children were too traumatized to testify again . . . They did not reveal that the stays were entered because the evidence of the [R.] children was inherently unreliable. By adopting such a position, the defendants, except Dueck, caused the public to presume that the plaintiffs were guilty as charged. The response of Bunko-Ruys to the recantation that was made to her, constituted a deliberate decision on her part to stifle the truth so that this public perception of the guilt of the plaintiffs would remain unchallenged . . . ”

Richard Klassen, who has only a 7th-grade education, began the malicious prosecution lawsuit in 1994. The lawsuit went nowhere, however, until the CBC program *Fifth Estate* aired an episode showing problems with the investigation in the case. Klassen then fired his lawyers, bought a $350 civil law book and a bullhorn, painted signs, and picketed outside the Saskatoon Police headquarters.

Klassen filed his lawsuit in order to clear his name and the names of others in his family. When Marie Klassen was on her deathbed in 1995, she had asked her children to “clear our names.” Klassen said that he could not rest until his family was completely exonerated and expressed frustration and disappointment that the Crown has filed an appeal of the Baynton decision.

The plaintiffs seek $10 million. A separate hearing to determine the amount of award is scheduled for September 13, 2004, after the Court hears a Crown appeal of the Klassen decision.


**Jesse Friedman Seeks to Have Conviction Overturned**

In January 2004, Jesse Friedman filed a motion in Nassau (New York) County Court to have his conviction of child sexual abuse overturned. Mr. Friedman and his family were the focus of the 2003 Academy Award nominated documentary *Capturing the Friedmans*. [See *FMSF Newsletter* 12 (4)]. Friedman now contends that he lied when he confessed to sexually abusing children in computer classes that his father ran in their home. He was 19 years old in 1988 when he went to prison and was paroled after serving 13 years. The 1000-page filing is based on information gained during the making of the documentary. Friedman is represented by Mark Gimpel and Earl Nemser of Manhattan.

The motion argues that prosecutors failed to provide potentially exculpatory information during the trial as they should have under New York law. The prosecutors knew that the vast majority of the students had no memory of any abuse, and those students who did eventually testify had been subjected to manipulative and suggestive questioning by the police. In one case, a detective visited a student 15 times in order to get incriminating testimony. In addition, hypnosis was used in memory retrieval attempts. A number of the students later admitted that they had provided false testimony in order to put an end to the questioning.

Jesse Friedman said: “I’ve been waiting 16 years now to prove my innocence. Andres [Jarecki, the producer of *Capturing the Friedmans*] was able to uncover a tremendous amount of information … to prove what I always suspected was the case. I never doubted me.”

Frances Galasso, the detective in charge of the Friedman case, defended the integrity of the investigation and denied that hypnosis was used.

Commenting on the case, the president of the New York State Association of Criminal Defense Lawyers, Richard Barbuto, said that various court cases have established that the defense is entitled to the inconsistent statements made by witnesses. He noted:

“Especially in sex cases, you always ask for inconsistent statements in the discovery phase since we have learned that these techniques can be faulty in and of themselves and, also, when abused, can produce false results. Guilty pleas are a product of knowing what the evidence is, and as defense lawyers, when the prosecution doesn’t want to tell us what happened, it makes it difficult to tell our clients whether to go forward. Discovery is designed so we wouldn’t have trial by ambush.” (quoted in *Topping & Bonilla*, 2004)


Picked Up Where She Left Off

I thought you would like to know that our daughter, who sent her “letter” to us in July 1991, has over the past 18 months slowly and carefully resumed contact with us and her siblings. She is also in the process of mending fences with her former friends.

In June 2002, I received a birthday card and a nice note from her after years of silence. I responded with a short note of thanks. She then began corresponding on a regular basis with me and, after a while, included her dad in her notes. Slowly, she has begun corresponding via e-mail and mail with the rest of our family. She called me on my birthday in 2003 (the first voice contact we had) and then began calling me on a regular basis. These calls evolved to include her dad. She had married and, when she recently found out she was pregnant, began planning on a visit from me. I flew out to see her in September and to meet her husband and our newest grandchild. It was a relaxed and wonderful visit. I will be returning in February for another visit. She plans to come “home” with her family this summer to see her dad and all her siblings and their families.

We have not discussed her past 11 years except to catch up on her career and marriage, and I have not pushed it, as from all the literature I have received from you, I know this often happens and we must let it take its course.

Last week she and her family drove several hours to meet two of her first cousins and their families and had a joyous reunion.

What is amazing is that she basically has picked up where she left off, and everything feels normal, even though, of course, this whole thing is quite strange. After several years of her absence, I had given up all hope of ever having any kind of normal relationship with her, and as time went on, it became more and more unlikely. What a shock! She tells me her goal is to mend all her relationships, and she is working hard to do that.

Thank you for all of your support during these past years and for allowing us to get a handle on what has been happening and how to deal with it. I can’t imagine how this would have ever played out for us if we hadn’t been aware of the thousands of families in similar situations and the advice and information provided by your organization. Thank you from the bottom of our hearts.

A happy mom and dad

agree to disagree

Our daughter made contact with her mom several months ago after many years of no contact, although we did have knowledge of how she was doing because she had contact with her brother. He always supported us but made himself available to her when she needed him. Fortunately, she has turned her life around from her difficult teens and twenties and is now happily married and expecting a child. She wants her mom to be involved, and we have heard that this is not unusual. We are both delighted that she is expecting a child, and we discussed whether her mom should be involved without me. We decided that in order to know our grandchild, we needed to agree to this arrangement.

Our daughter would be classified as a returner since she doesn’t want to discuss the estrangement at this time. She and her mom have met, and they now exchange e-mails several times a week. Her mom has also met our daughter’s husband and is very pleased with him. She said “she married someone just like her father!” Currently, all of the focus is on the upcoming birth, and there is no time to discuss or mention the past. For now that is good enough for us.

Actually, our daughter is a partial returner since she does not want to deal with me at this time. One parent at a time seems to be all she can handle. She asked her mom to agree to disagree and not try to persuade her to include me at this time. We are optimistic but still wary of what all that means.

As an aside, we were in Barnes & Noble for coffee recently. The coffee shop is adjacent to the self-help books. There on prominent display was Courage to Heal. It appears we still have work to do.

A dad with mixed feelings

A Hurtful Episode

I am most pleased to report that my daughter has slowly returned to family relationships—first with her brothers and finally, for Christmas, with the whole family. She seems to be stable and in control of herself, and she is working finally. Neither of us raised questions about the past. I view it as another episode in life that hurt greatly but that would hurt even more if you tried to openly review it and set records straight. All I care is that she be at peace with herself and make what she can of life in association with her family. My deepest thanks to FMSF for the information and guidance given. This was extremely important. Thank goodness for FMSF.

A satisfied dad

The Voice of Reason is Quiet

We accepted our daughter’s return with the hope that she would someday realize her memories were false and that our family life is very good. When I recently asked her if she still believed those things she once believed, she replied that she would rather not go down that road again. She also said that she cherishes the relationship that she now has with her Dad and that we
would all know the truth someday. That is exactly what I have believed right along, and we are okay with that. Some of the other parents I am in contact with are not as fortunate in having their children return, so we praise God in gratitude. I gained patience and comfort with this quote: "The voice of reason is quiet, but it is persistent and will eventually be heard."

We will be forever grateful for the help the FMSF gave us at that horrendous time in our lives. Thank you again and again.

A satisfied mom.

Look What We’ve Been Through!

Our daughter has returned to live in our city. She acts quite normal, yet she has not retracted. Once when hearing of another family having other kinds of trouble, she looked at me and said, “Look what we’ve been through.” I almost dropped over.

We just go along as if nothing ever happened because we don’t want to stir up any more trouble, and we love her so.

God bless and keep you all for being there.

A very happy mom.

Destructive Influences

After my daughter cut off any relationship with me, I began to dig into what might have been the cause. After interviewing several of her friends, I discovered that she was seeing a counselor who followed the teachings of Dr. Dan Allender, a Christian counselor and author. My daughter's counselor received his degree in Allender’s program at a seminary. It was after my daughter was advised by her counselor, had read several of Allender’s books, and had attended some Allender seminars that she decided that I was an evil person.

I am one of the lucky few who has not been accused of any physical or sexual abuse, but I have been accused of “emotional and relational abuse.” The Allender books I have read suggest that recovered memories are a wonderful thing.

After contacting the seminary where Allender taught, I found that there are many, many families that have been torn apart by his teachings. I am trying to find other families who have had family relationships destroyed by Allender’s teachings.

If there are any FMSF members who would care to contact me about this, I would like to hear from them. My e-mail is joe.fuller@prodigy.net, and my winter phone is 239-353-1752. After April 22, I will be at 317-844-9904.

An angry dad.

Keep Fighting

It is a wry reality, that after so many years we still have to continue fighting for mere sanity in psychotherapy. Perhaps it should not surprise any skeptic who is aware that billions of people believe all kinds of nonsense for which there is not a scrap of empirical evidence.

In spite of the fact that my son has retracted, I will remain involved with the FMSF because recovered memory quackery dealt him a blow from which he might never fully recover. This disaster struck him during the most formative part of his life and made him lose those most valuable years in his youth where one acquires much needed life skills. He was only looking for some help to get back on track with his life when someone recommended to him a therapist, herself a needy soul recently converted to do trauma search therapy.

Thus he entered into that obsessive netherworld of lost memory retrieval lunacy and after trauma therapy dwelt for over ten more years among other sad souls in pseudo-survivor groups. Ironically, his therapy created the severe trauma of suicidal ideation where no real trauma had ever been experienced before. It ended what had been a charmed childhood filled with wonder, learning, and discovery, and ruined a very promising future. At middle age, he is now struggling to make up for lost time.

As long as the quacks on the dissociation circuit are still selling their snake oil about hidden memories of childhood sexual abuse and for as long I have the strength to do so, I will keep fighting against their mental health malpractices and for responsible, evidence- and science-based psychotherapy.

The FMSF and its Scientific Advisory Board and many others have done a most valuable service toward that same end.

Adriaan Mak
Contact in S.W. Ontario.

“A mind, they say, is a terrible thing to waste. But in movies, a memory is an excellent thing to lose.”


“It seems every American drama series needs to have at least one episode each season featuring a character with multiple personality disorder so they can explore deep and important social and legal questions such as: is a person really guilty of a crime if one of his or her other personalities did it?”

Victims of Memory: Sex Abuse Accusations and Shattered Lives
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"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

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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.

To order video send request to
FMSF Video, Rt. 1 Box 510,
Burkeville, TX 75932
$10.00 per tape; Canada add $4.00; other countries add $10.00
Make checks payable to FMS Foundation

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Please send the FMSF your change of address.
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Wally & Bobby 207-878-9812

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Andover - 2nd Sun. (MO) @ 1pm
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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
- last Sat. of month) @ 12:30pm
Tom 417-753-4878
Roxie 417-781-2058

MONTANA
Lee Avone 406-443-3189

NEW HAMPSHIRE
John 613-836-3294

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

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

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Westchester, Rockland, etc.
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Upstate/Albany Area
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NORTH CAROLINA
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Deadline for the MAY/JUNE Newsletter is April 15. Meeting notices MUST be in writing and should be sent no later than two months before meeting.