

ABUSE ALLEGATIONS UNPROVEN

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Ever since the Branch Davidian compound burned to the ground, leaving an estimated 17 children among the dead, the Clinton administration has been on a media offensive. Its message: What happened was a rescue mission gone tragically awry, a humanitarian attempt by federal agents to save young victims from physical and sexual abuse.

This leaves an obvious question: If life was so terrible for Branch Davidian children, why was nothing done earlier?

Allegations now treated as truth at the highest levels of the U.S. government were known to a number of federal, state and local authorities well before the Bureau of Alcohol, Tobacco and Firearms tried to storm the compound Feb. 28.

But interviews with federal and local officials, as well as a former member of the cult in Australia, indicate that those much-publicized allegations of beatings and sexual molestation did not generate much official action. Twice Koresh was investigated: A probe in California went nowhere; the other, in Texas, turned up no evidence of abuse.

Another early suggestion by federal officials -- that some cult members had been shot to death before fire consumed their compound near Waco, Tex., last week -- was confirmed yesterday when autopsies revealed that two people died of single gunshot wounds to the head. {Details, Page A20.}

Questions about child abuse remained unresolved as Texas officials reported Friday that they had never substantiated a child abuse allegation at the compound.

None of the 21 children released from the compound in the early stages of the 51-day siege has shown signs of abuse, Texas child protective service officials said. The children have been physically and psychologically examined. Still,

officials said lack of evidence does not mean abuse did not occur, because young victims often keep it secret.

When the Bureau of Alcohol, Tobacco and Firearms (ATF) launched its Feb. 28 assault on the Branch Davidian compound -- leaving four agents and as many as half a dozen cult members dead -- federal authorities said the raid had been triggered primarily by fears that the cult was building up a vast arsenal of weaponry for a "military-style operation."

During the standoff that followed, the agency also said it had learned of serious child abuse allegations during the course of its weapons investigation. ATF, which has no legal authority to investigate child abuse, knew of at least one specific child abuse allegation that state officials now say was never forwarded to them for a formal inquiry.

As the standoff dragged on, state authorities said they had no new evidence that child abuse had gotten worse in the compound. But soon after last Monday's FBI assault, federal officials began citing concerns over the safety and health of the cult's children as a primary reason for the FBI's decision to fire tear gas into the compound, an action that preceded the fire.

Even while smoke still hung over the ruins of Ranch Apocalypse on Monday afternoon, Attorney General Janet Reno said, "We had information . . . that the babies were being beaten." That evening, she told talk show host Larry King, "We were concerned for the children because there had been reports of sexual abuse of the children."

At the same time, however, FBI Director William S. Sessions said his agency had "no contemporaneous evidence" of child abuse in the compound during the siege, although it had older reports of abuse against children there.

The next day, President Clinton said the cult's children "were being abused significantly, as well as being forced to live in unsanitary and unsafe conditions." When Reno had told him of plans to use the tear gas, Clinton said, "she said, it's because of the children."

By midweek, White House spokesman George Stephanopoulos said the administration had "mountains of evidence that there was child abuse going on in that compound over a long period of time." And Friday, at another news conference, Clinton said, "We know that David Koresh had sex with children. . . . Where I come from, that qualifies as child abuse."

"These are very serious crimes," said John J. Sampson, a University of Texas law professor who specializes in child protection issues. "Sexual intercourse of a grown man with a 10-year-old is supposed to get you a long time {in prison} in this state."

Yet neither Koresh nor any other adult at the Branch Davidian compound was ever charged with criminal child abuse.

Allegations Unverified

On Friday, the Texas Department of Protective and Regulatory Services offered this summary of a nine-week investigation it conducted last spring of child abuse charges against Koresh: "None of the allegations could be verified. The children denied being abused in any way by any adults in the compound. They denied any knowledge of other children being abused. The adults consistently denied participation in or knowledge of any abuse to children. Examinations of the children produced no indication of current or previous injuries."

Texas child protection officials also said they had received no further abuse allegations since last spring. If federal authorities had such information, they did not share it with social workers. "No one has told us anything about abuse," said Stewart Davis, spokesman for the Texas agency.

Also on Friday, a police sergeant in suburban Los Angeles told a Post reporter that an investigation he conducted last fall garnered enough evidence to warrant an arrest, had Koresh been in California at that time. (Koresh was not.) But, the officer said, he might not have had enough to convict the cult leader.

Should this put the abuse allegations in doubt? Not so, insist many who had even limited contact with the Branch Davidians.

"I know how these types of groups work and children are always abused," said Priscilla Coates, former executive director of Cult Awareness Network, a national organization that tracks what it considers abusive religious groups.

Twice in the past six years, defecting Davidians called her Los Angeles home. On one occasion, a woman said Koresh had fathered a baby by a 12-year-old girl, Coates recalls. Last year, another defector, a young man, phoned. Coates said he "probably" spoke about child abuse, "but I don't remember any specifics."

Ex-Member's Account

One who does claim to know specifics is Marc Breault, who describes himself as Koresh's chief lieutenant until Breault quit the cult at the end of 1989 and moved to Melbourne, Australia, with his wife, a native of that country. He also threw himself into a campaign to discredit his former mentor.

The child abuse "was quite extensive, on a massive scale," Breault said. "And I'm talking about both sexual and physical. Beatings started at an extremely young age -- less than a year old. The sexual abuse. . . started at 10 years old."

By way of an example, he said, in late 1988, Koresh spanked an 8-month-old girl who refused to sit on his lap. It went on for 40 minutes, until the infant's bottom was swollen and bleeding. Breault said he did not witness the beating.

During his four years at the compound, Breault said he kept a record of incidents on a portable computer. After he left, he tried to keep abreast of events in the compound by quizzing other defectors and the families of members still there.

In March 1990, Breault, his wife and other ex-cult members in Australia swore out more than 30 pages of affidavits, charging Koresh was building a vast weapons arsenal, harboring illegal immigrants -- and abusing children. The group hired a private detective in Melbourne, Geoffrey Hossack, to circulate their statements among U.S. law enforcement and immigration officials.

Hossack could not be reached for comment.

A problem may have been that the group's charges were general, rather than precisely detailed. "We never came out and said Koresh broke such and such a law," Breault said. "What we were hoping to accomplish was that someone, maybe the

FBI, would come and take down a deposition. We wanted to talk to the police or someone who could grill us."

One of the things he eventually wanted to tell them was that he suspected Koresh was interested in human sacrifice of children -- possibly his own. "He used to teach when I was there that the bad guys would come in and kill his children and he'd have to allow it," Breault said. After he quit the cult, Breault said, "we started hearing rumors that he was planning it himself."

Child Custody Hearing

Breault said a second, more specific, set of affidavits was sworn out for use in a child custody hearing early last year, in which Michigan disc jockey David Jewell petitioned to keep his pre-teenage daughter, then living in the cult with Jewell's ex-wife, away from Koresh. Jewell could not be reached for comment, but the Waco Tribune said the hearing ended in late February 1992 with an agreement that the girl would be kept away from Koresh.

That decision rattled Koresh -- "he panicked," said Breault, who added that he passed this on to U.S. State Department officials in Melbourne and officials of the Seventh-day Adventist Church in the United States and Australia. (Koresh and a number of his followers were former Adventists.) In April 1992, the U.S. consulate in Melbourne, citing "local informants," sent a cable to Washington warning that Koresh's followers were gathering at the Waco compound "where they expected to die as part of a mass suicide" over the Easter weekend. The suicide plan was called off.

However, the cable went on to warn: "The informants also told us that they believe that {Koresh} has armed himself with guns and ammunition in order to effect a shootout with authorities if they attempt to enter the cult's Waco property to take away any of the children now living there, or investigate living conditions."

Two months later, in June, the ATF began investigating possible firearms violations by Branch Davidians. Breault said that, in the process, agents came across his affidavits and interviewed him about the cult.

A year earlier, Breault said, he also took his case to law enforcement authorities in La Verne, Calif.

The Branch Davidians maintained a colony in that Los Angeles suburb. Koresh had lived there for a while and had a mild brush with the law.

That happened in July 1990, when one of Koresh's "wives," Robyn Bunds, quit the house she had been sharing with Koresh and other "wives," then complained to police that the cult leader was keeping their 2-year-old son, Shaun, with him. When police swung by the house, Koresh turned over the toddler without much argument, Sgt. John Hackworth said.

A year later, police began to hear reports of child abuse. Allegedly, Koresh spanked children with a paddle, drawing blood. Problem was, the charges "were unsubstantiated, and some of what was alleged occurred in Texas," Hackworth said.

Visit to Compound

More disturbing were rumors Koresh was having sex with underage girls, which led to two separate investigations. The first, in which Hackworth did not participate, led the La Verne police to tip off Texas law enforcement officials, he said. Hackworth said he was not certain when this occurred.

But Texas child protective service officials first heard allegations of a "history of child abuse by cult leader David Koresh," on Feb. 26, 1992, a statement the agency released Friday shows.

An affidavit -- filed in request of a search warrant -- provides further details, showing that the complaint came from "outside of Texas." On Feb. 27, 1992, child protective service worker Joyce Sparks visited the Branch Davidian compound along with two other department employees and two McLennan County sheriff's deputies. They met Rachel Koresh, David Koresh's wife.

"Mrs. Koresh was reluctant to talk with Ms. Sparks because David Koresh was not there," the affidavit states. "She had strict orders from him not to talk to anyone unless he was present. Ms. Sparks finally was able to convince Mrs. Koresh to allow her to talk with some of the children who were present."

Social workers and law enforcement officers visited the compound on a second occasion as well. But interviews with children and adults, and talks with David Koresh at the agency's office, revealed no evidence of abuse, the affidavit shows.

Texas child protective service officials said they have received no further allegations of abuse, specifically none from the FBI and ATF. "To our knowledge, {neither} the FBI nor the ATF has reported child abuse to this agency," either before or after the Feb. 28 raid, spokesman Davis said.

California Findings

Back in La Verne, Hackworth decided to take another look at the sexual abuse allegations involving Koresh that his department had heard earlier. This time, one of the underage girls alleged as a victim was out of the cult, in her father's custody. After talking to her extensively, Hackworth said, she eventually confirmed she had had sex with Koresh.

But Koresh was in Texas, way beyond the reach of the La Verne police. "I would have arrested him if he had come out here," Hackworth said. "I had enough information to make an arrest, but I don't know if I could have made it to court."

Hackworth said he passed his findings to the ATF in late November.

According to the affidavit filed against the cult member, the ATF began questioning former cult members about allegations of child sexual abuse by Koresh in the next month.

On Dec. 12, 1992, an ATF agent interviewed former cult member Jeannine Bunds, who said that Koresh "had fathered at least 15 children from various women and young girls at the compound." "Some of the girls who had babies fathered by Howell {Koresh} were as young as 12 years old," the affidavit states.

ATF officials declined to comment on who, if anyone, the agent notified about Bunds's specific allegations. But they maintain that the affidavit also revealed that agents had spoken with Sparks and sheriff's department officials who were all aware of allegations of abuse. Sheriff's department officials could not be reached for comment on whether ATF told them of Bunds's comments.

ATF guidelines say that if an agent receives information about a violation outside of ATF's jurisdiction, "special agents will report such information directly to the authorities having investigative jurisdiction . . . unless such action could or would jeopardize an ongoing ATF investigation."

"As terrible as child abuse is, the most immediate threat to the safety of the children was the production of grenades and explosive materials and the violent attitude at the compound," said ATF spokesman John C. Killorin, who noted that a successful ATF investigation would have given all interested agencies an opportunity to intervene.

Girl Tells of Molestation

During the long standoff that followed the Feb. 28 raid, federal officials continued to document allegations of abuse. An affidavit released after the April 19 fire includes details of an interview social worker Sparks conducted with a girl who was once a cult member. In the interview, which the affidavit did not date, the girl alleged that she had been "molested" by Koresh in a motel room at age 10, an event that made her feel "scared" but "privileged." The girl described the event as an accepted part of compound life.

In the statement it released Friday, the Texas child protection agency included some comments about how elusive the evidence in child abuse cases can be.

"The element of secrecy is a common dynamic in abusive families, particularly in sexual abuse cases," the statement said. The agency said there will be continued discussions with the surviving children in the coming months. "In time, these children may be able to share more about their lives," the statement said. "It is important to keep in mind that many children who are abused do not consider their treatment to be harsh, unusual, or abusive."

Staff writer William Hamilton in Los Angeles and special correspondent Kathy Burns in Australia contributed to this report.

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