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To: Members of the Senate Judicial Proceedings Committee

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While the intent of SB13 to insure appropriate training for custody evaluators is commendable, there are several components of this bill that are concerning and present a potential danger to the children and families that the bill is trying to safeguard. Specifically, the bill's position on parental alienation (PA) is of concern.

PA is caused when one parent or other significant adult turns the child against the other parent or family members. Some authors liken this effect to be the same as induction to a cult where degradation, manipulation and brainwashing are staples. PA is emotional child abuse.

The bill's claim that PA is invalid as a syndrome and that it is inappropriate to use in custody cases is not representative of the mainstream scientific research community.

DATA FROM THE SCIENTIFIC, MENTAL HEALTH AND LEGAL FIELDS

- The AFCC and NCJFCJ issued a JOINT STATEMENT ON PARENT-CHILD CONTACT PROBLEMS in 2022 which states that parental alienation is a factor that should be taken into consideration in custody decisions. (See bullet #4 of statement)
<https://www.afccnet.org/Resource-Center/Center-for-Excellence-in-Family-Court-Practice/afcc-and-ncjfcj-joint-statement-on-parent-child-contact-problems>
- A peer reviewed study entitled *Developmental Psychology and the Scientific Status of Parental Alienation* was published last year in the APA journal *Developmental Psychology* that concluded that "it is no longer tenable to dismiss the field as lacking in scientific status". This study identified 166 peer reviewed studies about PA that were published through December 2020 in ten languages. "The results confirmed that the current state of PA scholarship meets three criteria of a maturing field of scientific inquiry: an expanding literature, a shift toward quantitative studies, and a growing body of research that tests theory-generated hypotheses".
<http://dx.doi.org/10.1037/dev0001404>. (See page 16 of article)
- A study entitled *The Impact of Parental Alienating Behaviours on the Mental Health of Adults Alienated in Childhood* suggests that exposure to parental alienating behaviors in childhood can have a profound impact on the mental health of those children later in life, including experiencing anxiety disorders, trauma reactions, addiction and substance use, and coping and resilience. This study demonstrated the insidious nature of parental alienation and parental alienating behaviors and provided further



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evidence of these behaviors as a form of emotional abuse.
(<https://doi.org/10.3390/children9040475>. (See conclusion on page 14)

- Authors of the DSM-5 chapter on “Other Conditions” explain that PA is included in the DSM-5 under the diagnosis of Child Affected by Parental Relationship Distress (code V61.29).
([https://www.jaacap.org/article/S0890-8567\(16\)30175-7/fulltext](https://www.jaacap.org/article/S0890-8567(16)30175-7/fulltext))
- A study found that the concept of PA was found to be material, probative, relevant and admissible in at least 1181 US appellate court cases between 1985 and 2018.
(<https://psycnet.apa.org/record/2020-31425-006>)

AMENDMENTS NEEDED

My organization (PAS-Intervention MD Chapter) along with MACA- Mothers Against Child Abuse and Servicemembers & Veterans for Children’s Rights would support the bill if the following amendments occur:

- Deletion of page 4 lines 21-24 which perpetuate the misrepresentation that PA theory presumes that all contact refusal is due to alienation and that abuse allegations are false (see <https://www.tandfonline.com/doi/full/10.1080/01926187.2021.1972494>). This is a strawman argument that has been repeatedly stated in order to discredit PA theory. PA experts endorse a thorough forensic evaluation using instruments such as The Five Factor Model to diagnose PA and also support the full investigation of abuse claims. (See <https://pasg.info/app/uploads/2022/06/Bernet-et-al.-2022-Five-Factor-Model.pdf>)
- Delete page 4 lines 33-34 and page 5 line 1.
- We agree with the MD Psychological Association’s recommendations to insert the following: “AN INDIVIDUAL MUST COMPLETE THE APPROPRIATE TRAINING DEVELOPED BY THE JUDICIARY IN CONSULTATION WITH DOMESTIC VIOLENCE AND CHILD ABUSE ORGANIZATIONS, THE MARYLAND BAR ASSOCIATION, AND REPRESENTATIVES FROM EACH OF THE LICENSED MENTAL HEALTH PROFESSIONAL ASSOCIATIONS.”

For these reasons, we urge the committee to give a favorable with amendments report on SB13. Please contact me with any questions that you may have.

Respectfully

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