

O Lord, you hear the desire of the afflicted; you strengthen their heart; you will incline your ear to do justice to the oppressed, so that man who is of the earth may strike terror no more. - Psalm 10: 17-18.

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House Judiciary Committee
House Office, 6 Bladen St., Annapolis, Maryland

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Re: HOUSE BILL 1036 – SUPPORT | Child Custody – Cases Involving Child Abuse or Domestic Violence – Training for Judges and Child’s Counsel | Testimony by: Monisha Billings, DDS, MPH, PhD

Dear House Judiciary Committee,

I am deeply appreciative of the work of the Workgroup to Study Child Custody Court Proceedings Involving Child Abuse or Domestic Violence Allegations and for the introduction of House Bill 1036. The purpose of this letter is to urge the Committee for a favorable report for HB 1036.

The Centers for Disease Control and Prevention (CDC) estimates 1 in 4 girls and 1 in 13 boys to have experienced sexual abuse in childhood.¹ This catastrophic prevalence is equivalent to 142 jumbo jets, with children, crashing every day for 365 days a year in the United States; and 4 jumbo jets with children crashing every day for 365 days a year in Maryland. We face a crisis. Urgent action is needed to stop this unconscionable destruction of our children. Child sexual abuse (CSA) is not a cancer without a therapeutic or an infectious disease without a vaccine, but rather CSA is a preventable public health crisis. Yet, why aren’t we preventing or stopping it?

In my experience it is because children and mothers are vulnerable populations who are not heard and not believed, despite overwhelming evidence. A strong bias against protective mothers and their children is alarming prevalent in the system. Previously, I naïvely believed that those in power to protect children *will* protect children. But to my dismay, I have found them only to shield alleged abusers and further endanger children by penalizing protective parents.

There is a failure of the system. There are instances when Child Welfare Services, Best Interest Attorneys, medical professionals such as pediatricians and child therapists who are in positions of power to protect, fail in their duty. They are in denial that CSA could be perpetuated by a parent – despite consistent data from research. Together, they vehemently attack protective mothers, vilifying them without any reasonable justification.

The Best Interest Attorneys (BIAs) who are in a position of power to protect children they represent, do just the opposite. They use their power to protect the alleged abuser. This is a shocking paradox. BIAs refuse to examine the evidence indicating the possibility of child abuse nor do they conduct a safety assessment. They then abuse their position of power and authority to suppress the child’s voice they are supposed to advocate for, they intimidate mothers and coerce them into signing agreements, they obstruct due process, they bring in evaluators of their choice who work with them to further suppress the child’s voice and the mother’s concerns, gaslighting the mother, they work with Child Welfare Services and interfere with the investigation and stir it into a course of their choosing. They even resort to misrepresentation and perjury and do not abide by court orders that stand against their position. They revictimize children and mothers who are victims of domestic violence. The prejudice against mothers of color in an interracial marriage is even more severe.

¹ Centers for Disease Control and Prevention. Preventing Child Sexual Abuse. Accessible at: <https://www.cdc.gov/violenceprevention/childabuseandneglect/childsexualabuse.html>

Alleged abusers usually do not operate in silo but frequently have a network that enables and supports them. How can BIAs and Child Welfare Services who refuse to investigate CSA just because there is an ongoing custody battle be certain: 1) the alleged abuser is not connected to an underground world of pedophiles? 2) the alleged abuser has not abused other children? 3) of the source of money of these alleged abusers to finance their extended and well-orchestrated legal onslaught on the protective parent? Research shows the association between child pornography and child sexual abuse, and domestic violence and child sexual abuse. Yet such evidence arising from research is either unknown to BIAs or they willfully deny it.

It is time that the role of BIAs is scrutinized and their actions brought to account. There needs to be checks and balances for BIAs' authority and influence. Absolute power corrupts absolutely, and therefore BIAs should not wield such unbridled power. There are judges who just go by the words of the BIA and the BIA's opinions, rather than evidence. All of which germinates a system that silences children into years of abuse and vindictively punishes mothers with punitive sanctions whose only desire is the safety and wellbeing of their helpless, little children.

Due to the abuse of power by BIAs, mothers lose custody of their children. Mothers and children are separated and they endure immense trauma, abuse, and suffering in silence and isolation. This is inhumane and cruel to children and mothers. A violation of civil rights and human rights. A mockery of justice. The bond between a mother and child begins well before birth and cannot be easily broken. And in my opinion, is a sacred bond. The role of a mother in these times is looked upon with disdain and mocked as "primitive animal instincts". Yet, even animals can teach us "superior" humans a few lessons of love, nurture and compassion.

In these unprecedented times, when systemic racism is finally acknowledged, when the cries of the common man are reaching the halls of power, I join with other protective parents in echoing the cries of children and protective parents.

It is said, "*It takes a village to raise a child.*" But I say it also takes a village to save a child from abuse. The inspiring Liberty Bell was constructed for American Independence, became a symbol of the anti-slavery movement and women's suffrage, but a liberty bell for children is yet to be recognized and proclaimed. May the words inscribed on the Liberty Bell: Leviticus 25:10, "*Proclaim liberty throughout all the land unto all the inhabitants thereof*" hold true for our most vulnerable inhabitants – our children.

It is my hope that the enormous suffering of children and protective parents will soon end in our State and there be zero tolerance for child abuse. The first step in this direction will be rigorous training of BIAs and judges on the complexities of child abuse, domestic violence and coercive control. The lives of children matter.

Sincerely,

Monisha Billings

Monisha Billings, DDS, MPH, PhD

CHILD SEXUAL ABUSE (CSA) – HOW BIG IS THE PROBLEM?



10.4 million girls and 3 million boys: experience CSA in US



298,656 girls and 88,218 boys: experience CSA in MD



- **142 jumbo jets with children** crashing every day for 365 days a year – in US
- **4 jumbo jets with children** crashing every day for 365 days a year – in MD
- Alert! This is a **CRISIS!**
- 91% of child sexual abuse is perpetrated by someone the child or child's family knows. - CDC
- Little investment has been made in primary prevention, or preventing child sexual abuse before it occurs. - CDC
- **A Call to Action** to end this crisis
- **ZERO tolerance for CSA** is imperative



Source: Centers for Disease Control and Prevention
<https://www.cdc.gov/violenceprevention/childabuseandneglect/childsexualabuse.html>

United States	Girls	Boys	Total
Population ≤19 years (millions), US 2019 census	41.7	39.93	
CSA prevalence	0.25	0.08	
No. of CSA children (millions)	10.43	3.07	
No. of jumbo jets of 260-passenger capacity crashing	40,096	11,814	
No. of jumbo jets crashing each day for 365 days in a year	110	32	142
Maryland			
Population <18 years in Maryland, 2019 Census	1,194,626	1,102,732	
No. of CSA children	298,657	88,219	
No. of jumbo jets of 260-passenger capacity crashing	1,149	339	
No. of jumbo jets crashing each day for 365 days in a year	3	1	4