



Testimony in support of equal shared parenting 50/50 proposed PA HB1397

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To The Honorable members of the House Judiciary subcommittee on family law in Pennsylvania.

Representative Sheryl Delozier, Majority Chair
Representative Tina Davis, Minority Chair
Representative Jerry Knowles
Representative Jonathan Hersey
Representative Paul Schemel
Representative Summer Lee

Please accept this testimony for the record of, proposed bill PA HB 139, pertaining to a presumptive 50/50 custody.

My name is Bill Ayers. I am a Graduate of NCCU School of Law and the State President of Pennsylvania Bikers for Justice. I am a constituent of the 112th District in Peckville, Pennsylvania. Pennsylvania Bikers for Justice has members in every district and is dedicated to fighting against injustices.

Pennsylvania Bikers for Justice fully supports Sue Helm's proposed PA HB 1397 and we ask you do the same.

Presumptive 50/50 custody will help protect children from physical and sexual abuse.

After Arizona's successful move to Shared Parenting in 2012 there has been a substantial reduction in cases of physical and sexual abuse against children. This was achieved because shared parenting resulted in the availability of more resources to investigate allegations of abuse and resulted in earlier discovery of signs and/or risks of abuse.

The increase in resources in Arizona to investigate allegations of abuse was the result of a significant reduction in false allegations of abuse. It is well established that false allegations of abuse has become a common occurrence in child custody matters. False allegations cost

investigators and the courts valuable time that could have helped a child who was actually being abused. Furthermore, false allegations has caused police, district attorneys, and Judges to doubt some legitimate allegations of abuse. An example of how false allegations have hindered efforts to protect children was recently seen in Northumberland County Pennsylvania. Arabella Parker was in critical condition and taken to Geisinger Medical Center near Danville after state police say her mother's boyfriend, Jahrid Burgess, 19, brutally beat the child at her home near Trevorton on October 10, 2019. Arabella unfortunately died because of her injuries. This senseless tragedy would have been avoided if the Northumberland County resources weren't wasted pursuing false allegations of abuse and if the investigators had not doubted abuse allegations due to their exposure to numerous false allegations of abuse.

False allegations of abuse has created **"the boy who called wolf affect"** where after so many false allegations, investigators of abuse claims assume a claim of abuse is just another false allegation. Pennsylvania Bikers for Justice has thoroughly investigated the impact false allegations of abuse has had in Pennsylvania. We've discovered that in many cases it has created police officers and CYS investigators to doubt claims of abuse when there is a custody dispute and it has caused prosecutors and judges to be suspicious of many abuse claims. We further discovered that all counties in Pennsylvania lack adequate resources and time to thoroughly investigate all allegations of abuse due to time wasted on investigating false allegations of abuse.

A presumptive 50/50 custody will reduce claims of false allegations by eliminating the motive of a parent to make false allegations. In our investigations we've discovered that motive is to win. In every case in Pennsylvania where a parent has made false allegations of abuse in custody matters there reasoning has been to win. They believe that the child is a prize in a battle and they are willing to do anything to win. This has resulted because of the way Pennsylvania Courts have handled custody matters for decades. The majority of the public in Pennsylvania believe that once a relationship between parents is terminated that they need to battle in court for the child. This type of thinking is very troubling and not in a child's best interest because the child is put in the middle of the battling parents and this prevents the child from having a healthy relationship with either parent. With a Presumptive 50/50 custody co-parenting would be encouraged rather than the bitter feud which has become the norm in Pennsylvania and parents that are co-parenting their children are much less likely to make false allegations against the other parent.

Arizona's shared parenting has also protected children by early detections of abuse. This was achieved due to the 50/50 time children spent with both parents rather than the previous 70/30. In most cases of child abuse, the abuse occurs in the home of the parent with primary custody. When a parent is limited to only seeing a child 30% of the time a child is less likely to tell the parent of the abuse and the parent is less likely to see the signs of abuse. There have been many cases in Pennsylvania where it was discovered that the custodial parent was abusing or allowing a child to be abused while the non custodial parent was unable to detect the abuse do to the limited time spent with the child. An example of this was seen when Shana S. Decree of Bucks County killed her three children, at their apartment in Morrisville, Pennsylvania north of Philadelphia. This tragedy occurred because the father was not able to detect that the mother was an immediate threat because of the very limited time he was allowed to spend with his son. Had he been given 50/50 custody, this tragedy would have been avoided.

Pennsylvania has seen numerous cases of children being physically abused, sexually abused and murdered because of the absence of a 50/50 custody presumption. The legislators should follow the example of the other states that have created a 50/50 presumption to help save children from abuse.

Respectfully Submitted,

Bill Ayers on behalf of Pennsylvania Bikers for Justice