

# Evidence of Prior Sexual Abuse

## JonBenét Ramsey Case Encyclopedia

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### Overview

- **Sexual Abuse Not Uncommon.** "It is estimated that 1 in 4 girls and 1 in 6 boys will have experienced an episode of sexual abuse while younger than 18 years."
- **Possible Prior Vaginal Trauma in JBR.** It has been [reported](#): "The autopsy report also describes evidence of possible prior vaginal trauma. Experts disagree about the significance of that. It could indicate previous injury or infection, a sign of abuse, or nothing at all." Some [argue](#) "there was no evidence of prior or on-going sexual molestation." Others such as [Cyril Wecht](#) argue that there was evidence of past sexual abuse. These individuals believe therefore that the perp was likely to be either a family member or close family friend, although there are theories of adult or teenage pedophile rings that do not entail family knowledge of prior abuse (see below).
- **On-line Discussion.**
  - See [Prior Sexual Abuse](#) at Webbsleuths forum chat.
  - See [Day 5: The Vaginal Trauma](#) by /u/FuryoftheDragon at Reddit.
  - See DocG's [Evidence of "chronic sexual abuse" -- a guest post...](#)

### Evidence for Prior Sexual Abuse

#### Medical Opinions

- **Autopsy Findings.** The autopsy report took no position on the issue of whether there was prior sexual abuse; however, all such claims are based on autopsy findings.
- **Normal Hymenal Opening Size 0.6 cm.**
  - "Girls with no definitive signs of genital trauma exhibited a mean transhymenal diameter of 2.3 mm and in general showed an increase of approximately 1 mm per year of age. Girls with definitive signs of genital trauma exhibited a mean transhymenal diameter of 9.0 mm and no significant variance with age. Correcting for age differences, the transhymenal diameter was highly significant as a differentiating factor (F=1079, P<.001). When compared against the criterion standard, the transhymenal measurement is 99% specific and 79% sensitive as a screening tool." Genital Findings in Prepubertal Girls Evaluated for Sexual Abuse: A Different Perspective on Hymenal Measurements. Perry A. Pugno, MD, MPH. Arch Fam Med. 1999;8:403-406. [Full Text for those with access](#)
  - These findings imply an "expected" hymenal opening size of 6 mm for someone JBR's age; her actual opening size, 1 cm, placed her in the mid-range of sizes observed in this study among six-year olds known to have been abused (see Fig. 3 of the study). 99% specific means that using this reference standard (1 mm per year of age), 99% of those with hymenal opening sizes above this standard were actually abused (i.e., the test is 99% accurate in identifying such individuals: only 1 percent are incorrectly labeled as abused). 79% sensitive means that 21% of victims of abuse were missed using this standard.
- **Expert Opinion.** Cyril Wecht, along with 4 other doctors concurred that the injury to hymen "dated from an old injury," including **Dr. David Jones**, Professor of Preventative Medicine and Biometrics at University of CO Health Sciences Center; **Dr. James Monteleone**, Professor of Pediatrics at St. Louis University School of Medicine (and Director of Child Protection Cardinal Glennon Children's Hospital); **Dr. John McCann** (see below); and **Dr. Ronald Wright**, former Medical Examiner, Cook County Illinois (Schiller 1999:437 according to Internet poster [The Punisher](#)). Forensic pathologist **Robert Kirschner** also said that the injuries to [JonBenet](#) were consistent with long-term sexual abuse. **Virginia Rau** of Dade County, Florida said she believed [JonBenet](#) had been sexually abused over time ([Bonita Papers](#)).
- **Cyril Wecht, MD.** Wecht's detailed [analysis](#) of the autopsy report explains the forensic evidence supporting his view there had been prior sexual abuse.
- **Robert Kirschner, MD.** University of Chicago, Department of Pathology.
  - **1997 Statement.** "The vaginal opening, according to Dr. Robert Kirschner of the University of Chicago's pathology department, was twice the normal size for six-year-olds. "The genital injuries indicate penetration," he says, "but probably not by a penis, and are evidence of molestation that night as well as previous molestation."
  - **Alternative Version of Statement.** [www.stewwebb.com](#) contains a different wording for what Dr. Kirschner is alleged to have said: "Dr. Robert Kirschner of the University of Chicago's pathology department went even further, pointing out that her vaginal opening was twice the normal size for six-year-olds. He stated, "The genital injuries indicate penetration, *not only (previously) by a penis, but by another instrument* and are evidence of molestation that night as well as previous molestation." "If she had been taken to a hospital emergency room, and doctors had seen the genital evidence, her father would have been arrested" [highlighting of word differences added].
- **John McCann, MD** *Clinical Professor of Medicine, Dept of Pediatrics at University of California at Davis.*
  - **McCann Assisted BPD.** "In August, the Boulder police department contacted Dr. John [McCann](#), one of the nation's leading experts on child sexual abuse. [McCann](#) had agreed to assist the police department in determining if [JonBenet](#) had been a victim of sexual abuse during or before her murder. [McCann](#) was sent the autopsy report and photos ([Bonita Papers](#)).
  - **General Findings.** "According to [McCann](#), examination findings that indicate chronic sexual abuse include the thickness of the rim of the hymen, irregularity of the edge of the hymen, the width or narrowness of the wall of the hymen, and exposure of structures of the vagina normally covered by the hymen. His report stated that there was evidence of prior hymeneal trauma as all of these criteria were seen in the post mortem examination of [JonBenet](#)" ([Bonita Papers](#)).
  - **Specific Evidence of Prior Abuse.** "There was a three dimensional thickening from inside to outside on the inferior hymeneal rim with a bruise apparent on the external surface of the hymen and a narrowing of the hymeneal rim from the edge of the hymen to where it attaches to the muscular portion of the vaginal openings. At the narrowing area, there appeared to be very little if any hymen present. There was also exposure of the vaginal rugae, a structure of the vagina which is normally covered by an intact hymen. The hymeneal orifice measured one centimeter which is abnormal or unusual for this particular age group and is further evidence of prior sexual abuse with a more recent injury as shown by the bruised area on the inferior hymeneal rim. A generalized increase in redness of the tissues of the vestibule was apparent, and small red flecks of blood were visible around the perineum and the external surface of the genitalia" ([Bonita Papers](#)).
- **Expert Panel.** "In mid-September, a panel of pediatric experts from around the country reached one of the major conclusions of the investigation - that [JonBenet](#) had suffered vaginal trauma prior to the day she was killed. There were no dissenting opinions among them on the issue, and they firmly rejected any possibility that the trauma to the hymen and chronic vaginal inflammation were caused by urination issues or masturbation. We gathered affidavits stating in clear language that there were injuries 'consistent with prior trauma and sexual abuse' 'There was chronic abuse'. . . 'Past violation of the vagina'. . . 'Evidence of both acute and injury and chronic sexual abuse.' In other words, the doctors were saying it had happened before. One expert summed it up well when he said the injuries were not consistent with sexual assault, but with a child who was being physically abused." (Thomas 2000a:253; quote and source provided by Internet poster [The Punisher](#)).
- **JBR's Pediatrician Cannot Be Relied Upon.** Internet poster [koldkase](#) has noted that if Dr. Beuf had known about possible abuse and not reported this to Social Services, he would have been in serious trouble with the law; hence he has no incentive after the killing to concede that abuse was a possibility. In addition, Internet poster [Candy](#) has noted that Ricky Holland's pediatrician also saw no signs of child abuse [Ricky Holland's parents have been [<http://www.freep.com/apps/pbcs.dll/article?AID=/20061115/NEWS99/61115011/1008/NEWS/convicted>] of Ricky's death and the father has apologized for his role, leaving little doubt about their culpability.].

#### Other Supporting Evidence

- **Bedwetting.** Some have speculated that [JonBenet](#)'s known history of bedwetting may reflect distress over sexual abuse.
- **Panty Soiling.** **Holly Smith**, head of Boulder County Sexual Abuse team, [stated](#) she had found fecal staining in all of JBR's panties on the 3rd day of the investigation; in 2006 she stated: "There is this dynamic of children that have been sexually abused sometimes soiling themselves or urinating in their beds to keep someone who is hurting them at bay," explains Smith....While Smith points out there could be innocent explanations, this was the kind of information that raised questions."
- **911 Call Hang-up.** Someone mistakenly called 911 from the Ramsey's house during the party on December 23. Some wonder whether it might have been a child calling about sexual abuse of self, sibling or friend.

### Evidence Against Prior Sexual Abuse

- **Carnes Opinion.** "No evidence, however, suggests that she was the victim of chronic sexual abuse. (SMF P 50; PSMF P 50.)" (Carnes 2003:Note 12).

#### Medical Opinions

- **JBR's Pediatrician Saw No Signs of Abuse.**
  - JBR's pediatrician, Dr. Beuf, [denied](#) there had been any sexual abuse and he was in the best position to know.
  - **Only 5 Visits Over 3 Years Related to Genitalia.** Although JBR had 27 pediatrician visits between March 1993 and November 1996, only 5 of these occasioned an examination of genitalia; a

detailed listing of dates and reasons for these exams is [here](#).

- **Michael Doberson, MD.** On the question of whether the autopsy findings indicated chronic abuse, "Arapahoe County Coroner **Dr. Michael Doberson** says you would need more information before you could come to any conclusion. That was part of Smith's job. But then she was abruptly pulled off the investigation and told police were handling everything." [Editor's Note: **\*\*Holly Smith\*\*** was head of Boulder Country Sexual Abuse Team.]
- **Inflammation and Abuse.** **Dr. Richard Gardner** has stated: "There are doctors (even pediatricians) who claim that any inflammation of a little girl's vulva is a manifestation of sex abuse. Most, however, note that this is an extremely common finding and can result from sweat, tight pants, certain kinds of soap, and the occasional mild rubbing (sometimes masturbatory) activity of the normal girl."
- **No Other Injuries Observed.** **Dr. Richard Gardner** has stated: "McCann (1988) states that 85% of preadolescent children who are being molested are molested on a chronic, ongoing, and recurring basis. Such molestation should, then, produce changes indicative of chronic trauma. He emphasizes the importance of examination for bruises in other parts of the body, in the nongenital area. The mouth is a common site of lesions because the perpetrator may have placed his hand over the child's mouth in order to stop the child from screaming. Grab marks on the arms and inner thighs are also strongly suggestive of sex abuse, especially thumb marks on the inner aspect of the thigh, placed there when the child's legs were forced apart."

## Variations in Hymenal Opening Normal

- "A number of genital anatomical features and hymenal measurements were described and found consistent with previous studies. An important finding was outward folding of the posterior hymenal rim in many girls, a feature that could be difficult to distinguish from attenuation of the posterior hymen. A gaping hymenal orifice, previously suggested to be a supportive sign of sexual abuse, was fairly frequently found and significantly associated with a large horizontal hymenal diameter." In Table 6, authors report results from 4 studies on non-abused children (see spreadsheet). [AK Myhre](#), K Berntzen, D Bratlid (2003). Genital anatomy in non-abused preschool girls. *Acta Paediatrica* 92 (12), 1453-1462. doi:10.1111/j.1651-2227.2003.tb00831.x

Table 6 Summary from Myhre

Study	McCann 1990	Berenson 1992	Berenson 2002	Myhre 2003
Age of Subjects	5-8	4-7	3-8	5-7
Horizontal Diameter of Hymenal Opening (range)	1.0 - 9.0 mm	2.0 - 4.8 mm	1.0 - 10.5 mm	0.8 - 9.5 mm

- "The normal crescent-shaped hymen is most common in prepubertal girls. Other normal findings may include midline avascular areas, periurethral bands, longitudinal intravaginal ridges, superior and lateral notches, and some bumps and hymenal tags. Other anatomical configurations of the hymen, which may normally be observed in prepubertal girls, include an annular hymen, fimbriated hymen, septate hymen, and microperforate hymen." [Ann S. Botash, MD](#) (2006). Pediatrics, Sexual Abuse, E-Medicine from WebMD.
- "The findings of carefully conducted research studies of non-abused children should be used in medical evaluations for suspected sexual abuse if they are to be legally defensible. These studies have shown that a "wide" hymenal opening and a "narrow" rim of hymen should not be used as markers of abuse." [JA Adams](#) (2003). Normal studies are essential for objective medical evaluations of children who may have been sexually abused." *Acta Paediatrica* 92 (12), 1378-1380. doi:10.1111/j.1651-2227.2003.tb00818.x

### Hymenal Injury Occurred After Death?

- One physician concluded that injury to the hymen occurred *after* death: **Dr. Richard Krugman**, Dean of Colorado University Health Sciences Center. (Schiller 1999:437; quote and source provided by Internet poster [The Punisher](#)).
- Krugman further stated: "JonBenet was not a sexually abused child. I don't believe it's possible to tell whether any child is sexually abused on physical findings alone.' Krugman added that the presence of semen, evidence of a STD, or the child's medical history combined with the child's own testimony were the only ways to confirm sexual abuse. What Krugman has described are general guidelines to identify sexual abuse in a child. Krugman has not denied physical evidence of past sexual abuse, and goes on to describe how to generally identify chronic sexual abuse in a child. This statement caused Cyril Wecht to publicly criticize Krugman's report. Wecht said "What is Krugman talking about?" (Schiller 1999a:467; quote and source provided by Internet poster [The Punisher](#)).
- Likewise, according to Internet poster **The Punisher**, **Dr. Ronald Wright**, Former Medical Examiner, Cook County Illinois, stated flatly that it was clear the girl's vagina had been penetrated. ... He too took issue with Krugman's interpretation: "Somebody's injured her vagina. And she's tied up. Doesn't that make it involuntary sexual battery?" Wright asked." (Schiller 1999:437; quote and source provided by Internet poster [The Punisher](#)).

### Hymenal Injury Occurred At Death?

- Another physician, **Dr. Werner Spitz**, concluded that the injury to the hymen occurred at time of death (Schiller 1999:437; quote and source provided by Internet poster [The Punisher](#)). More specifically, Spitz stated "The injury to [JonBenet's](#) vagina had happened either at or immediately prior to her death -- not earlier." (Schiller 1999a:557,560; quote and source provided by Internet poster [The Punisher](#)).
- **The Punisher** argues that "Spitz was referring to the acute injury to the vagina; that which had occurred that night, not the chronic injury. He made that acute injury conclusion based on Meyer's description of the vaginal mucosa, "Acute inflammatory infiltrate is not seen", which means there were no white blood cells present at the site of injury, which means she died before the white blood cells could arrive at the site of the injury." Spitz commented on the *chronic* injuries to the vagina by stating "There is no clear indication of prior penetration." (Schiller 1999a:560; quote and source provided by Internet poster [The Punisher](#)). The Punisher notes that "Notice that Spitz did not say there was no prior penetration. He said there was no clear indication of prior penetration; he was cautious and undecided."

## Other Supporting Evidence

- **Melinda Ramsey** [stated](#): "I'm **John Ramsey's** daughter. I grew up with him, he raised me and I saw him raise JonBenet and I don't understand why they don't believe me --- That he is the most caring father in the world. He has never, ever, ever abused us in any way. I just wish I could say something to convince them." Internet poster [Margoo](#) has observed that "Melinda is an adult and a nurse. If she had been abused by her father, she'd say so, especially with the murder of her step-sister and any potential link to familial abuse."
- **FBI Assessment.** "The FBI believed that JonBenet's vaginal trauma was not consistent with a history of sexual abuse, and they had turned up no evidence of any other type of abuse. The sexual violation of JonBenet, whether pre or postmortem did not appear to have been committed for the perpetrators gratification. The penetration, which caused minor genital trauma, was more likely part of a staged crime scene intended to mislead the police." (PMPT pg 306; quote and source provided by Internet poster [The Punisher](#))
- **Toileting Practices.** Autopsy findings could be explained by toileting practices
  - **Bedwetting Not That Uncommon.** Bedwetting [occurs](#) in 10% of 6-year olds, so it is not a rare event that should automatically give rise to "abuse" explanations. Internet poster [Margoo](#) notes that bed-wetting ran in the family, as all five of John's children had this problem.
  - **Other Extenuating Circumstances.** Internet poster [Margoo](#) has suggested other reasons JBR might have had toileting problems: a) Patsy was so sick with cancer that proper attention to toilet training was not always possible; b) JBR was fully aware that at any time her very sick mother could die from her illness; c) JBR's step-sister was killed in a car accident and JBR could not miss the sorrow her father, her mother, and her step-brother and -sister were feeling.
  - **JBR Well-Adjusted.** JBR appeared very well-adjusted psychologically; this is unlikely were she an abuse victim.
  - **No Other Signs of Abuse.** There is no dispute JBR had toileting issues. However, Internet poster [Rainsong](#) has provided a list of the behavioral and physical signs of sexual abuse and concluded "none of this applies to either [JonBenet](#) or her family."
- **911 Call Hang-up.** Internet poster [Nuisanceposter](#) has stated: "I don't believe [JonBenet](#) called 911. That's not the typical response of a child in a house full of people she could turn to. Children that age don't think, someone is bothering me...I know, I'll call 911! They turn to the people who are in their immediate circle of relationships, and since that house was full of people that [JonBenet](#) knew very well, I'm going to assume she would have sought out someone there rather than think to call 911. Kids are taught that 911 is there for extreme emergency - someone is seriously injured, there's a fire, not someone touched me in a way I don't like. If I had to guess, I'd say calling 911 was a prank call done by kids who were off doing their own thing."