

THE FAST LETTER

FAST, False Allegations Solutions Team

A newsletter about false allegations of child sex abuse

CHILDREN DO LIE ABOUT SEX ABUSE !
SO DO VINDICTIVE EX-WIVES AND GIRLFRIENDS !

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FAST format for timelines of case events

Elaine Lehman

We ask every falsely accused person contacting FAST to create a chronological timeline of the events in his or her case. If done well, this timeline can clearly show innocence. It also keeps juries on track about what happened, when. A confused jury convicts, so you want to keep the jury very clear about everything that took place and all of the people involved.

This timeline can be used in a number of ways:

Helping to find a good attorney.

Getting attorneys and others such as extended family members, to realize you are innocent.

For the media, if you decide to contact them at some point.

For other professionals you need to contact.

For caseworkers, if the case is still at the Child Protective Services level.

And most importantly - used on charts at trials.

A FAST member, Amir Hassan, was acquitted of all charges at his trial. He did his own defense pro se (he was his own attorney.) He based his opening and closing statements on his timeline, and had the timeline on charts, so the jury could follow him easily. His jury was NOT confused. By the time Amir finished, his jury understood completely what had happened and why Amir was innocent, step by step. They gave no credibility to his former stepdaughter's false allegations.

Directions:

Skip lines between the events for easier reading.

Put dates first, in **bold font**.

Keep events as short as possible. They must easily fit on charts for the trial.

Every person that appears in one of the events needs to be named in the list of people involved.

Example:

Joe Smith's timeline of case events

People involved:

Joe Smith, falsely accused man

Jane Smith, Joe's ex-wife, mother of juvenile accuser who is Joe's former stepdaughter

Janet D. Vious, former minor stepdaughter who made false allegations

Sgt. Axel Hatchet, investigating police officer

Sally Wall, CPS caseworker who interviewed Janet Jones first.

And so on.

Chronological list of dates and events:

Date:_____ **Event**

Date:_____ **Event**

Date:_____ **Event**

And so on. You can also put your rebuttal under the events, as they happened.

This timeline can be invaluable!

Tips for working on the Habeas Corpus Writ

Julie Miller

In the Habeas, you want to bring up anything that, had it been brought up in trial, would have changed the verdict. So, if you had witnesses that were not called, you will need signed statements from them of what they could have testified to. That will also fall under Ineffective Counsel (IAC) of your attorney, for not calling them as witnesses. Make sure that the information is relevant and goes to what happened and why.

If the DA had an expert witness testify, did the defense bring in an expert to testify as a rebuttal to the prosecution expert said?

Were there mistakes that happened at trial to which your attorney did not object? That falls under IAC if it was prejudicial to the defendant. Allen Cowling has an article on his website about analyzing the trial transcripts. If you have not yet read that, you need to read it. **Then you need to analyze the transcripts from your trial so that you know what went wrong.**

Who testified at the trial for the prosecution? Were they telling the truth? If Child Protective Services caseworker(s) and police testified, compare their testimony to their documents, see if it matches.

Have you read all of the court documents and received copies of everything from the appeals attorney and the first attorney? **If not, you need to request these documents and then you need to go over them with a fine tooth comb.**

Make sure that you have all of the discovery from the first trial.

Did you get copies of all the interviews done of the girl?

Was CPS involved? Did you get copies of their files?

Are you sure that you have all of the police records?

I can promise you, they never give you everything. I got a lot of things after the trial that we had never seen.

In one FAST case, the accuser was a young criminal who stole jewelry worth \$40,000. Information like that is a matter of public record. You need to get all the records like that, that apply to your defense.

What did the first defense attorney not bring up in trial that he should have?

Keep digging until you really do have everything.

Rape Shield Laws

Allen Cowling and Elaine Lehman

ELAINE: Allen, would you be kind enough to explain the Rape-Shield Laws? Also, what is the story on previous false allegations made by the accuser against others? Would that information be blocked by the Rape Shield Act?

One of our members in Pennsylvania was a little shaken yesterday, because his attorney told him that some of his evidence might not be admitted by the judge. The biggest thing Dave was worried about was not being able to bring in the fact that the girl had already accused 7 other people with false allegations. The attorney said the Rape Shield Act would probably interfere with that.

I suggested to our FAST member that his attorney needs to make a very strong argument that the evidence directly applies to his case by showing that this 7-year-old already knew how to make false allegations, and she made one in this case. I also suggested to our member that his attorney needs to include case law precedents.

I believe that people, even children, repeat negative behaviors they exhibited before and got away with. That was the premise on which the "games theory" of human behavior was based. This kind of repetitive behavior shows a **behavior pattern**. You can also predict future behavior from behavior patterns. If an accuser got away with making false allegations twice or more before, he or she will undoubtedly do it again. Even if she did it only once before, doing it a second time established a behavior pattern.

ALLEN: Rape shield laws were adopted in the 1970's to limit the introduction of evidence about a victim's sexual history, reputation or past conduct. Every state has a rape shield law that applies in criminal cases, but only a few extend such laws to civil cases. Rape shield laws commonly bar the introduction of opinion and reputation evidence about the sexual history of the victim. They also typically provide that evidence of specific sexual conduct of the victim is presumed irrelevant unless it is direct evidence of the source of injury, semen, pregnancy, or disease that may be at issue in the case, or relates to specific sexual conduct with the defendant.

ELAINE: It seems to me that when the accuser made previous false allegations of sex abuse against other people, that behavior would relate to the accuser's specific conduct with the defendant. After all, he or she made false allegations against him, too.

ALLEN: Eleven state rape shield laws have what is called a "catch-all" exception, which permits a judge to allow the introduction of any evidence, even that normally barred by a rape shield law, if it is necessary to introduce that evidence to protect the constitutional rights of the accused. Several rape shield laws, including Colorado's, allow the judge to determine whether the evidence in question is relevant and, if so, whether or not the potential prejudicial impact of the evidence outweighs its relevance.

Rape shield laws guard against the introduction of evidence that is irrelevant to the question of the defendant's guilt or innocence, but which has the potential to prejudice the jury against the victim.

ELAINE: Hmmm. If the accuser made previous false allegations as I described, above, that could probably prejudice the jury against him or her. Even so, it looks to me like defense

attorneys should certainly file a strong motion to get this kind of information admitted in the hopes that the judge will see the point, and agree. Obviously, the defendant should not get his hopes up too high!

ALLEN: Rape shield laws help to ensure that rape victims are treated with fairness, dignity and respect during a criminal trial by ensuring that the victim will not be subject to a public airing of his or her sexual reputation, past conduct, and other irrelevant information.

ELAINE: I believe that the Rape Shield Law was originally designed to protect prostitutes and other promiscuous women who had been raped, from having their past sexual behaviors used against them on the stand.

ALLEN: To answer your question about your FAST member in Pennsylvania, yes, if not argued properly, the Rape Shield Law could keep it all out. The sad thing in so many of these cases is that the accused gets locked into a false sense of security believing that everything they have will be admitted. When they actually get to trial, they find that most of it is not allowed. Usually, that was because there were no pretrial motions dealing with the issue. Unfortunately, at trial, when they learn what they have will not go in, they react and many fall apart, so-to-speak. Without even realizing it, that feeling of disappointment comes across to a jury as problematic.

ELAINE: Therefore, even if the defendant is disappointed, he must not let it show!

What do you do when an accuser recants?

Allen Cowling

ELAINE: Allen, a FAST member's accuser, a girl, just recanted. I know that prosecutors will not do anything about a recanting, unless the situation is handled extremely carefully. What should our FAST person do, to make sure this wonderful recanting is not swept under a rug?

ALLEN: What I would do is get that girl to a reputable psychologist as fast as possible and let him or her get the entire story out of the girl. The reason is, if they try to go forward now, as is, there is a chance that the State will come back immediately and threaten to bring criminal charges of perjury against her and that could quickly turn her right back around. She needs to give her story to a professional, fully and completely. Your FAST man needs to get an attorney for the girl who will be sitting in the wings for her. He should explain to the recanter what the State might try.

Next, I would get someone to look at everything specific to the case and do a basic breakdown showing the problems in the case from the beginning. That may sound crazy, but believe me, it is critical. Years ago, I had two girls recant on a guy that had been in for 12 years. I told the family not to go with just that. They did not listen, especially when an attorney told them that was all that was needed.

They filed their petition and the Court refused to overturn saying that there was no "evidence" that he was not guilty, other than the recant. He also said it was highly possible that the girls just felt sorry for the man since he had been locked up for so many years.

Had the convicted man done what I told him, which is the same thing I am suggesting to you, they would have gone to the Court not only with the recant, but with holes in the State's case at the same time.

Now, finally, your FAST man had taken a plea. In other words, he stood before a judge, admitted guilt, stated he knew exactly what he was doing and was then sent to prison. I believe that you said that your FAST man has a mental illness. To get that plea reversed, he will need to show that he was "not capable" of making the decision to accept a plea in the first place. That means he needs to find another psychologist. That is a MUST. Remember, you can have a recant, but that will not outweigh his saying, "Your Honor, I am guilty, I admit it, I know what I am saying and no one has coerced me."

If this FAST man's mother wants her son out, she has taken a major step by getting the accuser to recant, no question, but she will be in for a great deal of heartache if she handles it incorrectly. She can get her son out of prison, if she handles this recanting properly!

Finding the right attorney

Elaine Lehman

Recently, we have had many new people who need to find a good attorney. This is much more difficult than you might think. Defense attorneys, as a group, have no idea how to win a false allegation of child sex abuse case. However, there are some things you can do to find the right attorney for you, that work very well.

Criminal defense attorneys are our #1 problem, and the wrong attorney will lose your case. They lose cases by NOT doing what has to be done to win. They lose by using the old format for defending criminals instead of the new methods we teach. The innocent people in the FAST, False Allegations Solutions Team are not criminals. They are innocent of the allegations against them, and attorneys must defend an innocent person very differently than a guilty one, in order to win.

We really do know what we are talking about re attorneys. There is nothing more frustrating than seeing an innocent person you have come to know and like go to prison because his perfectly good defense strategy was botched by his poor defense attorney.

You are looking for an honest, hard working, humble person who is not too arrogant to listen to what you have to say about your own defense, and who will follow through and DO what you say. He or she does not have to have twenty years of experience. Five to ten years is plenty. Honesty, a burning desire to win, a willingness to work hard, and humility are all more important than many years of experience. In fact, attorneys with many years of experience are very likely to do less work than necessary, simply because they are cruising on their reputations.

Many attorneys lie to their clients from the beginning. They come across as personable and "nice," but they are really conning the prospective client. They are salesmen of themselves, and "nice" is their stock in trade. After the client hires them, they often stop appearing to be so wonderful. They might even stop returning phone calls or emails, and will not listen to your suggestions.

In your interview with a prospective attorney prior to hiring him, you told him about Allen Cowling's website, and you handed him a couple of appropriate issues of *The FAST Letter*. He acted very interested, and said he would read them. After you hired him, that willing, open-minded attitude disappeared, and he proceeded to operate the way he always had with criminal cases. This is exactly the WRONG thing to do, to win a false allegation of child sex abuse case.

I strongly suggest that you read the section on Allen's website, which is also copied into this newsletter, about finding a good attorney, and even print out the list of questions, so you will have it in front of you when you visit a prospective attorney. Do not hire anyone until you have interviewed with several, and had them answer Allen's superb questions. Record each interview, and listen carefully to their answers, after you go home. You are looking for the most honest one.

Allen Cowling once had a case in which his client sent a packet of information about his case along with Allen's list of questions to 44 attorneys. I suppose he used the yellow pages or the legal referral service in his state. Out of all of them, only one answered completely honestly. He said, "I don't know," in response to a lot of the questions. THAT was the right attorney. Why? Because he is the most likely to listen to the new methods for defense strategies that we teach.

There are a few exceptions, of course. For example, Paul Suckle, in Dallas, Texas, already uses the same methods we teach. He specializes in false allegation cases. But, beware of some other "specialists." Just because an attorney specializes, doesn't mean he really knows how to win. We know that Paul does, but not all specialists do. Or, if they once knew, they no longer use the same methods simply because there is less work to do if they do not, and they don't need cases because they are so well known. Allen Cowling recommends a short list of only six or seven attorneys on his website. He worked with them and knows, first hand, that they are superior.

Many people in FAST must use a public defender or a court appointed attorney. These attorneys do very little on any one case, as a group. To be fair, they receive low salaries or stipends, but that is no excuse for an honest person to do a poor job, no matter what the job is. If you can't do the job right, don't do it at all. Don't take a case, unless you intend to do the job to the best of your ability.

Too many public defenders and court appointed attorneys have little or no personal integrity when dealing with false allegations of child sex abuse cases. They don't care if someone is guilty or innocent. They will say that it isn't their job to determine guilt or innocence. Nonsense! You can tell if someone is innocent by reading the documentation on the case and talking with the client and others. They just do not want to do all that work for the pay they receive. As a result, their clients cannot get a fair trial very easily.

Many attorneys, both private and public defenders, routinely pressure clients to take plea bargains. They will tell clients that they intend to go to trial, but that is a lie. They fully intend to wait until the last minute when the client is getting really scared to pressure him to take a plea. If the client does not accept the plea, the attorney has not prepared the case, so he must walk into the courtroom, unprepared. Of course, his client loses and goes to prison, often for life.

Nevertheless, with the help we can offer, even these people can win, by insisting that their Public Defenders do what we say to do.

Beware! The very high priced attorneys are not necessarily better than ordinary private attorneys. They are usually arrogant, and think they know all the answers. They think they can cruise into court and win on their reputations. Unfortunately, they really do not know how to win false allegation cases and they rarely work very hard on cases. You have to go further and do more to win a false allegation of child sex abuse case.

The main thing to remember is that YOU must take charge of your own case. Most defense attorneys, no matter how much they charge, have no idea how to win one of these cases. After reading this, read *The FAST Letter*, February, 2007, article, "The old formula for defending someone, vs the new defense formula that we teach, on our website.

You need to start forming an attorney/client relationship in which the attorney will do what you want done, right from the start. You can do this in a friendly, personable way. Be firm, but keep on smiling!

Dave O'Hara, a FAST member, caught on right away to the fact that he had to take charge of his own case. After all, it is his life at stake. Dave managed to use a combination of diplomacy and charm, and some very tough-minded insisting, to get his attorney to do what Dave wanted. Dave wanted him to take an aggressive, proactive approach, and include the elements in our list for a good defense strategy. Dave's attorney ended up as Dave's friend, and it wasn't always roses and honey, getting there. (See the November, 2006, issue of *The FAST Letter*, for an article about the elements to include, to win.)

I always say, Go with your gut, no matter what! That doesn't only mean that you like the guy. Most attorneys are personable and likeable. Instead, listen for red flags, after you understand what the red flags are. See what this guy feels like when you talk with him, but use your head, too. Explain to him right away that you will be insisting that he do certain things. Take a couple of appropriate FAST newsletters with you, and ask him to read them. Give him Allen Cowling's website address, and strongly suggest that he read the false allegation information on it, too.

Let him know that you understand the attorney/client relationship laws, and that you have the last word about strategy. Record and listen to his answers to Allen Cowling's list of questions very closely after you get home. Do this with at least three attorneys before hiring anyone.

If you have doubts about any one attorney, believe the doubts. They are more likely to be right than not. The most important thing you can do for yourself is to find a good attorney who will believe in your innocence and work hard to win. Therefore, if you have to talk with several before you hire someone, do so. After all, wouldn't you get three estimates on a home improvement job you wanted done before deciding on anyone? We are talking about saving your life, here. Do not trust your life and the lives of your loved ones to someone just because he is "nice."

To recap: Many attorneys offer a free first consultation. Take advantage of that. Ask Allen's questions in that free hour. Record the session to listen to, at home. Do NOT hire someone until you have interviewed several attorneys and recorded the interviews. Remember, "nice cuts no ice." A tough, proactive, hard-working, honest, humble attorney is what you want.

Questioning a Prospective Attorney Defending a False Allegation Case

Allen Cowling - Cowling Investigations, Inc.

You have accessed one of the many pages here at the Cowling Investigations, False Allegation Defense Website. Our main links are located at the bottom of this page. For an explanation of how we handle a false allegation defense, see [Our Expertise, We Can Help](#).

Carefully determine if the attorney you select is the proper attorney for you. They must have a real desire to win. Discovering you have the wrong attorney as your jury is being picked is certainly not beneficial. There are many issues that should be openly discussed with any attorney that you are considering and the following questions should be resolved before any final decision is made on your part.

How long have you been practicing law?

Many times, an attorney who has practiced for approximately five years and is hungry to build a reputation is the best selection. Attorneys who have practiced for years and are considered "heavy hitters," have their practice well established and often rely on shortcuts and their established reputation rather than hard work and preparation. Their practice certainly will not suffer in the event you are convicted.

How much of your practice is devoted to criminal defense work?

It is strongly advised that the attorney you retain have an established background in criminal defense work. Retaining a corporate lawyer to defend a false accusation case most probably would benefit no one, especially the accused.

Are you easily reached at your office during office hours and, if you are out or busy, what is the average call-back time?

This is an important issue because with some attorneys, it can be days before your call is returned.

Can I reach you on a 24-hour basis?

This is an absolute must. Do not "pester" an attorney, but it is extremely important that you have the ability to reach them and not just an answering machine or secretary. If an attorney tells you they cannot be reached after-hours, look for someone else. They simply do not wish to be bothered. Several years ago, I had a client who had already retained an attorney prior to contacting me and prior to any arrest. Their arrest happened late one evening and they could not even reach their attorney until the following morning.

How many sexual abuse allegation cases have you personally handled?

Most attorneys will quickly tell you that they have handled these cases previously, when in fact, many have never been near a false allegation case. The key to determining the truthfulness of their response to this question is in their response to the next question. Never lose sight of the fact that there are attorneys who will tell you anything prior to being paid or retained.

If you have defended false allegations cases in the past, what experts did you use, or have you used?

Defending a false allegation case without the use of experts is similar to playing Russian Roulette with a fully loaded chamber. There is usually no chance for survival. If their response is that they have not needed experts, they most probably are not being truthful about having defended these cases, or at least a major case of this type.

What is your opinion of the use of experts in sexual abuse cases and what experts would benefit me?

Without question, a qualified investigator, someone who specializes in false allegation cases. That individual will actually prepare the overall defense for the attorney. Any attorney who tells you that they can prepare your defense without an investigator most probably has no intention of preparing any defense whatsoever. Also consider the possibility of using a polygraph examiner, but only under the most controlled circumstances, as well as experts who have administered various psychological tests to the accused and experts that have the ability to discredit the State's expert witnesses.

Is this a Daubert or Frye state regarding the admission of expert testimony?

Under Daubert, expert testimony must be based on scientific fact and, as a result, personal opinions will not be accepted by the court unless that opinion has been scientifically proven.

How would you determine the specific testimony of a state appointed psychologist who interviewed a child accuser prior to trial?

File a pretrial motion to exclude testimony. During that hearing, determine what portion of their testimony is scientific and which part is aimed solely at inflaming a jury. Object to anything not proper and assure that the court will not allow such testimony in front of a jury.

How would you handle a psychologist's testimony at trial when they stated that in their expert opinion, the child accuser matches the profile of a sexually molested child?

Object immediately and ask for a mistrial since there is no such recognized profile. That issue should have been dealt with during a pretrial hearing and never allowed because once a jury has heard it, that bell cannot be unringed, regardless of the fact that the judge tells them to disregard what they have heard.

Is it your practice to waive a preliminary hearing? If so, why and if not, why not?

Waiving the preliminary hearing misses the opportunity to cross examine the child accuser, if the prosecutor puts that child on the stand and many do. The preliminary hearing provides one of the only circumstances under which a child can be questioned harshly, because it does not take place in front of a jury and there is no fear of a jury convicting based only on sympathy. In addition, the preliminary hearing is one of the only opportunities you will ever have to carefully question the child accuser prior to trial. It can provide the perfect setting to require the child accuser to "detail" the facts of their allegation. At the very least, you can expect testimony from the child to have very little or no detail, simply because they are not able to respond to events that never took place. Normally, when the child is pushed for detail, tears flow. That is the last thing that needs to be done in front of a jury because, many times, they take the attitude that the attorney is "beating up" on the poor child. On occasion, a prosecutor elects not to put the child on the stand and uses a detective instead. In that case, you must look for an alternative to questioning that child prior to a jury setting. It is vital to use every means possible to expose the lie before a trial.

What exactly would your strategy be at a preliminary hearing?

I have heard numerous attorneys tell clients that they do not want to do anything at the preliminary hearing that will "tip" the prosecution as to the defense. How is questioning a child and locking them into absolute detail and absolute testimony tipping the prosecution about anything? I have also seen attorneys allow the prosecution to put on their side at a preliminary hearing and then ask no questions. A perfect example was a young girl who testified, "I was in the livingroom and daddy was in the shower." "He made me come to the shower and wash his private spot, even though he had already washed it." When I finished, I used the bathroom." "When I finished using the bathroom, daddy got in the shower." First, if the little girl was in the living room, how could she possibly have known what her father had or had not washed? Secondly, if her father was in the shower when she was in the livingroom, why was it necessary for him to get in the shower when she finished using the bathroom? The attorney allowed that testimony and responded, "No questions." He said he wanted to deal with it at trial. He did and his client was convicted and sentenced to 64 years. Questions that should have been asked include:

- What happened when you washed your father's private spot?
- Describe what your father's private spot looked like; hard/soft - any marks - circumcised?
- Why did you stop washing his private spot?
- If you were so uncomfortable, why did you use the bathroom at the same time your

father was in there?

When you push a child, there are many issues that they were never coached on and some fold quickly.

When do you file a Motion for Discovery and what does it entitle us to?

A Motion for Discovery should be filed immediately after either an arrest, an indictment or the attorney is retained. A Motion for Discovery entitles the defense to have everything the State has and will use against the accused, including all documents, reports, tests and a synopsis of all witnesses and their testimony. When the State has not complied within a normal time frame, the attorney should file a Motion to Compel, asking the Court to force the State to comply. As soon as discovery is received, it should be carefully analyzed to determine if the State has complied with "all" discovery the defense is entitled to. If not, again, there should be a Motion to Compel filed. If the State denies any aspect of discovery, telling the defense they are not entitled to some evidence, the defense should file a motion for an in-camera review by the court.

Have you personally experienced a prosecutor withholding exculpatory evidence?

Many prosecutors provide discovery at the last possible minute and in some cases, withhold discovery that would benefit the defense. A defense attorney should file a Motion to Compel and force the State to produce any material the defense is entitled to and the State has failed to produce. The information obtained from discovery is absolutely vital to the defense.

What would your reaction be to multiple interviews of a child accuser?

It is a proven fact that multiple interviews of a child, especially by non-qualified individuals, actually coaches the child and in some cases, can be grounds for filing motions to restrict any or all of a child's testimony. There is certain criteria for interviewing children and very few people are really qualified, as is found in a great majority of false abuse allegation cases. When an interviewer shows "sympathy" for the child, the child gets the clear message they are telling the interviewer what they want to hear, and that certainly does not have to be the truth. Non-qualified individuals all seem to have one thing in common. Without realizing it, the greatest majority of their interview with a child is conducted by using sympathy and leading questions. There have been numerous cases overturned in many circuits because of leading questioning and because the questioning technique actually tainted the child's testimony. There are experts who have the ability to educate the court as to the damage of multiple interviews.

What would your opinion of the use of SAC (sexually anatomically correct) dolls be?

SAC dolls act as a coaching aid and should never be used. They are a training tool and coach a child. In many instances, the person who used the dolls during the interview was not qualified to use them at all. There have even been cases where a prosecutor has used dolls prior to having a "child victim" testify so they can "get their testimony" straight. The same is true of sexually anatomically correct drawings. Neither are recommended by the APA, based on a study by their task force in 1991.

What motions would you consider filing as part of the defense?

The attorney should consider filing a motion to require that any and all adult contact with the minor children be video taped, with copies of each tape supplied to the defense within three (3) days, something very seldom done. In many cases video and/or audio taping will prevent multiple interviews, coaching, leading and sympathy questioning of a child, aimed at increasing the allegations. There is no good reason not to tape the sessions and there can be absolutely no dispute as to what transpired during the interview when there is such a record.

If the State responds negatively to a motion, ask yourself what are they afraid of or what are they attempting to hide. The attorney should also consider filing a motion to have the child evaluated by a court appointed psychologist, again, something very seldom done. It is not abnormal for the State to appoint a "prosecution" psychologist and the benefits would be great at having the child interviewed by an unbiased professional. Most State appointed psychologists are nothing more than an assistant to the prosecutor. It would certainly be beneficial to have a neutral party deal with the child. In addition to these, there are numerous other motions the attorney may wish to consider.

Would you have me testify?

In these cases, normally to acquit, the jury demands hearing from the accused that they did nothing wrong. If the attorney you are talking with tells you it is not their policy to have a client "testify" in these matters, you have a problem. Again, in most of these cases, everything normally comes down to your word against the child's and who the jury believes. How can they believe you when you refuse to testify.

How do you handle a child on the witness stand who has testified for the state and then begins crying uncontrollably when being cross-examined?

Ask for a recess, keep the questions simple and prove to the jury by your actions that you are not causing what they are seeing in the child. There is an absolute art to dealing with a child on a witness stand and your attorney better have the knowledge and experience to handle that child without infuriating the jury or you can almost rest assured you will be convicted.

What is an average fee for an attorney defending a false abuse allegation?

An average fee could easily range between \$30,000.00 and \$50,000.00, depending on the length of the trial. An attorney, asking for \$10,000.00, probably has never defended a case of this nature.

While there are numerous issues when considering any attorney, the better educated you are personally as to the basics regarding criminal procedures, the better off you will be in discussing specific matters with your lawyer. For a more detailed discussion of the procedures from arrest through trial, see the link "Criminal Procedure" on the main false allegation page.

**For additional Information
Specific to an Attorney's Expertise
Visit Each of The Following Links**
[Your Attorney](#)
[Defending the Falsely Accused at Trial](#)
[Defense Motions](#)
[Basic Laws](#)

Remember, your life and future are in that attorney's hands. A mistake could easily put you in prison for years.

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Background Information

Bob and Elaine Lehman

Educators, co-authors, co-publishers, co-hosts of radio show,
activists

Elaine Lehman is a former teacher from Baltimore, Maryland, with nearly 20 years of teaching experience with all ages, including adults. Bob is a former rocket engine engineer, who worked for 21 years on the Delta Satellite Program at Cape Canaveral before he and Elaine started their two schools for antisocial teens, in 1977. After the schools closed in 1983, Bob became an airplane mechanic.

1977–1983, Elaine and her husband, Bob Lehman, co-founded and directed two schools for antisocial teens. Elaine and Bob developed their own successful courses of study.

The Lehman's two schools ended up with a documented 100% success rate of the graduates, and an 80% success rate of those who did not complete the program.

1989 -1992, Bob and Elaine Lehman co-founded a state-wide organization in Oregon, aimed at getting the broad, vague child abuse laws changed to clear, specific laws. BUST also exposed the many dreadful problems of the child service division. **“BUST, Break Up System’s Troubles,”** ended up with 500 members, state-wide. As a result of BUST, the Oregon state legislature had a \$200,000 study done, and the study group wrote a scathing report that said all of the same things the Lehmans had said. The legislature changed some of the laws, but not the right ones, due to federal funding problems, if they did.

1997, Bob and Elaine co-founded a similar national organization, **“SOC, Save Our Children,”** which quickly led to their radio show.

1997 - 1999, Bob and Elaine co-hosted their own radio show, **“The Save Our Children Show,”** which was simulcast on two 50,000 watt stations in Providence, RI, and Phoenix, AZ. The show was all about antisocial children and teens and false allegations of child sex abuse.

1999, Bob and Elaine Lehman were professional “expert” guests on two national TV talk shows, “The LEEZA Show” and “The QUEEN LATIFAH Show.” Both shows were about discipline and antisocial children. Elaine has also appeared on several radio shows and TV shows, and she and Bob have given lectures to community groups.

1995 - 1996 - The couple co-authored two published books, *Petey, the Peacock Breaks a Leg*, Winston-Derek Pub. Co., Nashville, TN, 1995, and *“BIG K, the Kundalini Story.”* Hara Publishing Group, Seattle, Washington, 1996.

1978 – Present - The couple co-published a newsprint periodical in Oregon, and several international newsletters. These publications were all about antisocial juveniles and false allegations of child abuse. (See “Newsletters” on our website.)

2001 – 2007, Bob Lehman’s son, Craig Lehman, created and maintained a website for the Lehmans, called www.BEANSWERS.com. It is not currently in use.

2007, Allen Cowling, a national-level defense strategist for false allegations of child sex abuse cases, kindly designed a new website for FAST: www.false-allegations-team.com
(Allen Cowling is Elaine Lehman's mentor about false allegations of child sex abuse cases)

2004 - Present: Elaine Lehman co-founded and directs the "FAST, False Allegations Solutions Team," an international, educational, volunteer support group for people who have been falsely accused of child sex abuse.

