



4-1-1986

### Response of Marilyn Sandberg

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#### Recommended Citation

Sandberg, Marilyn (1986) "Response of Marilyn Sandberg," *Issues in Religion and Psychotherapy*. Vol. 12 : No. 1 , Article 7.

Available at: <https://scholarsarchive.byu.edu/irp/vol12/iss1/7>

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## RESPONSE OF MARILYN SANDBERG

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Marilyn Sandberg

I am very honored to be a part of this presentation today to share some of my personal experiences and feelings about the problems that we are dealing with concerning child abuse, and specifically child sexual abuse. I would like to give you some background about myself and my experience so that you can better understand my attitudes concerning this issue. My involvement has included the following: in the area of prevention and education I have developed school-based programs which teach children their rights, how to report abuse, and how they can get help. I have been involved in both the juvenile and criminal courts in the development of the Weber County Guardian Ad Litem Program and the Weber County Victim Witness Program. I have participated with law enforcement and social service investigators in establishing policy and procedure for effective investigation which addresses the needs of the child victim.

I have been actively involved in legislative issues, and I was one of the individuals who lobbied for and was able to convince the authors of House Bill 209 to include the exception list for incest offenders who were considered treatable and could qualify for probation. This original bill required that *all* offenders, regardless of the circumstances, would be required to serve minimum mandatory sentences.

I believe that abuse of children is the most serious problem that exists in society today and that the ramifications are extensive and extremely far-reaching. Some of the results of child abuse include criminal behavior, sexual perversion, dysfunctional marriages, poor parenting, prostitution, juvenile delinquency, and many more.

Many of our existing laws do not address the needs of children. And I doubt that when our forefathers established laws and regulations, like the accused's right to confront his accuser, they thought that the accuser might be a four-year-old child trying to compete with

a mature, sometimes articulate adult. The child victim, more than any other victim, is at an extreme disadvantage. The child does not have the sophistication or the maturity to change the situation. The child becomes sacrificed to the offender and in some of the cases feels the sacrifice has been authorized by the individuals he or she trusts and loves.

In my presentation today, I will not address the legality of the Child Abuse Reporting Law versus the priest-penitent privilege, but I would like to discuss what is in the best interest of the child victim. During my two-year association with the Weber County Attorney's Office Victim Witness Program, I reviewed 100% of the cases of child sexual abuse in which charges had been filed in Weber County. Most of these cases were referred to the legal system by individuals other than religious leaders, and yet in many of the cases the abuse had been brought to the attention of clergy members long before it was reported to the authorities. My intention today is not to place blame on anyone but to help you understand some of the circumstances that we deal with every day when we work with these children. One particular incest case I worked with had been reported to six different bishops, and none of those bishops reported it to the authorities. The molestation continued for a period of eleven years. Another of my cases involved a fifteen-year-old victim who had been sexually abused by her father for several years. Her father had impregnated her and then arranged for an abortion. After the abortion, the father, the victim, and the mother, in this case, went to their bishop and later stake president for help with their problem.

The father was excommunicated and the bishop began counseling with the family. In the victim's words, "After his excommunication, my dad didn't molest me again for four days, and then he came back to my bedroom. I couldn't take it anymore so I ran away." What do you think this young girl felt about her mother and her church leaders? She realized they knew about the problem because they had been told; therefore, they must approve.

When I first became involved with these cases, and time after time was informed of this type of case management, I became very angry and frustrated that the Church and those who I thought should care about children allowed their continued molestation. Fortunately, I had a very understanding friend who helped me through this anger and who helped me determine a positive direction in which to assist with the problem. My friend, Larry Jacobsen, serves as director of LDS Social Services in Ogden.

I realize that the handling of these cases is done with the best intentions to protect the child. Unfortunately, that protection does

not always take place. Some law enforcement officers and prosecutors feel a violation of the reporting law warrants the filing of charges against the nonreporting clergy member. I am convinced that this is not the solution to the problem. Many Church leaders have encouraged the input of child-protection professionals and have requested information and expressed concerns. The recently published Church pamphlet on child abuse is excellent, and I am thrilled that it has been widely distributed to Church leaders. This development has illustrated that through communication and understanding we can make appropriate and effective change.

I would like to emphasize to bishops to be very careful not to turn what is *not* a confessional situation, and therefore protected by the priest-penitent privilege, into that situation. Mr. Poelman, in a prior presentation which was sponsored by a Salt Lake Commission on Youth and the Utah Child Abuse Advisory Council, advised bishops who learn of child abuse through any other source than a confidential disclosure that they are clearly required to report the abuse to the authorities. No priest-penitent privilege protection applies in those circumstances. For example, information obtained by an LDS bishop from the victim, the spouse of the perpetrator, a neighbor, or any source other than the confession of the abuser, requires the notification of the legal authorities. If a bishop, upon hearing this information, calls in the offender and confronts him with the accusation, the accused will likely confess and ask to be allowed to repent; but the confession would be a result of a forced situation, placing the bishop in a very difficult situation to protect the victim. I encourage the bishops to not "set up" a confession that does not genuinely exist.

I am comfortable with the situation where the offender comes initially to his bishop, on his own accord, and confesses to the abuse. In my experience, this type of admission is extremely rare, but if an individual has the courage to come forward and make that kind of admission, the prognosis for correcting the behavior is much more likely.

Although we have made much progress in our community awareness and education of Church leaders, we still have a long way to go and a lot of hard work ahead of us. Religious leaders need to be continually and adequately informed about what constitutes abuse and how to appropriately handle a reported case. They must realize that these cases require intricate and extensive work, a combined effort which involves not only religious leaders but the therapeutic community and the legal system if the cycle of abuse is to be stopped.

I would also like to encourage Church leaders to reach out to adults who were molested as children.

A few years ago in the Relief Society Manual there was an excellent lesson titled "Safeguarding Our Children." Because I had some experience in the area and because there was some discomfort with some of the sisters concerning the delivery of the lesson, I was invited often to give the lesson in many of the local wards.

*Every time* I gave the lesson someone would ask to talk to me afterward and would reveal that they had been molested as a child. In two of the cases the women were over 70 years old, and with tears in their eyes they told me that as children they had been sexually abused. For all of these years they had carried that secret with them and had never been able to talk to anyone about it. My question to you is, "Why do you think after all those years of secrecy they chose me to share their feelings with?" They didn't even know me. The reason was that I had walked into their lives and said, "Child molestation is not right; it shouldn't happen to anyone; no one has the right to violate a little child, and *the child is never to blame.*" I encourage the continuance of this awareness. Please open the lines of communication and support these adults. They need to be told that the molestation was not their fault. They desperately need your support.

I would encourage clergymen also to open up the lines of communication, and during youth interviews to ask specific questions about inappropriate touching by family members or someone else and then to inform youth that they will help if such a situation ever does exist.

I also encourage the development of Church curriculum for children which provides education about inappropriate touching, informs children of their rights, and tells how to get help in stopping the abuse.

I strongly believe that child abuse can be prevented. With education, cooperation, and understanding, the day will come when abuse does not exist in our society. I celebrate and compliment the progress made within the LDS church concerning child abuse, and I challenge continued development in the areas identified.

*Marilyn Sandberg is director of the Weber County Task Force on Sexual Abuse and Acting Director of the Victim Witness Program out of Weber County Attorney's Office.*