



StopFamilyViolence.org the people's voice for family peace

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MOTHERS FILE INTERNATIONAL COMPLAINT AGAINST UNITED STATES

Mother's day complaint claims United States courts violate children's and mothers' human rights.

NEW YORK – On May 11, just before Mother's Day weekend, ten mothers, one victimized child, now an adult, and leading national and state organizations filed a complaint against the United States with the Inter American Commission on Human Rights. The case claims that U.S. courts, by frequently awarding child custody to abusers and child molesters, has failed to protect the life, liberties, security and other human rights of abused mothers and their children.

"For more than 30 years U.S. judges have given custody or unsupervised visitation of children to abusers and molesters putting the children directly at risk," says Dianne Post, an international attorney who authored the petition. "These horrendous human rights violations have been brought to the attention of family court systems, and state and federal governments, to no avail. We turn now to international courts to protect the rights and safety of US children."

The complaint details several cases with documented medical evidence of child sexual abuse, yet in each instance the abusing father was given full custody of the children he abused. Several of the mothers were jailed by the courts because of their persistent efforts to protect their children from abuse, several were ordered not to speak of the abuse and not to report abuse to authorities. Every mother was denied contact with her child for some period of time though none was ever proven to have harmed them.

"My life was completely shattered apart on that day and my childhood was destroyed," said Jeff Hoverson, the adult child petitioner, about the day a family court judge ordered sheriff deputies to deliver him into the custody of his abuser. "It was as if I was just kidnapped. I was torn from everything I knew....I was made into a possession rather than a child." Hoverson endured years

of trauma and fear living in his father's home before escaping and returning to his mother at age 17. He is haunted by years of feeling helpless to prevent his father's night-time visits to his sisters' bedrooms.

“The cases in this petition represent the proverbial tip of the iceberg,” says Irene Weiser, executive director of the national online organization Stop Family Violence. “We are contacted by an average of three protective mothers each week who have lost custody to child abusing fathers. This is a nationwide crisis of enormous proportion.”

“The lives of thousands of children and mothers have been irreparably harmed by family courts across our nation,” says Joyanna Silberg, Ph.D., executive vice-president of The Leadership Council on Child Abuse and Interpersonal Violence, another national organization supporting the petition. “The years of trauma and psychological abuse because of the courts’ failings result in lasting emotional damage to the children they are supposed to protect.”

Studies of gender bias in the courts, conducted in the 1980’s and 90’s, found disturbing trends of courts minimizing or excusing men’s violence against women, and favoring the abusers. In 1990 the United States Congress passed a resolution recommending the prohibition of giving joint or sole custody to abusers. Seventeen years later, the practice continues unabated. Ten years ago today, leading national organizations were joined by members of Congress in a protest in Washington D.C. to again raise awareness about the problems in family courts. Today, petitioners say, the problem is systemic and widespread in family law courts across the nation.

The petition seeks a finding from the Inter-American Commission on Human Rights that the U.S. has violated the Declaration of the Rights and Responsibilities of Man and the Charter of the Organization of American States and a statement of the steps that the U.S. must take to comply with its human rights obligations in regards to battered women and children in child custody cases.

The Inter-American Commission on Human Rights was created in 1959 and is expressly authorized to examine allegations of human rights violations by members of the Organization of American States, which include the United States. It also carries out on-site visits to observe the general human rights situations in all 35 member states of the Organization of American States and to investigate specific allegations of violations of Inter-American human rights treaties. Its charge is to promote the observance and the defense of human rights in the Americas.

Dianne Post, a 1980 graduate of the University of Wisconsin law school, has worked on issues of gender based violence since 1976. In addition to private practice and legal aid, she has taught legal classes and been a consultant working or living in Russia, Cambodia, Hungary and some dozen other countries. She is currently in Vladivostok, Russia.

Additional national organizations supporting the international lawsuit include: National Organization for Women and the NOW Foundation, National Coalition Against Domestic Violence, Justice For Children, National Family Court Watch Project, Legal Momentum, Family Violence Prevention Fund, National Alliance to End Sexual Violence, Domestic Violence

Report, Sidran Traumatic Stress Institute, and the National Center on Domestic and Sexual Violence. The petition is supported by many state organizations as well.

In December 2005, the American Civil Liberties Union filed a petition against the United States with the Inter American Commission on Human Rights for their failure to protect Jessica Gonzales' three children from their abusive father, who murdered them. Their petition, the first of its kind, asserted that domestic violence victims have the right to be protected by the state from the violent acts of their abusers.

View the video, review the petition, and read the shocking stories of what is happening in our nation's family courts at <http://www.StopFamilyViolence.org/468>

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