



Amy Neustein and Michelle Etlin: One group of mothers who need Kamala Harris's help — and will give her their votes

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Mothers in Pennsylvania, and elsewhere, have been suffering at the hands of the American family courts as they beg judges to protect their children from unstable, and often substance-abusing, fathers. Their demographic mix is quite broad. They range from educated to non-educated, rich to poor, and Black to White.

A presidential candidate who spoke up for them would certainly get many votes. This

Ellie and Kayden

Recently, major television and print media around the world covered the tragic story of 3-year-old Ellie Obi Lorenzo, who was killed while on a visit with her father, and subsequently tossed into a San Francisco Bay Area recycling center. The father committed suicide.

This tragedy was preventable. The mother, Chrystal Obi, a clinical instructor in pediatric radiology at Stanford University, had implored the court over a two-year custody dispute to order supervised visitation for the father. His behavior had become “increasingly erratic” and he was becoming “progressively unstable,” she told the court, according to court papers she filed.

A similar tragedy had gripped Pennsylvania in 2018 when Kayden Mancuso, a 7-year-old Bucks County girl, was struck by her father three times in the head with a Obi, Kayden’s mother had told the courts about his violent history and tried to keep him away from their daughter, and the court gave him visitation rights.

Late last year, the Pennsylvania State Senate unanimously passed a bill in honor of this Bucks County girl. Gov. Josh Shapiro signed it into law in late April.

The reauthorization of the Violence Against Women’s Act (VAWA) in 2022 included a special provision named the “Keeping Children Safe From Family Violence Act,” also known as “Kayden’s Law.”

The “Findings” part of the bill noted that research shows “courts regularly discount allegations of child physical and sexual abuse when those allegations are raised in child custody cases.”

Discounting mothers

As the bill noted, “Most child abuse is perpetrated in the family and by a parent. Intimate partner violence and child abuse overlap in the same families at rates between 30 and 60 percent.” The risk increases when the partners separate.

Courts believed fewer than one in four claims that a father had physically or sexually abused the child. Courts believed only one in 51 claims when the father claimed the mother “alienated” the child, despite research showing that the 50 to 70% of the allegations are credible.

An astonishing one-third of the time, the parent alleged to have committed child abuse was given primary custody. Over 100 children have been murdered “after a court ordered the child to have contact with the dangerous parent over the objection of a safe parent or caregiver.”

Yet, in spite of this special provision in VAWA, which requires an evidentiary hearing during child custody proceedings to vet allegations — both new and old — of abuse, mothers can often not get a judge to heed their concerns about their children’s safety during custody litigation. Given that judges often respond with incredulity to mothers’ pleas for protection of their children from abuse by the other parent, mothers are sometimes penalized with the loss of custody for bringing claims of abuse to the attention of the court.

For example, mothers are threatened with contempt of court, risking jail and fines, when they try to enter credible evidence of sexual abuse against the father. They are threatened by trial judges with loss of visitation if they don’t withdraw their appeals.

Mothers lose custody and visitation if they avail themselves of the police to report abuse by the father. Nursing mothers are court-ordered to wean their infants at just a few months old so that fathers can have extensive overnight visits, thereby trampling upon a mother’s civil rights to self-determination to feed her own child.

Harris the champion

A passionate supporter of civil rights, and now a candidate for president of the United States, Kamala Harris may be the best person to champion the cause of mothers whose civil rights have been violated in the demoralizing climate of family courts that expose children to the perils of injury and death at the hands of the other parent. We can be sure that Donald Trump won’t be doing anything for them.

Right now, as vice president, she can call Attorney General Merrick Garland today and request that the Civil Rights Division of the U.S. Department of Justice investigate the egregious civil rights violations suffered by mothers in the family courts.

She would surely win vote of mothers here in Pennsylvania and elsewhere, and save the lives of children. It would also deter her critics who complain of the monotony of her mantra for abortion rights, by broadening her platform to include “Mothers’ Rights.”

Amy Neustein is co-author of “From Madness to Mutiny: Why Mothers are Running from the Family Courts — And What Can be Done about It.” Michelle Etlin is co-author of “The Hostage Child.”

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