



2008 Annual Report



A hundred years from now it will not matter what my bank account was, the sort of house I lived in, or the kind of car I drove.... But the world may be different because I was important in the life of a child..... Anonymous



Revisiting our Roots	6
Letter from the President/Founder Randy Burton	7
How Justice for Children is Unique.....	9
Houston (Headquarters) - Staff.....	11
National Board of Directors.....	12
National Advisory Board	14
Casework.....	16
Legislative Proposal.....	17
Myths and Facts, researched and written.....	22
Washington D.C. Chapter	27
JFC DC Staff.....	29
The financial results for 2008	33
Links	34
2008 Supporters	36

The soul is healed by being with children.....English proverb

Executive Summary

By James A. Shields, Executive Director

“Thank you. You are the first person who has listened to me. You are the first person to believe me”.

At Justice for Children (JFC), we hear this every day from a protective parent whose child is being abused and no one else will help. For 23 years we have taken thousands of calls from protective parents who are at their wit’s end because at every turn they hear, “there is nothing we can do,” or “our hands are tied”, or “call us again after your child is injured so we will have evidence.”

Just imagine that your child is being abused and the “authorities” at the other end of the phone tell you “there is nothing they can do.”

You would get on the internet; you would find a help line, or a hot line like Child Help USA. If you couldn’t get through to those resources, you would get so frustrated that you would call the governor or even the president. Eventually you would find JFC. Yes, even the governor’s office and the White House operator has our number on their Rolodex.

When you call our number, a human being will answer who will listen to you and believe you. Then we say that we may be able to help and our real work begins by assisting the protective parent wend their way through the law enforcement and criminal justice systems, the child welfare system and the family court system.

This sounds complicated, and it is, but JFC is the only agency that we know of that fights directly with the protective parents to save abused children from abuse.

We are able to save these abused children because of people like you, who support us financially. We also have a wonderful network of lawyers who provide legal services on a pro bono basis. And we have our remarkable internship programs and summer law clerk programs.

Three times a year, we have 15 to 20 interns from the University of Houston psychology department and the University of St. Thomas work at JFC for eight to 10 hours per week. As I tell every one of these students at their orientation interview, the benefits are many

- The student will help save an abused child. The students are the human beings who answer the phone who listen to and believe the protective parent. They also follow up with the hard work of case management.
- The students will be better equipped for academic study with the benefit of this practicum.
- The students will dramatically help JFC in accomplishing our mission by enabling us to take on more cases than would be possible with our paid staff. They also bring youth and enthusiasm to the very dark world of the work of JFC. I can tell you that it would be almost impossible to do what we do day after day without these students.

- I know that sometime in the future, each of these students will reach back and grab something from their time here and a life will be saved, a system will be changed, or a law will be modified.

Financially, 2008 was a year to remember or more precisely – forget. The global financial meltdown at the end of 2008 has had repercussions throughout the nonprofit world. JFC has not been immune to this crisis and we are taking all prudent measures to insure our long term viability. One of the difficult decisions we had to make was to close our Michigan office at the end of 2008. We are also watching all of our costs which have always been more than modest.

On September 12th, 2008, hurricane Ike ripped the roof off of the 10 story office building we occupy. Although we are on the eighth floor, and water from the storm did little direct damage to our office, the building had to be closed because of water damage to the sheet rock. We lost 5 days of service but found temporary quarters with the Schipul Company and then with Neighborhood Centers. In March of 2009 we moved back into our permanent quarters.

On the fundraising side, we had a very successful Gala in April and our development team has several events planned for the fall of 2009.

Children are our most valuable natural resource.....Hebert Hover, 31st U.S. President

Revisiting our Roots

Justice for Children

In 1987, Randy Burton was Chief Prosecutor assigned to cases in the Family Offenses Division of the Harris County (Texas) District Attorney’s office. In the matters involving abused and neglected children, Burton was appalled at the number of young victims being returned to the very homes where the crime(s) against them had occurred. Attempting to correct the problem within the judicial system, he worked to convince the courts that Child Protective Services’ historical stance of “keeping the family intact”—regardless of the circumstances—was counterproductive to its duty to safeguard the children it was assigned to protect.

“The failure to protect these known victims of abuse and neglect is not the result of incompetence or excessive caseloads at CPS; rather, it is the direct and predictable consequence of a social service delivery system that places a higher priority on preservation of the family unit and rehabilitation of the offender than on protection of the child.” Randy Burton, 1996, speaking at The Health Law and Policy Institute of the University of Houston Conference on Family Violence and the Care System

Frustrated at being unable to breach the bureaucratic status quo from *within* the court system, Burton resigned from the DA’s office and established a private law practice. Soon after, he and a small group of concerned citizens founded Justice for Children, to function as the voice of the abused and neglected child.

In September 2000, the Arizona and Washington, DC chapters opened chapter doors to child abuse victims. In 2005, a Michigan chapter was created. We are saddened to say that our Phoenix, Arizona and southeast Michigan chapter’s services have been suspended due to budget concerns.

Protective parties come to JFC for guidance and assistance through an overwhelming maze of bureaucratic agencies and a legal system that often seems hostile to and stacked against our children.

Justice for Children remains unique in its purpose to advocate and intervene on behalf of the abused and neglected child at any stage of his/her case. JFC’s advocacy is not dependent on a court appointment; therefore, the child’s safety and protection can become a reality long before the case even goes to court. *This distinction is critical in protecting an at-risk child.* When delayed through judicial process, by the time of trial it’s often too late.

Justice for Children is a national non-profit 501© (3) organization with offices in Houston, Texas, and Washington D.C. JCF provides casework and legal services to child victims of documented abuse and their protective families when other systems could not or would not protect them.

”Children are the living messages we send to a time we will not see”
.....John W. Whitehead, Rutherford Institute

Letter from the President/Founder Randy Burton



In May 1987, following the murder of 2-year-old Jesse Wheeler, a poster boy for how the system has failed victims of child abuse, Justice for Children was formed by a group of concerned citizens tired of seeing preventable deaths of the very young in our community.

Twenty-three years after Jesse Wheeler's death, innumerable studies, and adverse reports, we are still fighting the same fight. I could not care less that CPS feels they are damned if they remove a child and damned if they don't. According to the last National Incidence Study of Child Abuse and Neglect, of the 1 million annual cases where CPS confirmed abuse and neglect, 72 percent were closed without ever removing the children. By comparison, the number of children who have been murdered as a result of being removed from a home subsequently deemed safe is a big fat zero.

For 23 years, Justice for Children has been fighting for the safety of abused children who have been abandoned by the very governmental systems designed to protect them. We have saved literally thousands of lives over the past twenty three years and have become a leading voice in the country for abuse children.

Last December our Washington DC Office hosted a reception attended by two key government officials.

- **Steny Hoyer**, the head of the majority party in the US House of Representative said "We need more advocates like JFC for children who are willing and able to act as a voice for children in court."

Congressman Hoyer quoted Martin Luther King, Jr. "...we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream." Congressman Hoyer went on to say "Unfortunately, we know that too often justice does not roll down in a mighty stream for children. There should be justice for all - but we must work especially hard to ensure justice that protects our children and the most vulnerable among us."

- **Greg Jacob**, appointed by President Bush to be the Solicitor of the Labor Department, told the senate committee during his confirmation hearings that his work for the administration is enhanced by his volunteer work for Justice for Children. Mr. Jacob took one of our cases to the Maryland Supreme Court and was able to change the law in Maryland to allow people to file suit against court appointed guardians of children who are negligent.

Tom Burton (no relation), our General Counsel in Houston, was recently featured in the Texas Lawyer, a magazine for professionals, regarding his work at Justice for Children.

I am very proud of the work we do at Justice for Children and I want you to know that every dollar that you contribute to us is literally making a difference in the lives of abused children.

Without you we could not serve these children. On behalf of them, I thank you.

Randy Burton

President, Founder, and Chairman

How Justice for Children is Unique

There are many child advocacy organizations in existence today. Their missions range from providing health care, keeping kids in school, and assisting runaways among other things. No other organization, however, shares JFC's unique mission to advocate for children failed by governmental systems. The question has been asked as to what the difference between CASA and JFC is and if we are one and the same. While CASA also operates in some of the areas that JFC does, their focus and mission are different.

CASA, an acronym for "Court Appointed Special Advocates", are individual volunteers who are appointed by a judge to evaluate family situations when a child is in state custody. CASA may only become involved when appointed by a judge. At that stage of the proceedings, the system is, presumptively, operating as it should. The child has been removed from the dangerous home which is why the case is before a judge.

JFC is unique in that we can become involved in a case at any stage after the initial abuse report. Our only qualification is that there is documentation of criminal child abuse. JFC becomes involved when we are contacted by a protective parent, CPS, law enforcement, judges, DA's, CASA, media, school personnel, private citizens, literally anyone who may come into contact with an abused child. This broadened range of referral sources enables JFC to reach more children and to help those children.

CASA has a very specific set of parameters that they must operate within.

- They must be appointed by a judge
- Interview all parties involved in the court case
- Submit a report and state their recommendation to the court
- Appear at hearings
- They are part of the court system
- Only rarely is a CASA volunteer an attorney
- CASA volunteers are "guardian ad litem" not attorney ad litem which means that they do not participate in trials on behalf of the child

JFC, however, is not tied to any governmental system. An advantage to being independent advocates is that JFC is not tied to the very governmental systems that all too often fail to protect these children. As an outside entity, we are able to work with and contact all aspects of the systems, and work as an independent voice for the child.

JFC has been instrumental in addressing the system failure on the legislative level. CASA does not work in this area.

JFC is educating the public through presentations at area schools, community organization, and other non-profits. JFC has also implemented a Continuing Legal Education Program (CLEP) training program for Texas attorneys. CASA volunteers are laypersons, not lawyers.

“Our lives begin to end the day we become silent about things that matter”...Martin Luther King, Jr. Baptist minister and civil rights activist

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HOPE.....is the beam of light that shines from within, during times of uncertainty it enables us to examine ourselves without deception or pretense. It opens the door to the possibilities for personal growth and a true understanding of oneself.....*Laura C. Huvar, MSW Manager, Greater Houston Mentoring Collaborative*



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“Only where children gather is there any chance of fun”...Mignon McLaughlin, journalist and author

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“A person’s a person, no matter how small.....Dr. Seuss, author

Success Stories-Houston

I just wanted to thank all of you so much for setting up the court watch and for Mr. Bobby Parnell and all the Justice for Children representatives coming to Court yesterday. You would all be surprised by the difference it made in the way the judge ran the Court and handled the issues. Even my attorney, Michael Von Blon, who has practiced family law for 27 years in Harris County, said to me that the judge was acting completely different than he did the previous hearings. He spent more time on issues than he had previously and did everything by the book. I believe Justice for Children's presence in the courtroom had a major impact on the settlement being reached and now my son can feel somewhat relieved that all he has to do is go to counseling twice per month with his father. As Mr. Parnell saw, Austin's Attorney Ad Litem ran directly to Bobby when we took the first break and the Court Amicus was right behind him. I know they were all shocked to see Justice for Children there but my son needed your help badly.

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JFC tenaciously advocated for Kaylee's continued safety and welfare. When we got involved, Kaylee was on the verge of having her sexually abusive "father" (non-biological deemed to be legal father) receive unsupervised, overnight visits with her; hence her self-mutilation and anxiety. With the help of pro bono attorneys, we challenged the status based on a series of improper and questionable rulings by a Galveston trail court, and now we have transferred the case to Harris County. A protective order issued against the "father" when CPS finally testifying that he had sexually abused Kaylee. We appealed the erroneous paternity order declaring her abuser the legal father and we have prevented him from having any contact with Kaylee since she and her mom moved to Indiana.

Kaylee, 8 years old: Kaylee is now free forever from the constant threat of visitation with her sexually abusive (non) father because of Justice for Children's General Counsel Thomas Burton III.

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Aldine Independent School District (Keeble EC/PK Center)

Thank you, Justice for Children for your participation in our very successful Keeble EC/PK Center Community Resource and Health Fair on February 10th. Approximately one hundred and twenty parents and many staff members benefited from your help, literature and information.

Your presence in our community is in valuable to our parents, grandparents and guardians as they attempt to obtain valuable resources to insure the health and happiness of their families. Thank you, Justice for Children for your commitment to providing the services that enable our families to maintain full and productive lives.

Justice for Children, we certainly appreciate your efforts to share our mission to bring health and resources to out families and to the larger community. Thanks Again!

"You have to love your children unselfishly. That is hard, but it is the only way".....Barbara Bush, former U.S. First Lady

Casework

FEW OF OUR CHILDREN.....

Taylor is a 2 ½ year little girl. Taylor made many disclosures of sexual abuse and was referred to Child Protective Services (CPS) after an examination by an emergency room doctor. Her father has been diagnosed with a sexual compulsivity disorder; nevertheless, the child's attorney has been advocating that the father be granted custody of this little girl. Two older step-siblings of the child also have reported physical abuse and inappropriate behavior by their step-father. Justice for Children was contacted about this case last year and has been active in advocating for Taylor's safety. In particular, Justice for Children has written to the Guardian ad litem (child's attorney) to question her advocacy on behalf of the father instead of the child. A copy of the letter was sent to the father's attorney and put into the case file at the Circuit Court House. In a recent hearing, the judge referred to the letter and mentioned that he agree that there are concerns in this case that would preclude him from granting a motion giving custody to the father. Justice for Children will continue to advocate for the future safety of this child.

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Chas and Kasey (7 and 5 years old) have been complaining of physical and sexual abuse by their father on visitations. They have disclosed this information to therapists, police detectives, child advocacy centers and child protective services. Despite these credible and consistent disclosures and the many systems of abuse that they showed, the judge has been considering custody to their father, the alleged perpetrator of their abuse. The non-offending parent, their mother, was financially tapped out and could no longer afford representation to help the children. JFC was able to solicit the services of a large Law firm, to work pro bono to secure these children's safety and protection. At this stage, the children have supervised visitation. JFC has also secured the services of a Guardian ad litem, whose duty is to work for the children's best interest.

“Children are great imitators. So give them something great to imitate”....anonymous

Legislative Proposal

STATE LEGISLATIVE PROPOSALS FOR PROTECTING CHILDREN 2008-09

The following is a preliminary list of the various legislative proposals for Justice For Children. This list is intended only for discussion and does not represent an exclusive list of our federal legislative goals.

1. All reports of child abuse must be made directly to an appropriate **local law enforcement** agency and law enforcement should be the lead agency in the investigation of allegations of crimes against children. [Provide an incentive with the reauthorization of CAPTA. See CAPTA Position Paper.] Alternatively, all child abuse investigations should be performed jointly by law enforcement and CPS.]

Comment: Currently, if someone suspects child abuse, they contact either the CPS operated State Child Abuse Hotline or their local CPS office. Even when they call their local police department to report a suspected case of child abuse, the local police department will often refer that call to CPS, an agency without law enforcement training, experience, and crime victim orientation. Only law enforcement have the proper training to investigate and collect the information needed to make a criminal case. Criminal cases are not being referred to law enforcement agencies. When law enforcement agencies do receive referrals the evidence has been poorly or incompletely collected and mis-prioritized.

2. State laws need to be amended to reflect in child dependency proceedings that the overarching goal of the proceeding is the protection of the child, not the preservation of the family unit. “Best interest of the Child” needs to be defined accordingly.

Comment: In 1997, Congress passed AFSA which repealed the requirement for the receipt of matching federal funding under Titles IV B, IV E, and XX that state child welfare agencies make “reasonable efforts be made to preserve the family unit or to reunite the family unit”. The new stated goal of the AFSA is the protection of abused and neglected children; however, most state laws have not been amended to reflect this change.

3. Require a “best interest of the child” determination in all custody proceedings. Also, establish clear legal standards which would determine the “best interest of the child” (i.e., legal presumption that perpetrators of child abuse should not be given custody of the abused child).

Comment: Currently, a “best interest of the child” determination is not required in all states or is poorly defined leaving courts and attorneys in the dark as to what evidence is necessary to modify parental rights. Currently, “best interest” is being used to mean

anything from keeping families together to punishing protective parents that allege child abuse against a spouse.

4. The “best interests of the child” (appropriately defined, see above) should take priority over all other considerations including parental rights.

Comment: A child should have the right to a safe and healthy home or be provided with a safe sanctuary. Children are still being considered property of their parents. A number of legislative attempts have been made in various states and in congress to deny law enforcement agencies and CPS access into the home of suspected child abusers under the guise of “parental rights” and protection of the family unit.

5. The family courts and CPS should be required to consider the outcome of a criminal case in making a determination the “best interest of the child.”

Comment: Often no consideration is given in a civil investigation or proceeding to concurrent criminal charges.

6. Require all state child welfare agencies and law enforcement agencies to keep detailed records on a standardized basis on child abuse fatalities, child abuse investigations and convictions and to provide this data to a central national source for compilation. State and National Crime Information Centers (NCIC) and the state CPS Central Registry Databases should be linked. Currently, there are no penalties for states that don’t report so that we do NOT have a meaningful national picture of the child abuse problem.

Comment: Because state’s currently lack a uniform method for keeping statistics on child abuse, it is difficult to evaluate trends and to hold agencies accountable for their actions.

7. Require greater disclosure of CPS agencies child abuse records for public scrutiny while maintaining reasonable right to privacy requirements.

Comment: Currently child abuse agencies records are protected from public and other governmental agency scrutiny by confidentiality laws. This allows CPS, literally, to bury its mistakes.

8. Eliminate the competency test for child witnesses or establish a presumption of competency of witnesses regardless of age.

Comment: Currently, in most states children under the age of 7 are virtually presumed incompetent to testify making it “open season” on small children. Their testimony should be heard and it should be up to a jury to determine the proper weight to give such evidence.

9. CPS should be required to remove all of the children from a home when there is sufficient evidence of abuse or neglect of one child to warrant removal of that child. [Amend Adoption and Safe Families Act of 1997 (“ASFA”).]

Comment: CPS often only removes the child who has outcries of abuse when other children in the home are also at risk and are, at the very least, part of a severely dysfunctional family system.

10. Require termination/modification parental rights to all the children in a family when rights are terminated/modified to one child. [Amend Adoption and Safe Families Act of 1997 (“ASFA”).]

Comment: Often even after a parent (or other person in a home) severely abuses one child, the state will allow the other children to remain in the home.

11. Provide for an independent review of state CPS agencies including the ability to audit files, determine accountability for financial and operational performances and forward findings to a reporting point independent of the other entities involved in the child abuse network.

Comment: Necessary requirements for accountability. Currently, no entity with oversight authority for CPS knows where the money goes, whether funds are being spent to the best use for children, or whether confirmed cases of child abuse are being closed without providing necessary protective services.

12. Presiding Judges, Assistant District Attorneys, Ad Litem, mental health professionals, and Law Enforcement Agency personnel involved with child abuse cases, should be required to be certified by completing “mandatory” child abuse training.

Comment: Currently, there is no uniform training or standards in this very specialized area.

13. National guidelines should be developed for interviewing children and distinguishing those cases which justify attempts to reunite the family and those whose particulars mandate removal of the child.

Comment: Although there are a few expert models in existence, their use is very limited, does not take into account any of the evidentiary requirements for criminal cases, and do not provide instant feedback to the investigator making a decision on behalf of the child.

14. Establish guidelines for the selection of ad litem attorneys and testifying mental health professionals replacing court appointments with a system where attorneys are appointed by and reporting to a neutral authority and establish a related independent funding mechanism.

Comment: The ad litem attorney system is not providing necessary independent advocacy on behalf of children. Mental health professionals appointed to perform “independent” psychological evaluations in custody proceedings often have pre-existing biases against child abuse allegations or in favor of allowing custody with a perpetrator. Ad litem and

mental health professionals are often appointed on basis of relationship between judge and attorney versus qualifications. Children should be entitled to competent legal counsel who zealously pursues the child's best interest and an impartial therapist.

15. Upon indictment of a parent(s) for child abuse, a protective order **shall** be issued barring the alleged perpetrator(s) from further contact with the child until the outcome of the criminal case is determined.

Comment: Family Court Judges currently only restrict custody rights after a conviction for child abuse which can often take a long time. Also, with continued contact with the abusive parent, the child often recants

16. Extend the statute of limitations re filing of civil and criminal cases involving child abuse.

Comment: Due to the fact that memories of these events are often deeply repressed only to surface in adulthood, many states are adopting new statutes of limitations.

17. Make child abuse a bias crime entitling child victims to sue their abusers for civil rights violations under 42 USCA §1983. Also, create a statutory cause of action for violating a child's due process right of access to courts under §1983.

Comment: Currently child abuse victims and their advocates have difficulty relying upon the criminal court system to punish perpetrators. See Crissey F. by Medley v. Mississippi DPW, 780 F. Supp. 1104 (S.D. Miss. 1991), overruled by 5th Circuit 7/7/93, No. 92-7002.

18. The ritualized abuse of a child should be made a state crime following the guidelines for definition, investigation, and prosecution of ritual crimes adopted by the state of Illinois.

Comment: Currently, there are only a few states which recognize the ritual abuse of a child as a specific crime.

19. Establish a civil duty on the part of child abuse investigators to make appropriate investigative reports and appropriate interventions/arrests on behalf of a child.

Comment: Currently, under *Deshaney vs. Winnebago County Department Social Services*, CPS has no legal obligation to do any of the above.

20. Modify the existing funding authority of CPS so that there is an independent mechanism for funding contracts for family treatment, medical services, etc. other than through local CPS.

Comment: This would eliminate obvious conflicts of interest and allow better, independent and more cost-effective delivery of services to children.

21. Modify venue statutes (Texas Code of Criminal Procedure) in criminal cases to allow venue to be set in the county in which the child resides.

Comment: In many cases, child abuse takes place in a county far removed from the domicile of the child. The victim, often a little child, then has to make long and repeated trips to the other county to the district attorney's office and/or police department. Likewise, for the non-abusive parent, any therapist the child is seeing, any doctors who have treated the child, teachers, and any additional witnesses.

22. Make it an absolute defense to parental kidnapping [interference with child custody] that the protective parent had a good faith belief that the child was a victim of physical or sexual abuse by the other parent and that there was a likelihood of future violence against the child if the protective parent turned custody of the child over to the perpetrating parent.

Comment: Similar to defense of "necessity", parents who do not return child under custody order where there is evidence of abuse should not be punished for attempting to protect children. Under many family codes, parents have the legal duty to protect their children from harm.

23. Enact a Texas sexually violent predator act.
24. Enact the "CARE Act" requiring that every state provide the same punishment range for the offense of "incest" as that of the aggravated sexual assault of a child that is a stranger to the perpetrator.
25. State Teacher Certification Boards need to establish minimum standards for certification including that NO teacher can retain his/her teaching certification if they have been convicted of child abuse or child exploitation (pornography/prostitution).
26. All public and private and charter schools shall perform criminal history background checks and checks on status of certification of all prospective teachers, teacher's aids, etc.
27. State Teacher Certification Boards need to establish a linkage with the NCIC and the state CPS Central Registry Database.
28. Needs to be mandatory reporting by the following authorities to State Teacher Certification Boards:
 1. DA's Offices record criminal convictions involving teachers; and
 2. Schools record termination for inappropriate behavior by teacher.
 3. CPS record founded investigations against teachers even if not regarding abuse of a pupil but abuse of another child by person who is a teacher

Children aren't happy with nothing to ignore and that's what parents were created for.....Ogden Nash

Myths and Facts, researched and written

By

Nashilla Alibhal, MPH

1. **MYTH** v. Fact: Women commit sexual crimes against children as much as men.

FACT: Almost all sexual abuse is committed by males (95%) and 5% of females

2. **MYTH** v. Only strangers sexually abuse children.

FACT: National statistics indicate that in approximately 85% of the cases, the offender is known to the victim, and is usually a relative, family member, family friend, baby-sitter, or older friend of the child.

3. **MYTH** v. Fact: Once convicted of sexual abuse, many receive long-term sentences.

FACT: Once convicted, relatively few sexual abusers receive sentences longer than one year, while 32% to 46% serve no jail time.

4. **MYTH** v. Fact: Children who are missing are usually abducted by strangers.

FACT: Studies on missing children found more than 200,000 children are abducted each year by a parent or family member, over 78% of child abductions and abuse does occur during these abductions.

5. **MYTH** v. Fact: With time, child victims of sexual abuse get over the past.

FACT: Along with other emotional issues, child sexual abuse has been shown to result in Post Traumatic Stress Disorder in as many as 36% of adult survivors and 66% when the abuse included penetration.

6. **MYTH** v. Fact: Child sexual abuse is more likely to happen to children between the ages of 12-17.

FACT: The most common ages of children who are victims of sexual abuse are between 8 and 12.

7. **MYTH** v. Fact- The majority of child sexual abuse victims tell someone about the abuse.

FACT: Close to 2/3 of all children sexually abused may not tell their parents or anyone else because they fear being blamed, punished, or not believed.

8. **MYTH** v. Fact: Adolescents who commit sexual offenses will continue to be repeat offenders when they are adults.

FACT: 90% of youth will not commit another sexual offense after probation and therapy.

9. **MYTH** v. Fact: Once a juvenile is convicted as a child sexual offender, it is required that their identity be known to the public.

FACT: As of 2007, only 36 states have passed laws requiring juvenile sex offenders to register as adults when they become 17 with authorities usually names, addresses, photos and type of offense on the public, usually through the internet.

10. **MYTH** v. Fact: By placing the list of names of the sexual offenders known to the public we are helping to reduce them from committing again and safeguarding our children.

FACT: The intent of the registries is to protect the public from convicted offenders, but it may prohibit the rehabilitation of offenders and their reintegration into the community by social isolation, unemployment and housing, and being subjected to violence and threats.

11. **MYTH** v. Fact: After undergoing treatment, adult child sexual offenders will not repeat the offense.

FACT: After undergoing treatment or imprisonment, it is likely that all sexual offenders will repeat the crime.

12. **MYTH** v. Fact: Parental Alienation Syndrome (PAS), in which one parent (usually the mother) “brainwashes” or “coaches” the child into making false accusations of abuse against the perpetrator (usually the father) is based on scientific proof.

FACT: There is no scientific evidence of this, but is often used by the offender to gain custody, and if successful results in the child being placed back in his home or worse there might be a complete severance of mother/child relationship, including incarceration of non-compliant mothers.

13. **MYTH** v. Fact: Adolescents confess to sexual crimes they have committed during treatment.

FACT: Some teens admit to sex crimes they did not commit because they often feel pressured and fear they would have to in order to complete the treatment.

14. **MYTH** v. Fact: Physical abuse is the most common form of abuse.

FACT: The most common form of maltreatment is neglect (64%), then physical abuse, followed by sexual abuse, then emotional or psychological abuse.

15. **MYTH** v. Fact: Children tend to exaggerate the truth and are prone to make false accusations of sexual abuse.

FACT: Studies have found that children often minimize and deny, rather than embellish what has happened to them even though there is medical evidence of sexual abuse.

16. **MYTH** v. Fact: Abused or neglected children always come from poor, minority, and rural families.

FACT: There is no link between socio-economic status, race, or place or residence of children.

17. **MYTH** v. Fact: Well-educated, middle class, and religious people do not abuse children.

FACT: Offenders come from every profession and socioeconomic group, and many adult offenders are upstanding members of their community.

18. **MYTH** v. Fact: When a parent is convicted of physical child abuse, there is no hope for a future relationship with the child.

FACT: Certain programs have been shown to help change behavioral interactions with children, between the ages of 4-12, so that parents can learn new ways to discipline children and build positive relations in the future.

19. **MYTH** v. Fact: Adult sex offenders usually comply with treatment when given the opportunity

FACT: Almost all sexual offenders do not admit to the first step that requires them to admit to the offense during treatment, thereby inhibiting them to begin treatment.

20. **MYTH** v. Fact: When the child is placed in foster care he is no longer in any danger.

FACT: More often, children in foster care are prone to exhibit behavioral and emotional problems that can lead to more abuse by the foster parents.

21. **MYTH** v. Fact: Foster parents are not able to adequately care for the kids.

FACT: There are programs that have been successful in helping foster parents develop behavioral management skills and stress management to assist in the transition.

22. **MYTH** v. Fact: Physical abuse is the most common form of abuse.

FACT: Of the confirmed cases of 905,000 victims of child abuse confirmed in 2006, 64% suffered neglect, 16% were physically abused, 8.8% were sexually abused, 6.6% were emotionally or psychologically abused, and 2% were medically neglected.

23. **MYTH** v. Fact: More boys than girls are likely to tell someone about the abuse.

FACT: Boys seem to have a particularly difficult time dealing with sexual abuse and are even less likely to report it than girls due to him blaming himself, the severity of the abuse, the belief that no one would believe him or labeled homosexual.

24. **MYTH** v. Fact: Of all sexual abuse cases, the majority discloses their abuse to someone they trust.

FACT: Estimates suggest that only 3% of all cases of child sexual abuse and only 12% of rapes involving children are ever reported to police due to the severity of the rape, the number of rapes, and the younger the age of the child, and a family relationship with the perpetrator.

25. **MYTH** v. Fact: All sexual abuse predators are victims of child sexual abuse.

FACT: Only 1/3 of convicted sexual abusers are victims themselves.

26. **MYTH** v. Fact: When a child is angry and acts out, it is often because the child has disciplinary problems.

FACT: Children who have been neglected or abused often exhibit emotional depression, anxiety, eating disorders, hostility, and aggressive behaviors.

27. **MYTH** v. Fact: All children that don't learn in classrooms are "learning disabled".

FACT: Some abused children who are smart do not advance as quickly as their peers in classroom settings because in reality they are not able to activate certain parts of their brain that would need to be in a state of calm in order to learn, often because they have been traumatized.

28. **MYTH** v. Fact Post-Traumatic Stress Disorder only applies to adults.

FACT: PTSD can occur and often does in youth and adolescents who experience trauma including being victims of abuse themselves or witnessing abuse.

29. **MYTH** v. Fact:

FACT: Children often are misdiagnosed and mistreated for problems such as attention deficit disorder, lack of impulse control, school failure, or depression when they are suffering post-traumatic stress disorder

30. **MYTH** v. Fact: Teens who witness violence in other countries have been shown to have a higher rate of PTSD than those witnessing domestic violence.

FACT: While over 80 % of the Kuwaiti children exposed to the violence of the Gulf Crisis have PTSD, over 90% of teens who witness domestic violence have it, 34 % of a sample of children experiencing sexual or physical abuse and 58 % of children experiencing both physical and sexual abuse.

31. **MYTH** v. Fact: Eventually with time children who are victims of abuse that have PTSD will recover.

FACT: Untreated, PTSD in children will persist into adulthood and appear to contribute to a host of neuropsychiatric problems throughout life including attachment problems, eating disorders, depression, suicidal behavior, anxiety, alcoholism, violent behavior, and mood disorders.

32. **MYTH** v. Fact:

FACT: The degree or intensity of PTSD is usually based on the frequency, duration, nature of the stressor, gender, age, and previous stress experiences of the child.

33. **MYTH** v. Fact: There are no medical risks in the future for adults who had been sexually abused as children

FACT: Adults victimized by sexual abuse in childhood are more likely to have difficulty in childbirth, a variety of gastrointestinal and gynecological disorders and other somatic problems such as chronic pain, headaches and fatigue.

34. **MYTH** v. Fact: Victims of child abuse develop only emotional problems and not medical.

Fact: When a child has been a victim of multiple incidents of different types of child abuse, he/she is 4-12 times at risk for developing adult health and disease outcomes such as, heart disease, cancer, chronic lung disease.

35. **MYTH** v. Fact: A victim of child abuse is cruel to only humans and not animals.

FACT: Although there are rare cases of children being abusive towards animals only and not humans, most frequently however, the person who is cruel to humans is also cruel to other animals.

36. **MYTH** v. Fact: If a child is neglected or abused early in their life then it does not have the same effect as if the abuse occurred later in their life.

FACT: If neglect or abuse occurs in the first three years of life, then it is more harmful and more difficult to reverse because it is in this time that the brain begins to develop a connection and feelings of love with others and determine how that individual will function, in large part, for the rest of their lives.

37. **MYTH** v. Fact: Most victims of child abuse will abuse their children.

FACT: The majority, two-thirds do not perpetuate the cycle because they feel that there is hope that somewhere, sometime, things will be better and with that hope, a choice can be made which implies the presence of an alternative path.

38. **MYTH** v. Fact: It is more difficult to treat a traumatized form of abuse, such as physical or sexual, than neglect.

FACT: The absence of a set of critical experiences in early childhood, such as love and touch, can lead to permanent absences of capabilities because those parts of the brain did not develop and are more difficult to grow, while a traumatic experience later in childhood alters an existing part of the brain that is more easily treated.

39. **MYTH** v. Fact: Men are more likely to physically abuse children than women

FACT: Women have been reported to be more physically abusive to their children because they are the primary caretakers.

40. **MYTH** v. Fact: If a victim of child abuse does not report it immediately then the perpetrator will not be convicted.

FACT: Every state has its own statute of limitations based on the time the crime happened, and if the crime happened before the age of 16 the statute begins at that age in some states.

41. **MYTH** v. Fact: Children often provoke a parent to harm them

FACT: Children are not at fault and are innocent victims.

42. **MYTH** v. Fact: Children who do not show fear of a family member who has abused them means that the abuse did not happen

FACT: Children who have been abused usually believe that they are to blame or bad while the parent is good, often because the perpetrator has controlled them to think this way and to show love.

Children are the hands by which we take hold of heaven”....Henry W. Beecher-reverend and social activist

Washington D.C. Chapter

Protecting Children

Providing Support

Promoting Change

January 1-December 30, 2008 (A Year in Review)

- Battered Mothers Custody Conference in Albany, NY. JFC was represented by Shelley Rubin, LICSW and Eileen King. King was asked to do the majority of the presenter introductions.
- Legislation: King stopped a custody bill that would have codified Maryland case law – good and bad. The “friendly parent provisions” tend to punish the parent seeking to protect an abused child. King is asked to testify on bill that would extend protective orders to pets in cases of domestic violence and/or child abuse.
- Gregory Jacob invited King to address the Department of Labor on the occasion of his swearing in ceremony as Solicitor in the Department of Labor. Secretary of Labor Elaine Chao was present. Shelley Rubin also attended.
- King was a speaker on the “Exorbitant Costs of Child Sexual Abuse” panel at the UN Subcommittee on the Standing of Women. Her talk was entitled: The Trafficking of Children in America’s Family Courts.
- King participated on a panel on Atlantic Television for Child Abuse Awareness Month
- King taught a 3 hours class at the University of Maryland for Professor Stephanie Gersternbluthon “system failure.”
- King and Rubin represented JFC-DC at Alston Bird LLP’s Pro Bono Fair.
- King and Lillian Tse, volunteer researcher, published an article in the Sexual Assault Report: “Living with a Rapist: When Family Reunification Does Not Protect Children.”
- King recruited Prof. Marci Hamilton to the JFC National Advisory Board
- King presented at the National Coalition Against Domestic Violence Conference
- The DC Examiner, a local paper, profiles King as a local child advocate.

- King presented JFC at the National Children’s Benchbook Project Symposium at the University of Maryland. King spoke about best practices regarding reunification between children and offenders and supervised visitation centers. Shelley Rubin also attended.
- Kathleen Russell (filmmaker and consultant) and James Hill, photographer came to JFC-DC’s office to interview and photograph five parents who had experienced difficulties protecting their children. This exhibit appeared at JFC-DC’s Annual Holiday Reception

& Fundraiser and is now touring the country. The exhibit can be seen online at:
<http://www.centerforjudicialexcellence.org/PhotoExhibit.htm>

- King represented JFC-DC at a Domestic Violence Conference hosted by a Frederick, Maryland DV Service Provider Agency.
- King and Rubin represented JFC-DC at a legislative briefing on a Child Custody Bill
- King joined Paula Caplan, Ph.D., and visited Noah Buchbinder, legislative aide to Sen. Patrick Leahy.
- King presented on the National Children's Benchbook Project to the Task Force on Family Violence at Children's Hospital, Wash. DC. Shelley Rubin also attended.
- JFC-DC's Annual Holiday Reception and Fundraiser – 100 guests, Venable LLP hosted and gave a \$2100 grant to cover the catering. Special Guest: House Majority Leader Steny Hoyer, Honoree for Friend of Children Award: Paul Griffin, Nixon Peabody LLP. See the Press Release for details.
- Shelley Rubin chaired the Fundraising Committee. Many of our guests came from Shelley's wide circle of friends.
- Collaborators: The Center for Judicial Excellence and Kathleen Russell Consulting (Exhibition)
Entertainment: The Bog Band (www.bogband.com)

King joined Kathleen Russell to visit Keith Abouchar, staff for House Majority Leader Steny Hoyer and staff from Sen. Barbara Boxer's office. We discuss the possibility of hearings for the problem of the system failures that allow batterers and child abusers to receive custody of their victims.

JFC-DC Board of Directors

- This year we welcomed Katie Barney Moose as our sixth member of the Board. Katie is an accomplished cookbook author and most recently served as staff to Delegate Susan McComas in the Maryland General Assembly. She has served on numerous boards and is a wonderful addition to our own board.
- Our current board members are: Renu Gupta (Alston Bird LLP), LaKesha Pope (The National Alliance to End Homelessness), Jim Gillece (Whiteford, Taylor & Preston, LLP), Max Riederer von Paar (Rubin, Winston, Diercks, Harris & Cooke PC), Jill Deal (Venable, LLP) and Katie Barney Moose, author.
- Board recruitment plan to recruit new board members in 2009.

JFC DC Staff

Eileen King

Regional Director

eking@justiceforchildren.org

Shelly Rubin

Caseworker/Manager

srubin@justiceforchildren.org



In a world where a child's cries echo soft
and unheard ... We hear.

Some success stories from 2008-D.C Chapter

1) ***“Winston” was given to his father***-although Maryland physicians found medical evidence that he had been anally raped and despite the fact that he had given a clear disclosure naming his father. After prolonged court proceedings, the mother regained custody and the father's visits were suspended. Several years later, his father filed for visits; a new evaluator and best interest attorney agreed he should see his father. Winston threatened suicide and homicide but his own attorney prevented this information from reaching the judge. In March 2008, Winston attempted suicide and was saved by his mother and a neighbor who suddenly came home from work. At the last hearing, the judge suspended all contact for two years until Winston is 14, saying that any further visits would depend on his willingness to see his father. JFC-DC court-watched this case extensively and has other cases with the mother's attorney. The father in this case had cyber-squatted on JFC's domain names and had made threatening gestures by using images from the DC Sniper's case, including the Tarot Death Card.

2) ***A Maryland grandmother became a foster care provider for her granddaughter***, “Angel”, whose mother had neglected her and had severe drug problems. In 2007, Angel's mother died suddenly. The grandmother found that Angel, and her brother who was in her care as well, were entitled to Social Security Death Benefits. The Department of Social Services told the grandmother that they, not the children, were the proper recipients for the SS Death Benefits. This issue has been tested in a North Carolina case, several years ago. JFC-DC found pro bono counsel at O'Melveny and Myers who accepted the case and accompanied the grandmother to the Social Security Administration Office which returned the SS Death Benefits to the children. The children who had suffered neglect and attachment disorders (among other things) are thriving and doing well.

Pro Bono Recruitment:

- Pro bono attorneys recruited during the last 18 months: 22
- King is working with federal attorneys from the Department of Justice re getting cases placed with attorneys in federal agencies.
- We now have attorneys calling us for help in their cases; in 2008, five attorneys called to request our assistance with court watch, resources, case information, or advocacy from the states of Maryland, Tennessee, Pennsylvania and Virginia.

PR and Communications:

- King has been working with John Hrabe, PR/Communications Volunteer – produced several Press Releases,

Current and future activities:

- January 9-11, 2009 Speaker, Battered Mothers Custody Conference: Reunification of Children with Sex Offenders
- March 2009 Association of Women in Psychology Presentation with Paula Caplan, Ph.D. on “System Failure”

* * * * *

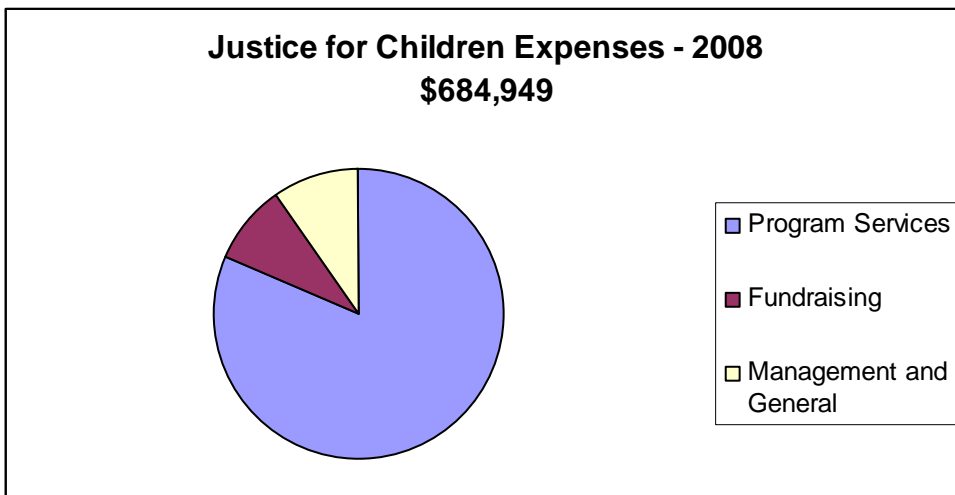
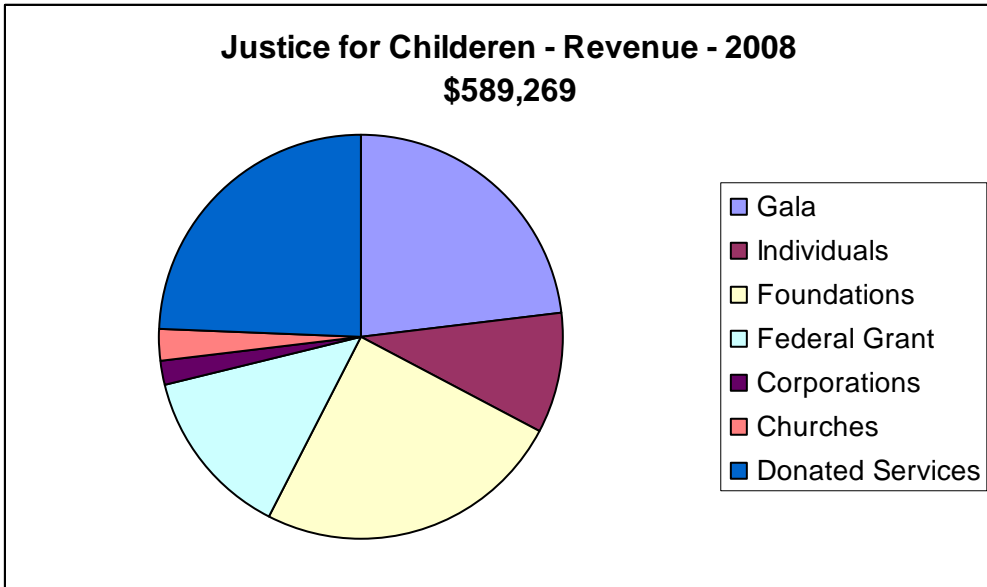
Eileen King and Shelley Rubin represent Justice for Children – DC at the Family Court Reform Coalition, the Family Violence Task Force that meets at Children’s Hospital in Washington, D.C. King participates on the First Star Legislative Task Force.

Shelley Rubin is starting her second year as part-time staff. She is taking over much of the initial intake work as well as the calls ongoing case calls with protective parents or other family members. Shelley is also a key member of JFC-DC’s fundraising work, contributing great ideas and many wonderful contacts and a lot of hard work!

With thanks to all who made this a good year.

“No one has yet fully realized the wealth of sympathy, kindness and generosity hidden in the soul of a child. The effort of every true education should be to unlock that treasure.....Emma Goldman

The financial results for 2008



Links

Parent Resources

- Protect www.protect.org
- Child Help USA www.childhelp.org
- Trauma Academy www.childtrauma.org
- Child Welfare Information Gateway www.childwelfare.gov
- Shaken Baby Syndrome www.dontshake.com
- Andrew Vachss' website www.vachss.com
- Battered Mother's Custody Conference, Albany NY
www.batteredmotherscustodyconference.org
- California Protective Parents Association www.protectiveparents.com
- California Mothers of Lost Children www.mothers-of-lost-children.com
- Collaborative for Children www.collabforchildren.org
- Depelchin Children's Center www.depelchin.org
- Escape Family Resource Center www.learntoparent.org

Legal Resources

- ABA Center on Children and the Law www.abanet.orgchild/home.html
- National Association of Counsel for Children www.naccchildlaw.org
- National Center for Youth Law www.youthlaw.org
- National Conference of State Legislatures - Child Welfare Project
www.ncsl.orgprograms/cyf/cw.htm
- National Council of Juvenile and Family Court Judges - Permanency Planning for Children Department www.ncsl.orgprograms/cyf/cw.htm
- Texas CASA (Court Appointed Special Advocate) www.texascasa.org
- Texas Department of Protective and Regulatory Services - Child Protective Services /
www.dfps.state.tx.us/child_protection/about_child_protective_services/Default.asp
- U.S. Department of Health and Human Services, Administration for Children and Families - Children's Bureau www.acf.dhhs.gov/programs/cb/
- Houston Volunteer Lawyers www.ehvlp.org
- Houston Lawyer Referral services www.hlrs.org
- Lone Star Legal Aid www.lonestarlegal.org
- Child Welfare Information Gateway www.childwelfare.gov
- State Bar of Texas www.texasatj.org "Find Legal Assistance"

Partnerships

- University of Houston Law School www.law.uh.edu
- University of Houston Psychology Department www.psychology.uh.edu
- Houston Volunteer Lawyers Program www.ehvlp.org/home/default.aspx
- Houston Young Lawyers Program www.hyla.org/hyla/Default_EN.asp

International Resources

- Preventing child maltreatment: a guide to taking action and generating evidence.
The World Health Organization and International Society for Prevention of Child Abuse and Neglect
http://justiceforchildren.org/documents/WHO-IPSCAN_9241594365_eng.pdf

**“What has made this nation great? Not its hero’s but its households”.....Sarah J. Hale,
Traits of American Life**

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