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Body

More than three years ago, a furor erupted in the East Stroudsburg area as word spread that a school physician had examined the genitals of sixth-grade girls.

The furor led to a public meeting attended by more than 100 angry people, a state bill proposing to set guidelines on such exams, and a state police investigation.

On Tuesday, another chapter in the controversy began. A federal jury started hearing testimony here on a lawsuit filed by the families of eight of the girls.

Parents were outraged that the exams had been performed, allegedly without their knowledge.

"It was horrible," one of the girls testified Tuesday. "It hurt physically. But it really mentally hurt knowing that somebody was doing this to me when I didn't want them to do it."

The girl, now 15 and the trial's first witness, wiped away tears as she described the exam. During her testimony, the physician, Ramlah Vahanvaty, was sitting 30 feet away at a defense table.

In the back of the courtroom, the girl's father and other parents dabbed at their eyes with tissues. Her mother, who is seriously ill, was not in the courtroom.

The genital exams were performed during the overall medical checkups required by the state for sixth-graders.

During the 1995-96 school year, the East Stroudsburg Area School District hired Vahanvaty, an East Stroudsburg pediatrician, to do the checkups and to determine how to conduct them.

According to the suits, the genital exams violated the federal constitutional prohibition against unreasonable searches, the parents' rights to make their own decisions about their children, and the girls' rights to privacy.

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Exams were done in March 1996 on 59 girls in the nurse's office at J.T. Lambert Intermediate School. Sixth-graders are usually 11 and 12.

Vahanvaty, nurses Kathleen Parrish and Cynthia Dougherty and the school district are defendants in the U.S. District Court trial. Vahanvaty, who continues to practice in East Stroudsburg, resigned as the school district's doctor after the controversy arose.

Six of the girls and their families filed the suits anonymously, but their names will be revealed in the courtroom when they testify. To protect their privacy, however, The Morning Call is withholding the names of all eight girls and their families.

Vahanvaty maintains that she did only external exams of the girls' genitals, a practice she claims is accepted by the American Academy of Pediatrics.

The girls' genitals needed to be checked for diseases, abnormalities and proper development, Vahanvaty said during pretrial questioning.

Court documents and the limited testimony so far indicate seven of the girls apparently will claim that the exams were external.

The girls were told to take off their underwear, bend their knees and spread their legs. Then with a woman nurse watching, Vahanvaty used gloved hands to spread the girls' labia and visually inspect their vaginas.

But one girl, the first witness, testified Tuesday that Vahanvaty went further with her.

"I felt her finger go into my vagina," the girl told the jury of five men and three women.

While that was happening, the girl testified, she looked at the room lights and was in pain.

"I waited for it to be over, so I could leave," she testified.

She testified that she put her clothes on and told other girls in the waiting room what happened. They were crying and scared, she testified.

The rest of the day, she testified, she sat at school with her legs crossed and head down.

It was the first time a physician had inspected her genitals, she said. That evening, she talked with her mother for two hours about it.

Her father testified, "I was ready to kill people. ... This is your little girl. ... I've always told my children no one would harm them in any way."

Parents started calling school officials that day to complain. A week later, the school district held a public meeting to discuss the issue.

Neither the doctor nor the nurses attended that meeting. School officials claimed that Vahanvaty had not touched the girls' genitals, even though Vahanvaty later said she did touch them.

The girl who testified as the first witness attended that meeting. According to her testimony and her father's testimony, she became upset when she heard school officials claim that the girls' genitals were not touched.

She testified that she rushed to the podium to correct the misstatement.

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Her lawyer, Brian Thomas of Philadelphia, showed the jurors a color photo of her and her father at the podium that day. Father and daughter had grim expressions. In the photo, she had one of her hands on her forehead while her father rested one of his hands on her shoulders.

Later, she underwent therapy for emotional trauma.

The school district had given the families the option of using private doctors for the checkups. The girl testified that she already had a checkup by her family doctor when she was called to the nurse's office.

She testified that she went to the office to tell them she already was examined. But she testified that Parrish said the form must have been lost and that Vahanvaty would be doing a checkup anyway.

The girl testified that she told Parrish that she wanted to call her parents.

According to the girl's testimony, Parrish refused to allow her to call her parents.

"It wouldn't matter if you could," the girl testified, quoting Parrish, "because the state mandates physicals."

In the weeks after the exams, state police cleared the nurses and the doctor of any criminal wrongdoing.

Two of the girls and three parents testified on the opening day of the trial before Judge A. Richard Caputo. It is estimated the trial will last three weeks.

Other witnesses are likely to include pediatricians testifying for both sides as experts on whether the genitals should have been examined and, if so, how. Also, psychologists are scheduled to testify to describe any emotional harm suffered by the girls.

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