

June 5, 2024

As the father noted, "I became wet down there while bottle feeding my 2 1/2-month-old baby. When our daughter is ten, she will be a perfect subject to conduct my sexual obsessive-compulsive disorder (OCD) exposure therapy on because the arousal was a physiological reaction in the groin area' while bottle feeding my daughter." The King County Washington Superior Court, Honorable Judge Matthew Lapin, agreed with his statements and awarded full custody with decision-making rights to the father without assurance of the child's safety. Today, the child is five years old and only knows one caregiver, her mother. The mother was awarded a warrant for her arrest and 4 hours of supervised visitation per week. What would the child's future look like if this custody change were to occur?

During their marriage, Anya (Anna, Ms. Berezow, the mother) had lived through emotional abuse performed by Mr. Berezow (Alex, Mr. Berezow, the father) in the form of threats and warnings that he had homicidal and sexual inclinations toward their child. After watching her then-husband carelessly handle the child and learning that their Nanny and mother feared Mr. Berezow, Anna made the soul-wrenching decision not to return to the United States (US) after their visit with her parents in Poland in 2020.

With the onset of their custody hearing, the Judge learned that the father was diagnosed with OCD as a teenager. Yet, the Judge denied the necessity of an up-to-date diagnosis while also neglecting the need to know whether the disorder has been cured or allowed to manifest. The Judge added his opinion early in the proceedings that the diagnosis was Harm OCD while denouncing Ms. Berezow for having a baby and staying with Mr. Berezow after learning of his homicidal and sexual obsessions. The Judge's opinionated diagnosis of Harm OCD helped Judge Lapin rule against the mother without considering that OCD is a complicated diagnosis when labeling whether a child is safe or not.

Behavior scientists indicate that "OCD can occur in a wide range of subtypes, which may include sexual OCD, i.e., the occurrence of intrusive sexual thoughts. People with sexual OCD may experience unwanted obsessive sexual thoughts about a family member, dead or inanimate objects, animals, God, or children that can range from mild to severe" (Chaudhary, Singh, & Varshney, 2022). Note that these researchers show that it is essential to explore the ramifications of sexually intrusive thoughts because some can become actions. Furthermore, there is a difference between "Harm OCD" and "OCD," which may be the Judge's reason for ensuring that the Court would assume that Mr. Berezow was diagnosed with "Harm OCD" rather than "OCD." Harm OCD, as noted by the Judge and the American Medical Association, occurs when an individual experiences intrusive thoughts of harming another human being, which often includes having deviant sexual thoughts about a child. If left untreated, these unwanted compulsive thoughts can cause a number of issues that could restrict an individual's ability to parent a child effectively. Harm OCD is characterized by unwanted obsessions and compulsions that can cause

an individual not to want to be with the child for fear of harming them. This causes emotional, psychological, and often physical neglect on the part of the mentally disturbed parent because attending to the child would mean that they would have to be with them. These sexually intrusive thoughts often cause a person to avoid the triggering object or person (World Health Organization, 2024). In this case, Mr. Berezow admits that his sexual obsession is with his daughter, and these feelings appeared when the child was still being bottle-fed before the age of 3 months. The Judge clarified that Mr. Berezow was diagnosed with Harm OCD to protect the father's reputation and to show that he learned not to act on his obsessions.

In 2020, Anya asked their marriage counselor, Ellen McMahon, if she thought the child was safe to be alone with Mr. Berezow. Their marriage counselor responded with this statement, "The circumstances you described with regard to Alex's sexual acting out behavior do not fit typical OCD tendencies and are more in line with sexual deviance. Your instincts underscore the importance of protecting Yulia's safety and she should not be left alone with Alex. " This evidence was ignored by the King County, Washington Supreme Court Judge Lapin, which again helped to cause the Court to rule full custody to the father.

Because Mr. Berezow was originally diagnosed with "sexual" OCD as a teenager, which means that the original diagnosis is now well over 20 years old. The Judge, in this case, ruled that Mr. Berezow showed only the symptoms of Harm OCD, which allowed him to rule that he obtain physical custody of the child because of noting that his sexual obsession was only thoughts that would most likely never be acted upon. Behavioral scientists define harm OCD as being intrusive thoughts that many individuals never act out, but if left untreated, could become actions. As noted by Mr. Berezow's psychological background, he was never diagnosed with Harm OCD; his diagnosis was "sexual" OCD. The Judge also stated in his ruling that the mother showed the need for psychological evaluation because of her actions of initially holding the child in Poland and now refusing to return to the US. She is protecting her child, not keeping her from the father. There is a difference.

Anya is asking the Court to rule that Mr. Berezow obtain a psychosexual evaluation that is up to date to prove that joint custody is in the best interest of the child. If the mother were choosing to "alienate" the child, as noted by the Judge, she would not be placing herself in danger of being arrested and charged with kidnap. She possibly would be hiding from the Court instead of fighting for the child to be able to have both parents in her life safely.

During the proceedings, Anya offered the Court testimonies from experts and witnesses, showed communications, and quoted Mr. Berezow's admittance of having homicidal and sexual fantasies regarding their daughter. The evidence that the mother showed also included the testimony that Mr. Berezow was negotiating to have over a million dollars of their marital assets transferred in his name if granted full custody of the child to pay for her expenses because of the need to supply mental health treatment. His reasoning for the child's therapy is that she will go

through extreme trauma with the change of custody. It is glossed over that their Nanny reports that the child screams in fear whenever she sees her father. Meanwhile, Anya gave up everything she had in the US to ensure her child's safety in Poland. Today, Anya, who is a financial advisor by trade, is capable of offering her daughter a good life, while Mr. Berezow uses websites and social media to ruin her reputation, causing her to experience low income and, or unemployment.

The Court signifies that the protection of Mr. Berezow's reputation is more important than safety and what is best for the child. The mother is asking for one thing outside of asking that a lucrative business she built without Alex's assistance and their marital home be awarded to the child in the form of an irrevocable trust. At no time was Mr. Berezow in agreement to offer the fruit of their marriage to their daughter. Judge Ladin noted that it is not advised that a young person in their 20s acquire such wealth. He said that no Court would rule in favor of such a will. Yet, in that same line of his speech, he would never rule in favor of awarding a young person such wealth in the form of an irrevocable trust. Was he correcting his assumption that no Court would rule in favor of such a will, or was the Judge again inserting his opinion to slant the final ruling in favor of the father?

As noted, the Judge made many assumptions in this case based on little evidence in defense of the father. The Nanny, Dominika Ujazdowska, who lived with the family when the child was approximately three months old, testified that the father was always angry, avoided the child unless it was bath time, and tended to place the infant in danger. The Judge responded with his belief that bath time was the best time for a parent. That is not true if the parent is a possible pedophile. The Judge also noted that he would never rule Mr. Berezow to obtain a psychosexual evaluation because these types of psychological tests are invasive. Per the law, "Parenting limitations under RCW 26.09.191 are rooted in ensuring the child's safety and well-being and not guided or controlled under the guise that this might be intrusive to a parent's privacy. The best interest of the child factor trumps a parent's speculative need for privacy; thus, this is a grave abuse of discretion."

Note that the Judge ruled that a psychosexual evaluation would be too invasive. The Judge also noted that Anya may use the diagnosis to ruin Mr. Berezow's reputation by posting it on social media. The Judge offered that assumption after ruling that Mr. Berezow was to be allowed to post whatever he chooses on social media and websites because Anya is refusing to allow joint custody until she is assured that the child will not experience child sexual abuse. As noted by Ms. Berezow, "I respectfully ask the Court for RCW 26.09.191 (1) and (2) mandatory restrictions for sexual abuse of a child which are fully justified by Petitioner's own disclosures made under oath at trial" (Respondent's Motion for Reconsideration, 2/2024).

An innocent person would not find a psychosexual evaluation invasive because it would not reveal any information that would need to be hidden. When the father was asked if he would allow the child to be with him when she is ten without knowing if he is safe, the father responded

that in exposure therapy, the purpose is to expose the patient to what they fear. In this case, because of his fears of having homicidal and sexual inclinations toward his female child, she would be perfect for his therapy. The Court agreed that it would help the father to use his 10-year-old daughter as his sexual OCD exposure therapy subject.

Mr. Whitehill's, Ph.D. response to the awarding of custody of the child to the father (Psychological Expert Witness): "I definitely do not recommend exposure therapy, as it puts Alex in direct contact with your child. I am sorry he seems to have manipulated my testimony in open Court. However, what I proposed and what is the essence of my testimony is a plan to have renewed contact with your daughter if he were to undergo the evaluation." Dr. Whitehill's Ph.D. testimony is backed by research noting that it is extremely dangerous to allow a child to be used in sexual OCD exposure therapy because, at any time, the patient could act out. These same researchers note that OCD is difficult to cure, even with years of consistent therapy, which Mr. Berezow's background shows has not occurred. Because of the inconsistency of his therapy, the mother is justified in asking for an up-to-date psychosexual evaluation to ensure that a potentially sexually deviant individual is not allowed to endanger their vulnerable child.

Therapy is less likely to cure Mr. Berezow of his OCD because he admits to not respecting the field of psychology as being a legitimate science. He writes scientific articles as a scientist, with many of them criticizing fellow scientists' work. As he wrote in 2012, "Psychology is not a science." His statement denouncing the legitimacy of psychology shows the necessity to offer an up-to-date psychosexual evaluation because his disbelief in psychology proves that if there has been therapy, it is highly unlikely to have been effective. Furthermore, one must ask why Mr. Berezow would claim to need thousands for therapy for the child upon the custody change if he does not respect psychology as a workable science. If the parent is not willing to help a child through therapy, the effects could cause the child to develop chronic mental disturbances (Rosenberg, 2024).

Is it in the best interest of the child to award the father over a million dollars in marital assets if he is awarded full custody? The father has sent messages to the mother that the litigations and the public trashing of her character will not end until he has 100% of the assets and custody. He sent these messages to Anna while admitting to having thoughts of committing homicide and sexually deviant acts with their child. At no time during the 29 hours of litigation did the father mention caring for what was best for the child; he only argued that he would need extensive financial gains to buy the mental health care it would take to combat the child's trauma after experiencing the custody change.

The Judge finally ruled that the father should have full custody of the child with final decision-making. It was ruled that Ms. Berezow should not have any input as to what happens to the child once she is in the custody of the father, which would begin upon her return to the US. It was made clear that there was a warrant for her arrest and that the child would be taken from her

as she stepped onto US soil. In addition, she was awarded only 4 hours of supervised visitation after being the child's only caregiver for the first five years of her life. Is awarding the child to an individual avoiding a psychosexual evaluation after admitting to having a sexual attraction to the child in the best interest of the child or a financial gain for the father, considering the over a million dollars in assets that come with full custody? The fact that Alex has no respect for psychology proves that there is a high probability that therapy for his OCD and the child would be ineffective.

The Ombudsman for Children, Mikalaj Pawlak, from Poland disagrees with the King County, Washington Supreme Court decision to award full custody to the father.

Suspending the implementation of the contested decision will enable the minor to function in a safe and familiar environment, without disturbing her proper development, and will provide the minor with emotional stability, which is not possible in the event of forced implementation of the legally binding decision (by King County, Washington). In the case in question, there is undoubtedly a serious risk of doing irreparable harm to the minor Yulia as a result of the implementation of the legally binding decision. It would be emphasized that in the actual situation of the minor it should be considered whether any negative effects of implementing the decision would be reversible. In the Complainant's opinion, the real risk arising from the circumstances presented in the preceding parts of the complaint makes it impossible to assume that damage can be avoided or prevented in any other way than by suspending the implementation of the judgement.

No child should be placed in the care of a possible pedophile without 100% knowledge that the person is safe. Nor should a child be ripped from the only caregiver she has ever known, especially when that act would deny her the nurturing of her mother. This child deserves the right to live safely, which is why the mother is pleading with King County, Washington Supreme Court to rule in favor of Mr. Berezow offering the proper up-to-date psychosexual evaluation because currently he admits to having homicidal and sexual fantasies regarding his vulnerable female child.

Sandra Speer, Ph.D.

11110 Hwy. 49, #2464

Gulfport, MS 39505

Sandraspeerphd@lifesanswers.care

228.860.5141

CC: Anya (Anna) Berezow