

OpEd: Kamala Harris May Protect Mothers from Discriminatory Family Court Decisions

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FORT LEE, New Jersey — Mothers across the country, from non-college educated to professional women, are suffering a brutal fate at the hands of the American family courts as they beg judges to protect their young children from unstable, and often substance-abusing, fathers. Grandparents, likewise, suffer as they watch with agony as their grandchildren are subject to injury and, sometimes, death at the hands of dangerous fathers. Kamala Harris can change that, and she can begin today.

Last week major television networks and print media around the world covered the tragic story of three-year-old Ellie Obi Lorenzo who was recently killed while on a visit with her father, and subsequently tossed into a San Francisco Bay Area recycling center. The father was found to have subsequently committed suicide. This tragedy was preventable. The mother, Dr. Chrystal Obi, a Stanford Clinical Instructor in Pediatric Radiology, had implored the court over a two-year custody dispute to order supervised visitation for the father because of his “increasingly erratic” behavior and his becoming “progressively unstable,” according to court papers filed by the mother.

Following the death of her daughter, Dr. Obi posted on social media: “I wanted desperately for her [my daughter] constant supervision and worried for her safety each time she was with him [the father] for court-ordered visitation.” Why didn’t the court listen to the pleas of the mother, a prominent radiologist serving as faculty at a prestigious educational institution?

Sadly, we’ve found in our four-decade study of the American family courts that judges blithely ignore the behests of mothers to protect their children from injury and death. Those mothers range from educated to non-educated, rich to poor, Black to White, and so forth. The fate of their children in the hands of the abusive fathers – suicide, homicide, self-mutilation, and early-onset anorexia – can no longer be excused as an isolated case of poor judicial decision making. Upon analyzing the criminally dysfunctional family courts, we’ve identified clear and overt civil rights violations in many cases.

Supervised visitation was absolutely warranted in Dr. Obi’s case. For it would have prevented the tragic death of the toddler. Ironically, supervised visitation is routinely imposed on mothers, as a precondition to see their children, but not on dangerous fathers. Such mothers have no history of drug-abuse, alcoholism, or mental disorders. In fact, they are gainfully employed and pose no risk to their children. They have fed, clothed, and nurtured their children, showing much affection and love. What they did do “wrong” was implore the court to protect their children from abuse by the father. In retaliation the courts, which habitually disbelieve women, switch custody to the father (even if the mother is still nursing her child) and order the mother to submit to supervised visitation. Unfortunately, supervised visitation is not temporary. It is imposed on the mother until the child is 18-years old because its sole purpose is to prevent the child from disclosing further abuse by the father.

In our letter published last year in the Washington Post, we showed how family courts throughout the country place the father-child relationship above the needs of the child to be nurtured by its mother, including nursing infants. As part of the court’s prioritization of the father-child relationship, judges routinely force mothers to comply with supervised visitation for fear that the mother will damage the relationship between the child and the father if she is allowed to be alone with her child.

Plainly, we see an infringement on equal protection under the laws as guaranteed by the Fourteenth Amendment – a flagrant civil rights violation – operating in the family courts when mothers are forced into supervised visitation as the precondition to see their children while fathers are not. But the situation, we’re afraid, is far worse. New York family law attorney Joshua Douglas told us that when visitation centers that operated through the family courts first saw they were losing money when fathers refused to comply with supervision, they immediately shifted their focus to the mother, making her the subject of supervised visitation. “Mothers will crawl on their bellies to see their children...and will pay all sorts of fees to court-visitation centers” and the courts “know that” when they impose “such draconian conditions” on mothers.

All things considered, Kamala Harris, as vice president and the leading candidate to replace President Joe Biden as the Democratic Party’s nominee, is in a good position to ask the US Department of Justice to take action post haste on these egregious civil rights violations suffered by mothers in the family courts. She would surely win the hearts of our nation’s mothers and grandmothers, and save the lives of children.

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This article is republished from [Women’s e News](#). Amy Neustein, Ph.D. (sociologist), is co-author of *From Madness to Mutiny: Why Mothers are Running from the Family Courts – And What Can be Done about It*, 2nd edition to be published by Oxford University Press. She resides in Fort Lee, NJ. Michelle Etlin is co-author of *The Hostage Child* (Indiana University Press, 1996), and resides in Pikesville, MD.