

July 7, 2021

Thomas Colby and Scott B. Pagel, Editors  
George Washington University Law School  
Public Law & Legal Theory Research Paper Series  
2000 H Street, NW  
Washington, DC 20052

Contact: Nicole Evans-Harris, [nevans@law.gwu.edu](mailto:nevans@law.gwu.edu)

Dear Mr. Colby and Mr. Pagel:

We, the undersigned organizations, write to you to convey our serious concerns about a paper that was published in your paper series by a faculty member at George Washington University Law School, Professor Joan Meier:

Meier, J. S., Dickson, S., O'Sullivan, C., Rosen, L., & Hayes, J. (2019). Child custody outcomes in cases involving parental alienation and abuse allegations (GWU Law School Public Law Research Paper No. 2019 – 56). SSRN: <https://ssrn.com/abstract=3448062>.

Since its publication, this paper has, according to Professor Meier, “been written about in scholarship and multiple media outlets including *The Washington Post* and *The New Yorker*” (<https://www.law.gwu.edu/joan-s-meier>).

The flaws in Professor Meier’s work are identified and examined in detail in the 2021 paper, “Allegations of Family Violence in Court: How Parental Alienation Affects Judicial Outcomes,” by Professor Jennifer Harman and Dr. Demosthenes Lorandos published in the peer-reviewed journal *Psychology, Public Policy, and Law*. (See attached document.) Harman and Lorandos identify “at least 30 conceptual and methodological problems with the design and analyses of the study that make the results and the conclusions drawn dubious at best” (See Table 1, p. 187, for a list of the concerns). Meier and colleagues appear to not have been able to publish a scientifically vetted, peer-reviewed rebuttal to these critiques, as they have since posted a personally prepared “rebuttal” on professional listservs and social media.

Intimate partner violence (IPV) and its possible connection with parental alienation are important problems meriting serious research by qualified social scientists. This is not the sort of research that appears to have been produced by Professor Meier’s team and published in your paper series. An ideological bias is apparent in the [description of the original award](#) that funded the research study, as well as in the introduction of the paper published in your paper series, which characterizes parental alienation as a “pseudo-scientific theory” and alleges it as one that holds that “when mothers allege that a child is not safe with the father, they are doing so illegitimately, to alienate the child from the father.”

In contrast to Meier’s description, we note the following. First, parental alienation is not a pseudo-scientific theory. Clinical, legal, and scientific evidence on parental alienation has accu-

mulated for over 35 years. There have been over 1,000 books, book chapters, and peer-reviewed articles published on the topic, and the empirical research on the topic has expanded greatly and has been recognized and published in the top psychology journals in the field (e.g., *Psychological Bulletin*, *Current Directions in Psychological Science*, *Current Opinion in Psychology*). Second, while Professor Meier's description frames parental alienation in gendered terms, all serious researchers in this area recognize that both mothers and fathers are perpetrators and victims of parental alienation. Finally, to our knowledge, no researcher on parental alienation has ever suggested that *all* allegations that a child is unsafe with the other parent are efforts at wrongfully alienating the child from that parent (and no serious researcher would imply that *none* are). Indeed, Dr. Richard Gardner, who coined the term "parental alienation syndrome" never recommended applying the term if there was *bona fide* child abuse by the rejected parent. When scholars mischaracterize the scientific literature of a field and fail to acknowledge competing opinions and research that contradicts their position, this is considered unethical scientific misconduct.

Most concerning about the paper is that on page 8 the authors stated,

*The PI and consultant Dickson developed analyses for the statistical consultant to complete, reviewed the output, and, through numerous iterations, refined, corrected, and amplified on the particular analyses.*

In other words, the authors stated explicitly that they analyzed data in many ways, and after reviewing their output, they "refined and corrected" it, and then reanalyzed their data to find something statistically significant. Then, after doing this, they stated that they **amplified** their data for particular analyses. This statement indicates that the authors were not only fishing their data for statistical results that supported their beliefs (the hypotheses being tested were never explicated in the paper), but they clearly stated that they *manipulated* their models in order to make particular effects appear more statistically significant than they were.

This behavior is a serious and questionable research practice that creates bias, a practice known as "p-hacking." P-hacking occurs when researchers collect or select data or statistical analyses until nonsignificant results become significant. This form of data-dredging involves scholars **misusing** data to find patterns that can be presented as statistically significant. By doing this, the scholar increases and understates the risk of finding and reporting false positives. One way to determine whether p-hacking has occurred is when the person conducts multiple statistical tests on the data, and then only reports on the results that are statistically significant. Meier and colleagues admit to engaging in this behavior, and therefore the statistical findings reported in their paper cannot be trusted.

This is not the only concern about the statistics reported in the 2019 paper published in your paper series.

The statistical models that Meier et al. (2019) claimed to have run have never been available for review. On page 8, the authors stated,

*New codes were created by the statistician in order to perform these analyses. All codes used in the quantitative analyses conducted are described and defined in the separately*

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*submitted Codebook, which indicates inclusions, exclusions and newly created variables for the quantitative analyses. See DOCUMENTATION Appendix C.*

This Appendix C was not published with your journal, which is odd and not standard practice. Materials referenced in a paper should always be provided to the reader in the journal or the journal's archives website so that they can evaluate the materials and be critical of what is being reported by the authors. To this date, Appendix C still is not publicly available anywhere. A codebook was posted on the NIJ archive about one year after the 2019 paper was published in your journal, and we believe it to be largely indecipherable.

In addition, the authors reported on page 8 the following:

*Logistic regression was used (primarily with the All Abuse dataset) to control for factors that may affect key outcomes, such as differences between trial court and appellate court opinions; differences among states; and the role of gender in custody switches when various forms of abuse or alienation were claimed.*

The authors did not report any of their statistical models in their paper published in your journal, which is very concerning. It remains unclear what specific variables were entered into the models to "amplify" their analyses. The last control variable listed in the quote above is particularly troublesome, as the alleged predictors in their models that were subsequently reported included gender. To control for gender, and then test gender effects is a serious statistical error and must be corrected.

At the end of the 2019 paper published in your paper series, despite obvious and admitted p-hacking and other sampling and methodological issues, Meier et al. put out a "call to action" to advocates and policy makers to change laws about child abuse, and to include sanctions for professionals who even entertain parental alienation as a problem in the family. This call to action has not gone unheard. Direct segments of her report have been requoted across legislative bills and policies across the country and overseas in order to make parental alienation inadmissible in courts, which have recognized parental alienation for its scientific merits. Changing *any* public policy or law based on the results of one study is unheard of, unethical, and dangerous. And yet Meier et al. appear to have used their study published in your paper series to press for such changes, ignoring all reputable scientific evidence about parental alienation, and in spite of the serious methodological flaws of the work and biased statistical analyses. It is our opinion that this is a serious misuse of science, and one that needs to stop.

The myths about parental alienation promulgated by those with an ideologically-based rejection of the scientific research on this malady are harmful to children and parents. Parental alienation is a serious public health problem. It deserves serious research from unbiased professionals that results in publication in peer-reviewed venues, not agenda-driven research that is framed from the outset to support preconceived conclusions and that are published only as research papers by the researchers' institutions.

We realize that your paper series is not a scientific journal, but this is more reason to be concerned about the misuse of scientific research to promote an ideological agenda. Based on the statements made by the Meier *et al.* team in the paper published in your paper series, the statistical results that were reported cannot be trusted, and we are even concerned the data may

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have been fabricated, which may be why a concern about academic fraud was lodged with the George Washington Office of Ethics, Compliance, and Privacy in April 2021 and was referred to the Office of Research Integrity, where Meier is currently under investigation.

We are also very concerned that these problems were not identified and corrected in the review process for your paper series. **The scientific record must be corrected by retracting this paper from publication.** Failure to do so will mislead other scholars who quote her research in their work and policies, and this research cannot be trusted.

Parental alienation is a serious form of psychological abuse and results in the same types of outcomes that other abused children experience: stress and adjustment disorders (e.g., PTSD, anxiety), psychosocial problems and externalizing behaviors (e.g., substance abuse, suicidality). Alienated parents are unable to get closure and have unresolved grief about the loss of their child(ren). They also suffer from being the target of abusive behaviors of the alienating parent. They have high levels of depression, anxiety, and PTSD symptoms, and many become suicidal. An article by Harman, Kruk, and Hines, "Parental Alienating Behaviors: An Unacknowledged Form of Family Violence," provides a thorough review of the research literature on this topic. (See attached document.)

We urge you to immediately correct the scientific record and retract the 2019 Meier et al. paper from publication due the harm it may cause to millions of families, and to review your editorial process to prevent such poor research from being published in your paper series again.

Yours truly,

*Donald Hubin, Ph.D.*

Donald Hubin, Ph.D., Chairman  
National Parents Organization  
[donhubin@sharedparenting.org](mailto:donhubin@sharedparenting.org)

*William Bernet, M.D.*

William Bernet, M.D., President  
Parental Alienation Study Group  
[william.bernet@vumc.org](mailto:william.bernet@vumc.org)