

Parents Who Cooperate With Court Decisions To Allow Abusers To Have Joint Custody

Kathy spent over \$60,000 litigation and was the primary caregiver of toddler son (2 ½) when litigation commenced in 2004.

Kathy's professional status: 12 years in the Massachusetts Air National Guard, 14 years Air Force Reserves, trained to be a flight engineer for a C5-A cargo plane, she flew active duty in Desert Shield/Desert Storm, has 15 Persian Gulf missions (1990-91) under wing, earned the Air Medal during the Gulf War & Meritorious Service Medal. She is a 19-year veteran Letter Carrier with the U. S. Postal Service, presently on leave of absence.

Husband leveraged Kathy's military status against her in family court litigation, stating she could be "sent to the sand" therefore incapable caring for a child.

Kathy reported son's sexual abuse to DSS (Department Social Services). Kathy and son found safety in a Domestic Violence Shelter. Husband files for divorce custody. He also agrees to supervised visitation with his child victim.

The child revealed to a forensic sexual abuse evaluator, David Meyers, that he was abused by the father, father's sister, and child's half-sister (age 10). DSS documented that the paternal aunt "bit her niece hard on the butt, leaving teeth marks" and the father was charged with neglect, left young children unsupervised by an adult. Son stated his half sister "stuck Lego blocks up my butt and it's not funny!" Son disclosed to Mr. Ravizza, his therapist, additional sexual abuse by father. Ravizza filed three Child Abuse/Neglect (51A) Reports. Pediatrician filed two additional 51A reports and documented injuries to the boy's genitals.

During divorce trial, Judge Marie Lyons barred Ravizza from testifying on behalf of the child. Judge ignored videotaped evidence of son "humping" the floor and his teddy bear for up to 5 minutes at a time. Judge also ignored videotape of son saying, "Daddy licks my pee-pee" an audiotape of son pleading not to go to Daddy's for visitation, a log of eyewitness accounts of son sexually actin gout and inappropriate language. Son says daddy threatens to kill Mommy if he (child) talks about the ongoing abuse.

Subject: Fw: G.A.L. Cavallero's Report
From:
Date: Fri, 2 Feb 2007 17:49:28 -0500
To: "Jill" ,jill@theopenmind.us.

----- Original Message -----

From
Sent: Thursday, Feb 01, 2007 2:21 PM
Subject: Re: G.A.L. Cavallero's Report

Dear Kathy,

I know you are angry and outraged and you have every right to be! Please take a breath and listen to me.

The Judge brought me into chambers after Michelle was hurt the 2nd time. She said I will give you full custody but you have to allow him unsupervised visits every other Weekend. I said so when she gets hurt again it will be my fault and not yours. I said NO!

She gave my ex full physical and legal. Me supervised visits. Ironically there was no talk of supervised visits for Jon. I live with the nightmare of my decision every day. I never thought by not doing what the Judge requested she would turn the wrath of her power on me. Crippling me.

These are very disturbed people. I now realize it would be better for Michelle to be with me and mistreated every other weekend, then the situation I have now. I blame myself every day for not taking that offer. All I could think of was going back to "Mommy please don't make me go and see Daddy he hurts my bottom." The agony of it, I just couldn't bear it and it would be my fault because I agreed to it.

Please learn from the agony of my decision. They also gave me visitation during the week when Michelle was to be in pre-school. I kept her home. To spend the time I had left with her before they took her. Now you are expected to take him to daycare instead of caring for him in your home.

I know your pain and I understand everything you are feeling. Agreeing means it never happened. Agreeing means allowing them to sweep it under the rug. At the time I did what I thought was right. Black and White, right and wrong.

Please give yourself some time. Lets talk. I made what I thought was the right decision. One of character and integrity. "What your asking is for me to say it is OK for him to abuse her every other weekend. That's great! Then your off the hook!~" Then is it my fault because I agreed.....

Please take a breath. Lets talk. I replay that day over and over in my mind. Ore so since we met. Seeing you living my nightmare. Like my suffering was for nothing.....You are in my thoughts and prayers.

Peace and love,

Kelly

Patients: for secure communication please use: web.mit.edu/medica/...then Login: Patient on Line

Garland Waller of Small Justice Responds

With legal custody and primary physical custody to remain with father, he and his father's rights lawyer Mary Socha are given the power to ensure Holden gets set on in therapy by another Pilachowski. Again I am asked to come up with 'names' of possible therapists, just as I was asked to come up with names of possible people to supervise my visits with Holden, to make it appear as if I had an input, when in actuality it was already a forgone conclusion through collusion with Socha, famous for arranging that courthouse around the father's demands.

Holden is a year overdue for therapy, he is depressed and aggressive, written up by the nun Susan Goldstein of the Sisters of St. Joseph as having behavioral problems. She's been 'teaching' him since mid September, has never met his father, and thinks his grandmother may be dropping Holden off.

I want to do nothing that allows anyone to think that it's okay now to allow Karl to continue to molest our son if it's only three days a week.

Don says he needs to know what my bottom line is so he can negotiate with Socha.

It is written right on the P.A.C.T. (Parents And Children in Transition) handbook, the course that divorcing parents are required by the State of Mass to complete before a divorce is granted, page seventeen:

"Parents Who Are Not Capable: It is unfortunate but true that not all adults are capable of parenting. When there is a history of *physical, verbal, emotional or sexual abuse*, alcohol or drug abuse; or mental illness, it may be in the child's best interest to have no contact or limited and monitored contact with that parent."

Karl's visitation needs to be limited and monitored as it has been in the past. The judge was removed for her poor decision in Holden's case. I have every reason to expect a reversal. That's my bottom line.

----- Original Message -----

From:

To:

Sent:

Subject:

Dear Kathy:

I got a short message from Don Frank indicating that the Cavellero report is in. Although he couldn't tell me much (it's about 70 pages), he did summarize her recommendations, which I found VERY encouraging. I do want to see the report itself, of course, but that's going to be a bit complicated, since he ask for court permission, etc. So for the moment, let's go on what I know.

Working the sort of cases I do, I know how to distinguish good, indifferent, bad and very bad. (I've left out the REALLY good, because that seldom needs explaining or nuancing.) in my cases, mothers all too often face total ruptures of their relationships with their children, or get at most supervised visitation for a couple of hours per week. It's hard to exaggerate the anguish

of a mother who has raised a small child full-time to find herself reduced to such a state, particularly when she knows the child needs her – needs her time, her presence, her (his) home, and an open setting (not a supervised clinical room) in which to relate.

So I can appreciate the big positive step this report seems to offer. It's MUCH better than what most mothers get in your circumstances, and it gives you room both to develop your relationship with Holden and to offer him protection for the future.

I did not and could not expect that a G.A.L. working under the prior orders in this case was going to announce to the court that, contrary to all previous findings, the child was abused and should be isolated from the father, etc. But in giving you four out of seven overnights and NO supervision, the G.A.L. is effectively acknowledging that there's nothing wrong with you, your mind or your desire to help Holden. Better still, the absence of supervision prevents court personnel from manipulating him or your relationship, or interfering in whatever he wants or needs to say to you. And the time you'll have with him will effectively prevent alienation tactics.

So the good news is that if the judge follows the recommendations, supervisors will be out of your life, and you'll have Holden more than half the overnights and, I take it, most of the time. That's a whole lot better than where we are, and a very good place to begin the important work of repairing your relationship – which is central in importance for his welfare and safety as well as your rights. Of course, the judge may not go along . . . but at the moment, I'm optimistic.

Of course, the new (modified) order doesn't prevent us from appealing in an attempt to bring back the former arrangement, particularly as to legal custody . . . but again, we'll be in a MUCH strengthened position and have much less to lose from an affirmance. Since appeals are low-percentage undertakings, I consider that another very important and positive factor in the current report.

Also, the G.A.L. recommends that Holden have therapy, which I think is another good thing, since it gives him a neutral professional to talk to about any problems or fears. And that takes the pressure off YOU if there are any concerns.

As I understand it, the other side of the coin – there usually is one, in the law business – is that you aren't supposed to question or talk to Holden about the abuse allegations. That, too, is to be expected at this stage, -- and frankly I don't see any real harm in it. The past discussions are all matters of record: nothing will change them. At this point, even a sympathetic abuse expert would advise to avoid further questioning, especially by non-professionals. That's because reporting means less and less in the legal system the more the child is questioned. It is believed that repeated questioning distorts the child's responses, so that by this time asking him more questions wouldn't do us any good, because we could only traverse old territory with diminishing results. On the contrary, it would hurt us, because the fact of the questioning could be used against you while, as I said, not helping us a bit. So this restriction is a price we'll hardly feel. And I think it's offset by giving Holden a therapist, who will not be under such restrictions, if the subject needs to be explored.

I know this doesn't satisfy all our needs or address all our questions. But this is the real world, and Family Court, as you already know, is far from the best even that mass of compromises usually has to offer. Mothers in your position are often fighting just to see their kids at all. Therefore, I'm cautiously optimistic about the whole of this report, and very optimistic about its basic recommendations, which I think help us far more than they hurt us. Most of all, they help Holden, and that's the most important thing of all. Child sexual abuse is one of the hardest

things to prove, and it's rare case of mine that ever gets to that point. In fact, I can't think of one at the moment. What I aim for is 1)undo the punitive damage done to mothers trying to protect their children in good faith, and 2) rebuild the relationship between mother and child so that the child is properly protected. Most of the time that's the best the court system offers a mother who suspects sex abuse but can't et proof the courts will accept. And we try all we can to establish conditions that will deter any problems – verbal, boundary violations, whatever – for the future.

I think we're moving in all those directions here.

Now, the next step, of course, is to see that the judge approves the recommendations. Then you, Don and I must see where we stand regarding an appeal. I take it we'll still have a challenge to make, based on legal custody if nothing else. But this is certainly much preferable to an appeal from an order leaving you with nothing but short supervised visits, while your relationship dwindles into nothing and court personnel take over your life.

If you know anything more about the report, please let me know. Meanwhile, stay in touch, and keep praying. So far we've certainly escaped the worst.

Michael

P.S.: I've spoken to Jill Jones but didn't realize you knew her. We've consulted regarding another case of mine in which the mother is accused of physical abuse.

Subject: Fw. G.A.L. Cavallero's Report
From:
Date: Fri, 2 Feb 2007 17:38:39 -0500
To: "Jill" jill@theopenmind.us

----- Original Message -----

From:
To:
Sent: Thursday, February 01, 2007 10:35 AM
Subject: Re: G.A.L. Cavallero's Report

Kathy, I'm thrilled to hear that the new GUARDIAN AD LITEM report gives you almost half time with holden. I agree with Michael Leshner that this is such a huge step forward that I feared would never come. Best of luck in making that step and moving forward and better from there. If family courts actually recognized abuse when it was happening we would not be in this place. But they don't, so getting half time (or close) is hugely important and lays the foundation for further reversals in the future.

I hope it works that way for you.

Best,

Joan

Send reply to:
From:
To: M
Subject: G.A.L. Cavallero's Report
Date sent: Wed, 31 Jan 2007 03:35:55 -0500

Dear Michael,

Yay, my machine is finally operating again after its backseat ride to the computer doctor.

As you're well aware by now, Jay and I just spent a couple days camped at Jill's place in order to lend our voices to the christening event for the Foundation for Child Victims of the Court.

I was able to print out this letter from you while there, which led to Jill lambasting you in a phone message for which I am sorry, but she is right.

The recommendation is still failing to protect Holden from his molester. Don says Cavallero is unconvinced that Holden is being abused . . . poppycock, she's well aware of it, she just will not risk the court's displeasure by saying so, lest she not be invited to their next ambush.

Not only will court personnel not be prevented from manipulating our lives, now I must have a therapist, a parent co-coordinator, and a court monitor all assigned to me and on my payroll to permission, etc. so [a page is missing]