

The Dangerous Legal Tactic at the Heart of Baldwin's Book

By Sol Gothard
and Randy Burton

Alec Baldwin's new book on divorce and custody promotes a controversial legal strategy that places abused children in danger. In his book, "A Promise to Ourselves: A Journey Through Fatherhood and Divorce," Baldwin endorses a discredited legal defense strategy called Parental Alienation Syndrome. The PAS tactic has been used by child abusers and batterers in California family courts and nationwide to gain child custody and visitation by attacking child abuse victims' credibility — thus encouraging judges not to investigate child abuse allegations.

Children's safety must be placed first and foremost in family courts. To ensure abused children are protected, family court judges should throw out PAS and its related language, and order thorough investigations of all child abuse allegations by trained child abuse experts in custody cases.

The PAS strategy was originally devised in 1985 by a controversial psychiatrist and defense expert witness named Richard Gardner, who marketed PAS as a defense strategy for accused child molesters and child abusers.

Playing upon the familiar idea that some parents badmouth each other to children in divorce, Gardner called this experience a "syndrome." Gardner then concocted the PAS strategy to prevent child abuse investigations by claiming children were "brainwashed" into making false abuse allegations by one parent against the other. Thus, PAS strategy says whenever a child discloses abuse and fear of a parent in the context of a custody dispute, they should not be believed. The PAS tactic encourages judges to assume without investigation that child abuse allegations are false, placing abused children in grave danger.

Equally disturbing are pro-child molester statements published by Gardner — including "inbreeding [incest] can be beneficial," and, "pedophilia [child molestation] also serves procreative purposes." Baldwin quotes Gardner extensively in his 20-page chapter devoted to parental alienation.

Baldwin first championed the PAS strategy in 2007. Instead of taking responsibility

for his own actions, he attempted to blame PAS as the cause for his abusive voicemail to his then 11-year-old daughter, Ireland. In the voicemail, Baldwin called her a "rude, thoughtless little pig" and made menacing threats against the child.

Rather than admitting his own frightening and abusive behavior was the likely cause of his daughter's rejection and avoidance of him, Baldwin stated in his book and media interviews that he is a "victim" of PAS, claiming his ex-wife, Kim Basinger, turned his daughter against him.

The 2006 Judge's Manual of the National Council of Juvenile and Family Court Judges states "abusive parents commonly blame their partners for turning their children against them, and rarely take responsibility for the impact of their own behavior on the children."

While badmouthing does occur in a minority of divorces and some parents attempt to influence a child's feelings toward the other parent, badmouthing should never be used as a reason to fail to investigate child abuse allegations in a custody dispute or to change custody. PAS puts abused children at extreme risk by causing judges to ignore their abuse disclosures.

Since its creation, Parental Alienation Syndrome strategy continues to endanger abused children in family courts. PAS has strategically been called by other names, including "Hostile Aggressive Parenting" "alienation," "coaching," "disparagement," etc. But all of these phrases are part of the PAS strategy.

The PAS strategy has caused the death of at least one child. A 2006 article in Phoenix Magazine reported a 5-year-old boy was murdered in 2004 by his abusive father as a result of the tactic of PAS. When the PAS strategy was introduced into the custody case, the court refused to investigate the little boy's pleas that visitation with his father was unsafe. Instead, the court accused the mother of "coaching her child to fabricate his fears."

Because of the PAS tactic, abused children (especially in sexual abuse cases) have been placed into the hands of their abusers. The Leadership Council, a highly respected independent scientific organization, states, "it is estimated that over

58,000 children a year are ordered into unsupervised contact with physically or sexually abusive parents following divorce in the United States." It has been reported that the PAS strategy was used in a large number of these cases.

In September 2008, Jennifer Collins, a child victim of the PAS strategy (now 23), recounted on the nationally televised "Mike & Juliet Show" how her abusive father used the PAS strategy to gain custody of her and her brother, despite a court finding of domestic violence by the father and medical evidence supporting a child abuse report that the father had fractured her 4-year-old brother's skull.

Studies show 50 percent of abusers who batter their partner also physically abuse their children. But tragically, a 1996 study in the Family Law Quarterly found child custody evaluators did not consider a history of domestic violence as a major factor in their recommendations, but three-fourths of them cited "alienation" as a major determination.

In his book, Baldwin attempts to present the PAS strategy as valid, although the National Council of Juvenile and Family Court Judges' 2006 manual states that "parental alienation syndrome or PAS has been discredited by the scientific community" and "should therefore be ruled inadmissible." Also, PAS has not been validated by the American Psychological Association, the American Psychiatric Association or the American Medical Association.

The PAS strategy has harmed thousands of abused children across the country. To protect abused children, judges should never admit evidence of PAS in custody cases and should order thorough investigations of all child abuse allegations by trained child abuse experts.

We must stop the use of the PAS strategy now. The safety of our abused children depends on it.

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A Promise to Ourselves

A Journey
Through
Fatherhood and
Divorce

ALEC
BALDWIN
with Mark Tabb