



Thank you for letting me speak with you today. My name is Rael LaPenta. I represent an organization of mothers, who believe in protecting the rights and well-being of children, MACA- Mothers Against Child Abuse. We stand up against child abuse across our nation.

I am here today to discuss with you our concerns regarding SB13, which deals with custody evaluator's training. On behalf of MACA, we can support this bill if a few critical changes are made to the current language.

This bill is an important piece of legislation that can prevent tragic results for the children who are victims to divorce and family separation. Unfortunately, as written, this Legislation has critical errors. For years, the Department of Justice and other official sources have documented and instructed the courts to consider UOC- Use of the Child in child custody.

As much of this bill clearly acknowledges the harm Domestic Violence inflicts, on not only the victim, but also the children exposed. It is imperative to also acknowledge a defined tactic of Domestic Violence Perpetrators in the Use of a Child. The results labeled 'Extent of Abusers' UOC and other Forms of IPV' defines "most participants (88%) reported that their abusers had used their children as a tactic to control, harm or monitor them within the prior six months," according to the article published by the US Dept of Justice in 2021 OJP-Office of Justice Programs. 'The Use of Children as a Tactic of Intimate Partner Violence and its Relationship to Survivors' Mental Health.'

<https://link.springer.com/content/pdf/10.1007/s10896-021-00330-0.pdf?pdf=button>

Legislation efforts to protect from abuse would be faulted to choose only some aspects of abuse.

We recommend this be removed completely from SB13, as it is l'll-informed.

**XI) BACKGROUND AND CURRENT RESEARCH-INFORMED LITERATURE REGARDING PARENTAL ALIENATION, ITS INVALIDITY AS A SYNDROME, AND THE INAPPROPRIATENESS OF ITS USE IN CHILD CUSTODY CASES;**

For example, from 1993-2010, several professionals were cited: "In some cases, parental alienation processes and impacts are poorly understood (Bernet et al., 2010; Darnall, 2011; Drozd & Olesen, 2004; Jaffe, Ashbourne, & Mamo, 2010). *Mental health professionals might unknowingly contribute to the problem by providing misinformation to decision makers, implementing adverse treatment protocols, and making detrimental custody recommendations* (Cartwright, 1993; Clawar & Rivlin, 1991; Gardner, 1998a; Greenberg, Gould, Gould-Saltman, & Stahl, 2003; Lowenstein, 1999; Warshak, 2015b)."

[https://www.researchgate.net/profile/Gena-Rowlands-2/publication/329173018\\_Parental\\_Alienation\\_A\\_Measurement\\_Tool/links/5d94d16292851c2f70e541c6/Parental-Alienation-A-Measurement-Tool.pdf?origin=publication\\_detail](https://www.researchgate.net/profile/Gena-Rowlands-2/publication/329173018_Parental_Alienation_A_Measurement_Tool/links/5d94d16292851c2f70e541c6/Parental-Alienation-A-Measurement-Tool.pdf?origin=publication_detail)

In 2004, the State Justice Institute published Navigating Custody & Visitation Evaluations in Cases with Domestic Violence: A Judge's Guide. "Children who appear "alienated" from a parent may have legitimate and substantial reasons for being angry, distrustful, or fearful! *That possibility should be explored*, before one parent is blamed for inducing that alienation. How to understand issues of estrangement, protection, and alienation in cases involving domestic violence is treated more fully in the supplementary materials to Card III"

<http://ncsc.contentdm.oclc.org/cdm/ref/collection/famct/id/971>



Recently, in June 2022, the AFCC- Association of family & conciliation courts AND the NCJFJ- National counsel for juvenile and family judges released their Problem Statement:

The vast majority of separating and divorcing parents maintain safe, healthy, and positive relationships with their children; however, a small percentage of parent-child relationships remain strained and/or problematic. *Children are at greater risk when parent-child contact problems are not effectively addressed and when family law professionals and others echo and intensify the polarization within the family."*

<https://www.afccnet.org/Portals/0/Committees/AFCC%20NCJFCJ%20Joint%20Statement.pdf?ver=L-vPDsr8pJiqRiVqbsVddg%3d%3d>

We thank you for your dedication and tireless work in protecting children, and thank you for this opportunity to share our concerns! We hope you look into this small snippet of research we have provided and amend SB13.

Respectfully,

Rael with MACA- Mothers Against Child Abuse