A Jewish Response to the Decker Family Tragedy

A sociologist's case for seeking justice for victims of a corrupt system.

UNCATEGORIZED • JUNE 17, 2025

The following is based on an interview with Amy Neustein, Ph.D. by Emily Alhadeff, Editor, The Cholent (Greater Seattle's Jewish Newsletter):

On June 2, three young sisters were found murdered at a campsite near Leavenworth, Washington, after a scheduled visit with their father. The suspect is their father, a veteran with escalating instability and untreated mental health needs. As a manhunt continues over a week later for the skilled outdoorsman whom authorities believe is hiding in the vast woods in or around Chelan County, the girls' mother has to come to terms with the fact that her children are not only gone, but that she probably couldn't have done anything to stop their father from killing them.

Mothers around the world share in Whitney Decker's grief. After reading about these lives cut short, I couldn't sleep. So when Amy Neustein, a sociologist based in New Jersey, reached out to share a Jewish response and call to action, I thought talking to her could be a way to help us process this tragedy and find some purpose in our lives to work toward preventing events like this in the future.

Although Whitney Decker is already calling for changes to the Amber Alert system and mental health treatment for veterans, documentation about the father's behavior with the girls was already a red flag. Recently, his visitation schedule had changed due to his instability, but he still had many hours of unsupervised time with them. How could this have happened?

Amy Neustein, PhD, is an independent scholar and an award-winning author/editor of 16 academic books, which have been reviewed in leading journals and cited in the New York Times and Newsweek. Her forthcoming book from Oxford University Press, coauthored with Michael Lesher, is *From Madness to Mutiny: Why Mothers are Running from the Family Courts — and What Can Be Done about It*. This is the second edition, which focuses on the "business model" of family courts that has caused senseless and preventable family tragedies.

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The Cholent: Please start by telling us about your book and how it can illuminate the problems that led to the deaths of the Decker children.

Amy Neustein: I've been studying the family court for 40 years. I'm a sociologist, and I'm terribly perturbed about what I see happening in the family court. The tragedy that befell the Decker children was almost predictable. The family court is so terribly misguided and so terribly controlled, unfortunately, by venal influences that it has become completely calloused.

The Decker children were certainly, without any question, at risk. For the court to have not only permitted the unsupervised visitation on weekends for a long stretch of eight hours, and every Friday night was unconscionable.

But even worse, the climate in the family court is such that if the mother should protest and say, "I'm concerned about the safety of my children," the family courts, unfortunately, have earned a reputation of penalizing the mother for trying to protect her child. So, Whitney Decker would be risking loss of custody if she were to remonstrate and urge the court, to really be vociferous and increase her volume, and be a hassle to the court to protect the children. If she would ratchet up the emotions a little bit and show the urgency — if she would just be more imperious to the court and say, "My children are at risk" — she'd be confronting a realistic risk of losing custody altogether. Because this is what's happening throughout the country. The mothers are losing custody when they urge the court to protect their children.

Family court is so terribly inverted that mothers are losing custody because they urged the court to protect their children. And then they are the ones subjected to supervised visitation. Not dangerous fathers, not homeless fathers, not fathers with mental illness histories, not fathers that are on cocaine, not fathers that are alcoholics, not fathers who possess illegal weapons and unsecured weapons. Those fathers have custody. And the mothers are the ones being subjected to visitation, because these visitation programs have to operate for profit. They contract with the court. They're not subsidized by federal and state monies. The mothers are paying. The mothers have to pay to see their children.

How is this possible? It seems like society generally sides with the mother in parenting situations.

A family law attorney put it in such succinct language. He explained that these visitation programs that had hitherto started to supervise dangerous fathers with their children found that the dangerous fathers did not keep them in business, because they refused to continue with the supervision. They wanted free access to the children in order to abuse them, so supervision was the obstacle in their way. These supervised visitation centers, contracted with the court, were at the precipice of going out of business or losing their contract with the court because they didn't have clientele. The fathers would not keep up with the supervised visits.

So then they decided, according to this family law attorney, "why don't we start supervising the mothers?" Because women will do anything to see their children. They love their children. They want to nurture their children. And they'll pay all kinds of money. They'll go into debt. They go to their parents, and the parents bleed out their 401(k)s just to support this habit caused by the court, this corrupt vehicle of visitation extortion. They pay for orientation fees. They keep nurturing the visitation programs. They keep putting money into it. That's the only way they can see their children.

The skeptic and the naive person in me is like, why? Why would a country, why would a system, not protect mothers? How could we be that cynical, that we'd actually be punishing mothers and rewarding the bad behavior of the fathers?

Exactly. That's a very good question. Family court was an institution that was set up in the '20s, '30s, and '40s to regulate the indigent minority family. Two social characteristics went together: low socioeconomic status and race. The family courts were regulating their lives. Many times, they were taking the children out of homes that were not dangerous — there was just poverty — and putting them into foster care.

It became an auto-generating institution that was building upon itself. The foster agencies got paid per capita, per person. They wanted to have an aggrandized number of children in the foster care institution. Then they started to farm children out for adoption, and that was inherently corrupt.

Before the '70s and '80s, family court was inherently, insidiously, inexorably corrupt from day one. But we didn't know about this, because it was only affecting the ghetto community. It didn't affect middle-class mothers. Middle-class mothers got into this because of all the divorces and all the custody battles.

This sounds like an example of historical, institutional racism and classism. This was happening and nobody noticed, until it started affecting people who could make noise and advocate for themselves.

Yes. You didn't have the family courts handling all this traffic with middle-class divorce cases until really the '80s. The '70s started to change when women were getting into the workforce, into the professions. And then they had the license and ability to get divorced and support themselves.

Then, when sex abuse became so noticeable, the mother would be in a position to go into court to petition for change of custody to herself, and for supervised visitation. She'd leave the man if she weren't married and divorce him if she were.

In earlier times, women couldn't do that. They'd be homeless. So they looked the other way. There was a lot of sex abuse in homes then, as there is now. The amount of sex abuse hasn't changed. The statistics are universal: one out of every four girls is abused before age 18, and one out of every five or six boys. (This includes abuse by non-family members.)

Now middle-class mothers are intersecting with a corrupt court that has always existed but was only afflicting minority, indigent families. Once it started afflicting middle-class mothers, there was a revolution.

Let's talk about the Deckers. The big question people are asking is, "why wasn't there an Amber Alert?" Well, it didn't meet the criteria. So how did we get to where we have a mother who was saying, "Hey, my kids are coming home distressed. He's homeless and unstable," and they're coming home upset and dysregulated. What happened in broad strokes that shows the real-time effects of this system?

There's an aspect of this that no newspaper has looked at. Whitney Decker was walking a tightrope in two ways. First, if she was too aggressive, too vociferous, too forthright in urging for protection, she'd risk losing custody.

Second, if she appeared too alarmed about what was happening — if she were to say there was a history of X, Y, and Z, and that she was very much alarmed — then she could be called on the carpet for neglect. She could've been charged by the state of Washington with neglect for "failure to protect" the children from harm, because she hadn't called social services before.

When she made that call asking for the Amber Alert, when she called the police, she couldn't say how grave it was that he brought the kids back previously without feeding them, etc., as the newspapers reported, because she was risking being charged with neglect by the state of Washington for failure to protect.

Mothers have been pushed into a corner. If they protest too much, they lose the custody, because the judge gets angry at them. And if they don't — if they express the gravity of the situation to the police, like when the kids were missing — if she had gone through the whole history, that one time the child was brought back without food and the child was filthy, etc., as we read in the paper, then the police will call social services. And she would've been charged with neglect, and the children would've gone to a foster home—which, of course, would've been better than the children dying, there's no question about that. But she did not know the kids would be murdered.

Social services are very eager to put the kids into foster care. Why? Because it's money-making. Why? Because it's a corrupt entity. It's been corrupt, and they've been afflicting the minorities, and now they split the middle class. They want to get kids into the system. They get paid per child. It's a per capita reimbursement system.

What do you think can be done about this?

When I started to research this book, my second edition, I said, "God Almighty, this is so much worse than it was." Every mother is getting trapped in this system. And it's because of the inherently corrupt institutions. I said, "I want this book to do one thing and one thing only: I want it to shut down the family courts." Let it become an artifact in history. This is not an institution that should be given funding or the responsibility to be the arbiter and judges and mediators of the lives of children.

We need the Justice Department desperately to go in and close this unsavory, dubious, and venal institution — close them down together with the law guardians, the court-contracting visitation centers that are making a mint off this corrupt system, and the child welfare agencies and the foster care agencies. It's time to clear this away.

I believe this is going to be seen historically as the second worst thing in American history after slavery. We have to close it down because people from your generation, they're living in hiding. I know mothers who have lost their children. They're in their 30s and 40s and they've lost custody. They're living in hiding because they cannot afford the extortion fees. They have to pay child support. They have to pay for therapists to be gaslighted, to be told it's not happening, it's in their mind, it's not real. They're not allowed to see their children. And if they don't pay the money, they go to jail. They're living in hiding without even seeing their children. They're living underground.

And then the mothers who are fighting this, they're depending on their own parents. The parents are liquidating property, their retirement accounts. This is creating terrible financial instability in middle-class America because the court is corrupt. They are parasites. They're feeding off the mothers in America. If our water supply were contaminated, God forbid, at even half a percent, we'd all be drinking bottled water and showering with bottled water. We wouldn't be able to use the water. Well, the contamination of the family court is at about 35–40 percent, which means 35–40 percent of judges are no good and are going along with this punitive method of harming women. So if 35–40 percent of the court has been infected with corruption, that's a serious contaminant, and that requires the public health safety to close down the courts. They really have to be closed down. They are a peril in society and they are putting everyone at risk.

What do you suggest it should be replaced with?

The Department of Health and Human Services has to open an office to look at the problem of child abuse as a public health issue. This is not a custody issue. It has nothing to do with maternal fitness.

The Department of Health and Human Services should have a special, honest office, not one involved with making money for agencies, staffed with professionals and knowledgeable advocates in this area. They should be able to say, "Okay, child abuse: we're going to provide therapists for the child. We are going to provide protection. We're going to provide supervised visitation centers that we will operate."

They will not be for-profit. They won't be getting referrals from judges. They won't be housed in the courts. They'll be in public buildings. That's where the fathers will visit the children. And the fathers won't even want to visit the children, so they won't participate, because they don't have the stamina to keep seeing the children. If they want to abuse a child, they start another family. There's no incentive to see the child under supervision, because they don't have access to the child.

In your email to me, you talked about fighting this problem as an act of chesed and tikkun olam. Why do you think this is a Jewish issue? What is the Jewish response?

I'm Jewish, and I'm Orthodox. I see this as a Jewish responsibility for two reasons. Tikkun olam is repairing the world, making it more moral, more ethical, seeing to the moral, psychological, and physical welfare of yourself and the world around you. Not only does it keep the Jewish community on a healthy course, it also brings about the coming of the Messiah, because you're perfecting the world.

But the second reason we must take this on is that this problem represents harm and affliction to the family structure. The family is core to Judaism. Without a strong, cohesive family, we would never have survived thousands of years of persecution, hardship, and threats of annihilation. Our survival is dependent on a strong family. Shalom bayit — peace at home, a strong, happy household — that's the secret to our survival.

Children dying, children not being protected, children being taken away from good mothers and going into foster care or to sexually, physically, or emotionally abusive fathers, and the mother living to see herself disappear from the lives of her children because she can't afford the fees for supervised visitation, and when they grow up, the children feel abandoned — the family is at risk.

So it's tikkun olam, it's family, and it's chesed: kindness, caring, sympathy. This is core to our values. It's who we are. We will exist forever as a religion and as a community because we have compassion, because we have chesed and rachamim. We are built on kindness, charity, prayer, and caring for one another.

What is your call to action, or any final message you'd like to leave our readers with?

Have hope. Too many organizations tell the women to give up. They say society has such deep-seated gender bias, there's nothing you can do. But I can't say that. I'm Jewish. And a Jew always has hope. A Jew is an inextinguishable source of light. And if you're a source of light, you have hope.

The oil of Hanukkah lasted eight days. It was symbolic: you could not extinguish the light in your soul. You couldn't extinguish the hope, the will to live. That's core to Judaism. If we allowed that to be extinguished, we wouldn't be here. We would have faded into oblivion, like the Babylonians and other societies. But we are inextinguishable.

We must raise our voices. We must fulfill the mitzvah of *tzedek, tzedek tirdof*—justice, justice shall you pursue. *Tzedek* is repeated twice because it requires energy. It doesn't come easy.

Forty years I've been working. But you know why 40 years is a good number? That's how long the Jews were in the desert. And what happened after 40 years? They were given the Promised Land. So I feel I will be given the Promised Land. The greatest joy in my life will be to see this scandal exposed, mothers get their children back, and children protected, so there shall never be a Decker tragedy again.

To donate to Whitney Decker's healing, visit https://www.gofundme.com/f/support-whitney-decker.

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