

Testimony of Maureen H. Walther opposing CT S.B. 374

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My name is Maureen Walther. I was home educated here in CT until I entered Princeton University where I graduated in 2007.

Children's health is important. Mental health is important, but not as proposed in Bill 374. Behavioral health assessments are extremely intimate. Forcing such an intimate revelation of private details on such a widespread basis is unwarranted, unnecessary, and oppressive. Its potential helpfulness in some instances cannot justify such a broad based invasion into children's minds, lives, and families.

Several concerns stand out.

-Consent is absolutely necessary. Breast or prostate exams can save lives and people should get them; but consent is the difference between a medical procedure, and molestation. Probing someone's mind is as invasive as probing their body. The American Psychological Association's ethicist, Dr. Stephen Behnke opined in 2004 on the need for psychologists to respect "the individual's right to self determination." He continued: "Perhaps the most apparent way in which the new code supports a client's right to self-determination is found in four ethical standards with "informed consent" in their title..."[\[1\]](#) In contrast, by forcing examinations, regardless of consent, Bill 374 is tantamount to mental molestation.

-This bill is paternalistic. It assumes a stranger's quick evaluation of a child is needed for a parent to adequately address his/her child's needs. But this mirage of empowering parents with information dissolves without consent. You can't empower by taking away rights. The many

Connecticut parents I know are horrified at the prospect of such an incursion into their family's privacy and their freedom.

-Bill 374 will also damage the State's generally positive relationship with home educators. It marks a shift in the state's thinking about home education. By mandating assessments for children in public school and home school only, it assumes homeschooling is under the patronage of the state, not of parents. The home educators in this state—the vast majority of whom are women—will tolerate neither this paternalistic invasion of privacy nor this gross co-opting of home educators under the mantle of the very public schools these parents have worked so hard, and sacrificed so much, to avoid.

-This Bill discriminates against the poor. By excluding private school children, it gives preferential treatment to children of parents who can afford private schools – and are disproportionately Caucasian. What do we say as a society when we demand psychological evaluations of everyone but the often wealthier, predominately white students?

-Bill 374 is bad enough. But how long before the mandated reports are released to pediatricians, psychologists, schools and social workers? A state that willingly overthrows parental rights won't be able to resist mining the wealth of information it gathers.

These are just a few of the concerns. Those who support or enforce will not be walking in the footsteps of great humanitarians. They will be walking in the footsteps of dictators and in the footsteps of the worst of American history.

We would do well to remember our country's other misadventures into "forcible" health care: the psychological experiments undertaken by our military and contested in the *United States v. Stanley*; the forcible sterilization and eugenics program sanctioned in the 1940s by the Supreme Court in *Buck v. Bell*, and so on.

I ask you, on behalf of Connecticut families, to respect informed consent and to reject Bill 374.

[1] “Informed consent and APA's new Ethics Code: enhancing client autonomy, improving client care”, Dr. Stephen Behnke, APA Ethics Director. June 2004, Vol 35, No. 6. Print version: page 80.
<http://www.apa.org/monitor/jun04/ethics.aspx>