

## A Darkness in Massachusetts

By Dorothy Rabinowitz

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On Labor Day 1984, 60-year-old Violet Amirault — proprietor of the thriving Fells Acres Day School in Malden, Mass. — received a call about a child abuse accusation against her son. Two days later the police arrested 31-year-old Gerald (who worked at Fells Acres) on charges of raping a five-year-old boy, a new pupil.

In short order, the hideous crimes supposedly committed by Gerald began to multiply — as did the number of the accused. Soon, Violet Amirault herself and her newly married 26-year-old daughter, Cheryl, were also charged with having perpetrated monstrous sexual crimes against children ages three to five. Police asked the Amiraults no questions. Instead, they summoned parents of Fells Acres children to a meeting at the station house — where they were instructed to look for symptoms of sex abuse.

Within three years, Gerald Amirault was convicted of assault and rape of nine children. In a second trial his mother and sister were convicted of roughly the same crimes against four children. Gerald, sentenced to 30 to 46 years, has now been in prison since 1986. His mother, now 71, and sister Cheryl, now 37, were given eight to 20 years. Both have been imprisoned, at the Massachusetts Correctional Institute at Framingham, for nearly eight years.

At the time of their sentencing, prosecutor Lawrence Hardoon complained that the punishment was too light for such crimes: and indeed, the prosecution had brought forth some remarkable accusations against the Amiraults.

### **A ‘Magic Room’**

Children had supposedly been raped with knives — which miraculously failed to leave any signs of wounding or other injury — and sticks, and been assaulted by a clown (allegedly Gerald) in a “magic room.” Some children told — after interrogations by investigators — of being forced to drink urine, of watching the Amiraults slaughter blue birds, of meeting robots with flashing lights. Violet Amirault was accused of shoving a stick into the rectum of a child while he was standing up, and of raping him with “a magic wand.” Mrs. Amirault was convicted of these charges. The child also testified he was tied naked to a tree in the schoolyard, in front of all the teachers and children, while “Miss Cheryl” cut the leg off a squirrel.

Who would have credited such witnesses, such testimony? The Amirault family was charged in the midst of the great wave of high-profile child abuse cases sweeping the country in the 1980s — all of them magnets for ambitious prosecutors. Among them was that of day-care worker Kelly Michaels, reported on these pages. But the prime child abuse extravaganza — and the one the Amirault prosecutors clearly took for their model — was the now notorious McMartin Preschool case in California, involving alleged abusers Ray Buckey and his mother, sixtyish administrator Peggy McMartin Buckey.

True, there was a certain inimitable grandeur to the McMartin epic, involving as it did claims of abuse in underground tunnels, of molestation in hot air balloons, and similar marvels. As recently as three years ago die-hard believers among the plaintiff parents were still to be found at the school site, faithfully conducting their searches for the underground tunnels.

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That the wave of spectacular child-abuse trials emerged in the '80s was no accident. The passage in 1979 of the Mondale Act ensured a huge increase in funds for child protection agencies and abuse investigators. With the outpouring of government money came a huge increase in agencies and staffs, which in turn begat investigations and accusations of child sex abuse on a grand scale. An industry had been born.

Nowhere was the fervor of the search for abuse more evident than in the case constructed against the Amiraults. Her husband gone from the household, an impoverished Violet Amirault had built her highly successful day care center — in operation for 20 years — alone, and from nothing. Over the years the school became her life, next to her children. It was clear, when the sensational prosecutions began, that of the thousands of children previously graduated from Fells Acres, none had any stories of abuse to tell.

So the world was left with the state's contention: that Mrs. Amirault, at the age of 60, had suddenly taken to raping small children and terrorizing them into silence. When her daughter, Cheryl, was married in 1983, all the pupils and their parents were invited to the church — an event that occasioned a front page picture of the “kindergarten teacher with a hundred children” in the Boston Herald. Among those children happily giving their teacher kisses were those who some months later would be served up to tell of terrors inflicted by Miss Cheryl, her mother and brother.

As soon as the accusations surfaced, the school's teachers were grilled — but none could be found who saw anything wrong going on at the school. One or two of them disliked Violet, an exacting school head, but still they could come up with nothing, frightened though they were by unsubtle threats from the police, who repeatedly accused them of lying.

Still, the police investigators' effort to find abuse testimony pales beside the surreal interrogations conducted by such as pediatric nurse Susan Kelley, who developed most of the children's allegations of abuse. Over and over, the interviews show, the children say nothing happened, nobody took their clothes off, they know nothing about a magic room or a bad clown. But the interviewer persists. In the world of these examiners, children are to be believed only when they say abuse took place. Otherwise, they are described as “not ready to disclose.”

The Fells Acres children were bribed with gifts, assured that their little friends had already told about the bad things and “helped so much.” At one point the interviewer tells a child that her friend Sara had said “the clown had you girls take your clothes off in the magic room.”

Child: “No, she's lying.”

Nurse: “She's lying? Why would she lie about something like that...?”

Child: “We didn't do that.”

Next the interviewer tells the child, “I really believed her [Sara] because she told me all about it, and she even told me what the clown said.”

Child: “What was it?”

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No sane person reading the transcripts of these interrogations can doubt the wholesale fabrications of evidence on which this case was built. Nor could any reasonable person who looked at the trial transcript doubt that three innocent citizens were sent to prison on the basis of some of the most fantastic claims ever presented to an American jury.

Forced to come up with motives, the prosecutors hit on child pornography. With no evidence whatsoever that the Amiraults had engaged in such crimes, the Commonwealth brought forth a postal inspector Dunn to regale the jury with detailed descriptions of child pornography. When the Amirault women's appeal was refused, Justice Paul Liacos said, in an eloquent dissent, "the court today condones the admission in evidence of highly inflammatory and prejudicial evidence." Clearly, the justice charged, the Commonwealth wanted the jury to infer that because pornographers having no connection with the defendants took pictures of children, so had the defendants.



Cheryl and Violet Amirault

The accused in the McMartin case are now free. Kelly Michaels, too, now has her freedom — but for the Amiraults, a far grimmer story from the outset, prospects remain bleak. The thought of the whole family in prison, Cheryl says, "is too much for any one of us to endure. I can't look into my mother's eyes."

When the Amirault women were sentenced, Prosecutor Hardoon announced that it was "impudent of them" to continue maintaining their innocence. Nevertheless, after eight years in prison they continue to do so — as does Gerald, in Plymouth Correctional Facility. One parole board member told Cheryl that until she confessed she'd be going nowhere. None of the Amiraults are about to confess to what they have not done.

After the first time the women were refused parole, the judge who presided over their trial decided they had served enough time and issued an order to revise and revoke their sentence. Agitated prosecutors succeeded in getting the courts to overturn the revise-and-revoke order — a ruling unprecedented in Massachusetts history. As in some crude melodrama, the women, unaware and thankful to be going home again, were stopped just before they got to the exit. Back they went deeper into the system — to be refused parole again and again.

### **Silence Reigns**

Scott Harshbarger, the district attorney whose office prosecuted the Amiraults — and who ran for re-election advertising that fact — is now attorney general of Massachusetts. Some months after the Amiraults were all convicted and in prison, Mr. Harshbarger presided over a celebratory convocation on the Fells Acres case, billed as "a model multidisciplinary response." Prosecutor Hardoon is now in private practice — in a firm specializing in civil awards for sex abuse.

In Massachusetts armies of journalists from the Boston Herald, the Boston Globe, and local TV followed this prosecution and its preposterous evidence. Today only silence reigns on the Amiraults and the great abuse trials that occasioned so much fevered reporting. Not long ago a Boston Globe editor dismissed a would-be con-

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tributor on the subject, saying “I sent two reporters to cover the story at the time and they said the Amiraults were weirdos.”

Can such a miscarriage of justice — if one can use so bland a term for so horrific a tragedy — be sustained by the will of state prosecutors? As was true of the witch trials of an earlier Massachusetts, this prosecution will, in time, be the source of amazement and horror. In the meantime Violet Amirault lies locked in prison along with her son and her daughter, while the days and years of life slip past.