Fraud and Kidnapping Casts a Cloud on Guatemalan Adoptions

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By Mirah Riben

Imagine your child is brutally kidnapped, stolen right out of your arms. The police believe an international ring of baby brokers and child traffickers are involved and allow you to view passport photos of children headed for adoption out of the country. You positively identify your child. Would you not expect a thorough follow-up investigation into this felony kidnapping; an international investigation; amber alerts and hotlines created? Would you not anticipate a media frenzy and public outcry resulting in the traffickers’ apprehension? The trial would be an international public spectacle and the child, of course, returned to the mother immediately, no questions asked, under great fanfare of justice being served.

Would you not expect as much attention as is being given to any other kidnapping — domestic or international? Our government has, in fact, done everything possible to help Michael McCarty and David Goldman, two fathers whose children were taken out of the country by the boys’ mothers. U.S. media is sympathetic to the American parents’ plight and Rep. Chris Smith, R-N.J., was so concerned he suggested legislation to require better tracking of international custody cases, spelling out what the United States could do to countries that fail to cooperate in resolving custody disputes.

Yes, if your American child is taken to another country, our government uses every diplomatic channel, as well as law enforcement avenues. But what happens when it’s reversed?

Guatemala: Violence and Impunity
Guatemala is a dangerous place, especially for women. Violence against women is rampant. It begins with a culture of machismo and is complicated by police corruption, failure to investigate, victim blaming and impunity. Women are kidnapped, raped and murdered simply because they are females; their murders far more gruesome than the drug trafficking killings men are subjected to. The problem is so serious that the U.S. Congress passed a resolution declaring that femicide — gender based acts to keep women in line — is a form of terrorism that underscores the powerlessness of women in places like Guatemala to safely walk the streets or parent their children.

Last year approximately 722 Guatemalan women were murdered and the numbers appear to be higher for this year. Women are tortured, mutilated, dismembered, wrapped in barbed wire and decapitated. Body parts have been strewn in different parts of the city on occasion, as a message. Many women are killed after reporting their partners for domestic violence. The violence has been documented by BBC in a film entitled, “Killer’s Paradise.” To view a clip, visit https://www.youtube.com/watch?v=72172S-4V.
As an advocate for the rights of mothers and their children, I was part of a recent Human Rights Delegation, "Violence Against Women: And the socio-political context of femicide in Guatemala" sponsored by the Guatemala Human Rights Commission of Washington, D.C. During this delegation we heard testimonies of victims and advocates, such as meeting firsthand with Gladys Monier Torres and Rasa Franco whose 15-year-old daughter was senselessly murdered.

Guatemala has a long history of war, unstable corrupt government and kidnapping as a manifestation of the violence aimed at women. This September the Guatemalan army finally admitted to kidnapping and selling hundreds of children in international adoptions from 1977 to 1989. But these crimes did not end in 1989 or 1999.

Babies have continued to be snatched from their mothers at gunpoint or after being drugged. Dozens of mothers reported stolen babies and at least two were found in orphanages, having not yet been placed for adoption.

In Guatemala it is standard procedure for victims of femicide to be labeled by the police and the press as "nobody" or "prostitute" for such infractions as a tattoo, a short skirt or nail polish. As such, the crimes are not investigated, criminals are unpunished by police and government officials, many of whom profit from the drug trade and crime syndicates. Reports of kidnappings are likewise responded to by victim blaming.

Mothers such as Olga Lopez, Raquel Par and Loyda Rodriguez who come forward to report kidnappings are revictimized by accusations that they sold their babies for adoption rather than having been victims of a crime. Yet even that public humiliation did not deter these courageous and grief-stricken mothers.

Raquel Par hasn’t seen her daughter Heidy Sarai Betz Par for 3½ years. Eleven-month-old Heidy was kidnapped April 4, 2006 on a bus in Guatemala City. Heidy is now 4 years old and believed to live in Iowa.

Loyda Rodriguez has been without her daughter, Angeli Lisseth Hernandez Rodriguez, since she was kidnapped Nov. 3, 2006 from her front yard in Villa Hermosa, San Miguel Petapa, Guatemala City. Angeli is believed to be in Missouri.

It has also been three years since Olga Lopez saw her daughter, Arlene Escarleth Lopez, who at 6 months of age, was kidnapped from Lopez’s mother in Guatemala City Sept. 27, 2006. Arlene is believed to live in Illinois.

These three women refused to give up. They pursued and, believing their children were taken as part of the systematic child trafficking for adoption so prevalent in Guatemala, they were allowed to view passport photos. Each woman positively recognized her child as having been adopted and living in the United States.

Their stories are included in an in-depth documentary on widespread abductions and trafficking for adoption in Guatemala. The report, which is available on video at http://www.tinyurl.com/ehrgfa, explains how DNA reports and photos are phony and birth certificates forged. It also depicts how the mothers identified their children upon being allowed to view passport photos.

Women Helping Women

The delegation met with leaders in the Guatemalan women’s movement including organizers, lawyers, survivors and family members and we learned how women are empowering women in rural areas working for both immediate security precautions and long-term systemic change in Guatemala. We explored the wider socioeconomic and political contexts in which gender-based violence takes place. Learned about the country’s complex history and ongoing efforts to end impunity, heard from leaders in the human rights
movement about their work, and met with government officials charged with monitoring human rights.

Of particular interest was visiting Foundation Sobrevivientes, or Survivors Foundation, directed by Norma Cruz, a recipient of the U.S. Secretary of State's 2009 International Women of Courage Award. Cruz and her organization helped organize two hunger protests — one lasting 10 days — for the Guatemalan mothers whose children were kidnapped and trafficked for international adoption. While we did not get to meet Cruz, we were addressed at her offices by her daughter, Claudia Maria Hernandez to whom I presented a shirt inscribed "Hermandad y Solidaridad."

Hernandez told us that the foundation is not against adoption in Guatemala due to the nation's extreme problems, including children being left orphaned after their mothers fall victim to femicide. But the foundation, said Hernandez, is "against the business of taking children for profit and exporting them.... Children need a mother not to be sold for dollars" as part of the violence against women.

Another organization that helps victims of violence — domestic and otherwise — receive psychological counseling and medical testing is Nuevo Horizonte (New Horizons) in Quetzaltenango. Hoping to build more shelters, they currently have one that temporarily houses 12 families at a time, and they provide daycare. Maria Barrantes, a social worker, told us while we visited, that it is "very common for abusive husbands to force women to accept payments by baby brokers. Many such women come seeking help, even if they are not being abused. Very common."

We visited the Myrna Mack Foundation, established by Helen Mack in memory of her murdered sister, Myrna, an archeologist studying immigration patterns of displaced indigenous peoples. A representative of the foundation volunteered that women are "raped to produce children for trafficking in adoption."" These insights into the coercion and the use of force to secure relinquishment signatures is further evidence of the corruption that became inherent in Guatemala's adoption system prior to its shutdown.

At two midwifery centers — ACAM in Concepcion Chuajorris and CODECOT in Quetzaltenango — we learned that 80 percent of Guatemalan births are attended by midwives outside of hospitals, primarily because of fear of authority. Despite the reports of forged birth certificates and rape victims, Elena Ixcoy, a midwife who had been in exile in New England for 25 years and there met American adoptive parents — told us that she knew of no adoptions in their municipality, a claim reminiscent of colleges who claim no rapes on their campuses. With at least 20,000 adoptions originating from Guatemala since 2000, it is impossible for this community to not have been touched by intercountry adoption.

At 'Programa Tabitha Levantate' (Tabitha Arise) Carolina Alvarado is project coordinator and assistant director of Presbitero Kaczchile, which provides abused women and sex servidores, or sex workers, psychological, medical and legal help. Alvarado told us that in the previous month there had been an accusation of an "improper adoption." Women, she said, "are victims of trickery. They tell her someone will care for her child while she is working and steal her child."

She also told of a grandmother whose new husband saw her grandbaby as a source of income. The baby had been reportedly conceived by a 17-year-old girl who herself was made to work as a sex worker.

**A Special Day**

I extended my stay to visit Amor del Nino: Love the Child, a group home run by Americans, Stephen and Shyrel Osborn, who were called by God to perform this mission. The home is bright and sunny and the children well cared for as attested to by the happy faces of the children, newborn to age 13. Shyrel had joined Olga, Raquel and Loyda, the three victimized mothers in their hunger strike, losing 15 pounds.

Amor del Nino houses some 48 children, many disabled, all of whom were taken by court order or abandoned. Steve informs: "a number of children who were abandoned at birth, and are available [for domestic adoption]. I think the number is close to 20 at present, who are or will be declared adoptable." Steve blogs at Steve's Ramblings at [http://steveamorden.nino.blogspot.com](http://steveamorden.nino.blogspot.com) where he commented on those who had been hoping to adopt when Guatemala stopped its international program: "My heart breaks for these prospective
adoptive parents, even as I wish they hadn’t started the process. The State Department, and honest people in the adoption community had warned against initiating adoptions from Guatemala as early as 2006. But the potential parents were hearing different stories. The adoption agencies as late as the fall of 2007 were still saying these children would die if not adopted. When your heart is inclined to adopt, choosing which of the conflicting reports to believe… is a heart issue, not a brain issue. The only problem is that the conflicting reports on one side were conscientious attempts to protect these hearts. The other, a shameless attempt to profit from the desire of these hearts. And a lie.”

Proof of Fraud
Following our visit to the children’s home, Steve and Shyley joined us as we met with Jennifer Hemsleys who had been in Guatemala briefly still trying to untangle the bizarre web of lies and fraudulent DNA results and photos she found herself in when trying to adopt her second daughter, Hazel. The Hemsleys, whose story was reported in USA Today, have become an avid advocates organizing an international fast in support of Olga, Raquel and Loyda at threeadayforthreethirdsdaughters.typepad.com.

The trip to Amor del Ninos and this meeting had been arranged by Karen Rotabi, assistant professor at Virginia Commonwealth University School of Social Work. An American psychologist and researcher who wishes not to be named as a safety precaution was also present, and we were joined via teleconference by David Smolins, expert on child trafficking and laundering for adoption. For more information about Rotabi’s work in Guatemala, see her analysis of the fraud links in the old system at http://www.socmag.net/?tag=adoption.

We were shown, firsthand, the DNA test reports and photos that are used to obtain visas for Guatemalan intercountry adoptions and learned how the fraudulent adoptions occurred. The form requires all fields are completed, yet on all the ones we viewed — about half a dozen — the field for mother’s ID was left blank though all Guatemalans carry official ID cards called a Cedula. No one leaves home without it, yet none of the forms had ID numbers on them and the U.S. Embassy appears to have issued visas for the children based on this—obviously incomplete, if not fraudulent, paperwork. The U.S. Embassy’s complicity is an area yet to be explored.

Additional proof was meeting Ana Escobar and her daughter, Esther who had been kidnapped at gunpoint when she was 6 months old in March of 2007 after the gunman locked Escobar in a storage closet at the family’s shoe store where she worked.

In her pursuit of her daughter and attempts to get the government to intervene and track down her baby’s abductors, Escobar was allowed to view baby’s “in the pipeline” prior to being sent to the United States for adoption. While there, at the Solicitor General’s office, Escobar spotted her daughter who had not yet been sent for her planned adoption by an American family. Escobar was able to identify Esther by a bent pinky finger.

Jaime Teva, director of a team of experts reviewing all pending Guatemalan adoptions, speaking about the Escobar case told the Associated Press: “This is the first time that we’ve been able to show, with irrefutable evidence, that a stolen child was put up for adoption.” Teva said officials will investigate the lawyers who handled the adoption, the doctor who signed the falsified DNA tests, and anyone else associated with the process.

The mother and child photo attached to the DNA test of Escobar’s daughter was Esther — but the mother in the photo was not Esther’s mother, Escobar. It was an anonymous stand-in in the photo. “This was run by a Mafia, and we are going after them,” Teva said. The DNA tests are accepted as accurate as long as the set of mother and child are a match and may have been that of the mother in the photo and child of hers, or any parent and child.

Escobar’s case was instrumental in Guatemala, freezing 2,286 pending adoptions and officials are currently reviewing each case to confirm there is no fraud. How many children were issued visas and placed for adoption into this country and other countries based on fraudulent papers and photos? Perhaps as many as 1,000. Seventeen such babies have been recovered.

A Most Pignant Question
Seeing Esther in the arms of her mother, Escobar, where she so obviously belongs — where she was always wanted — is an image I will not soon forget. Yet more poignant still
was a question Escobar posed that still echoes hauntingly in my ears.

"Why?" asked Escobar in true bewilderment. "Do Americans want our Guatemalan babies so much?"

It was explained to Escobar that many believe that adoption, in Guatemala and elsewhere, rescues children with no other options. E.J. Graff's "The Lie We Love," "The Red Thread" or "Slender Reed: Deconstructing Prof. Bartholet's Mythology of International Adoption" by Johanna Orešković, Trish Maskew and the works of David Smolin debunk the myths of orphans in need worldwide. 90 percent of whom have family and are ineligible for adoption. These proven cases of kidnapping and the persistence of victim blaming in Guatemala cause us to rethink the allegations that Guatemalan women often sell their babies because of their poverty.

In light of blatant fraud, such as incomplete paperwork and photos of women who are not mothers, we need to replace these myths with the obvious and sad fact that the children most in need are left behind in orphanages worldwide, as they are here in foster care, while baby brokers fill a demand for healthy babies through felony kidnapping of wanted and cared for children.

When we hear the myths and feel the tugging at our heart, we need to look at the source of the orphans-needing-rescue tales and the source is always those who are profiting or U.S. adoption agencies who depend on adoptions to remain in business, those who represent them, market or lobby for them, or those who have come to believe their lies or justify their own participation — albeit unknowingly — in this seamy process.

Facing the truths of the past seven years is not a condemnation of any who have unwittingly been recipients of Guatemalan children. It is sad indeed, that these kidnappings cast a shadow over many adoptions from Guatemala, causing adopters and their children to grow up with doubts about their need to have been adopted. Were they kidnapped — grabbed out of the arms of loving mothers who had no intention whatsoever of letting them go? Were they sold by other family members? Were their mothers lied to and told they were going to be schooled and returned?

David Smolin, who with his wife unintentionally adopted two children from India who were stolen from their mother, believes that the best course of action for the three families identified as housing the possibly kidnapped children of Olga Lopez, Raquel Par and Loyda Rodriguez — and any others who adopted from Guatemala within the past seven years — is to voluntarily have their children DNA tested to positively deny or confirm once and for all whether a serious crime has occurred and lift all suspicions and doubt.

The Attorney General of Guatemala, Jose Amilcar Velasquez Zarate, however, prefers not to wait for voluntary action. He requested in February 2009 that the U.S. Dept. of Justice secure DNA samples of these alleged kidnap victims. The United States has not as yet complied despite a seeming obligation to assist in the investigation of these alleged crimes as per its 2001 ratification of the 1992 InterAmerican Convention on Mutual Legal Assistance in Criminal Matters, according to http://www.crs.gov/infopages/English/Smelvte-25.html

Post Script

After returning home I joined many around the world in a three day fast of solidarity for the three mothers and their three kidnapped daughters.

Additionally, I have been informed that it has been publicized that new DNA tests confirm that kidnapped and United States-adopted Anyeli is in fact the daughter of Loyda Rodriguez Hernandez, who reported her daughter's abduction in 2006, adding yet more credibility to all the allegations.

Far sadder to report is that Nurma Cruz has experienced new threats against her and her family, and Ana Escobar is in hiding after the murder of a family member.

And still, as of this writing, the U.S. government has done nothing.

Mirah Riven is a former AAC director, former vice president of communications of Origins-USA and author of "Shedding Light on... The Dark Side of Adoption" and "The Stark Market: America's Multi-Billion Dollar Unregulated Adoption Industry." For more information about Riven, visit http://www.OriginsPublications.com

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