



Georgia General Assembly



From the legislative desk of Senator Nancy Schaefer 50th District of Georgia

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THE CORRUPT BUSINESS OF CHILD PROTECTIVE SERVICES

BY: Nancy Schaefer
Senator, 50th District

My introduction into child protective service cases was due to a grandmother in an adjoining state who called me with her tragic story. Her two granddaughters had been taken from her daughter who lived in my district. Her daughter was told wrongly that if she wanted to see her children again she should sign a paper and give up her children. Frightened and young, the daughter did. I have since discovered that parents are often threatened into cooperation of permanent separation of their children.

The children were taken to another county and placed in foster care. The foster parents were told wrongly that they could adopt the children. The grandmother then jumped through every hoop known to man in order to get her granddaughters. When the case finally came to court it was made evident by one of the foster parent's children that the foster parents had, at any given time, 18 foster children and that the foster mother had an inappropriate relationship with the caseworker.

In the courtroom, the juvenile judge, acted as though she was shocked and said the two girls would be removed quickly. They were not removed. Finally, after much pressure being applied to the Department of Family and Children Services of Georgia (DFCS), the children were driven to South Georgia to meet their grandmother who gladly drove to meet them.

After being with their grandmother two or three days, the judge, quite out of the blue, wrote up a new order to send the girls to their father, who previously had no interest in the case and who lived on the West Coast. The father was in "adult entertainment". His girlfriend worked

as an “escort” and his brother, who also worked in the business, had a sexual charge brought against him.

Within a couple of days the father was knocking on the grandmother’s door and took the girls kicking and screaming to California.

The father developed an unusual relationship with the former foster parents and soon moved back to the southeast, and the foster parents began driving to the father’s residence and picking up the little girls for visits. The oldest child had told her mother and grandmother on two different occasions that the foster father molested her.

To this day after five years, this loving, caring blood relative grandmother does not even have visitation privileges with the children. The little girls are in my opinion permanently traumatized and the young mother of the girls was so traumatized with shock when the girls were first removed from her that she has not recovered.

Throughout this case and through the process of dealing with multiple other mismanaged cases of the Department of Family and Children Services (DFCS), I have worked with other desperate parents and children across the state because they have no rights and no one with whom to turn. I have witnessed ruthless behavior from many caseworkers, social workers, investigators, lawyers, judges, therapists, and others such as those who “pick up” the children. I have been stunned by what I have seen and heard from victims all over the state of Georgia.

In this report, I am focusing on the Georgia Department of Family and Children Services (DFCS). However, I believe Child Protective Services nationwide has become corrupt and that the entire system is broken almost beyond repair. I am convinced parents and families should be warned of the dangers.

The Department of Child Protective Services, known as the Department of Family and Children Service (DFCS) in Georgia and other titles in other states, has become a “protected empire” built on taking children and separating families. This is not to say that there are not those children who do need to be removed from wretched situations and need protection. This report is concerned with the children and parents caught up in “legal kidnapping,” ineffective policies, and DFCS who do does not remove a child or children when a child is enduring torment and abuse. (See Exhibit A and Exhibit B)

In one county in my District, I arranged a meeting for thirty-seven families to speak freely and without fear. These poor parents and grandparents spoke of their painful, heart wrenching encounters with DFCS. Their suffering was overwhelming. They wept and cried. Some did not know where their children were and had not seen them in years. I had witnessed the “Gestapo” at work and I witnessed the deceitful conditions under which children were taken in the middle of the night, out of hospitals, off of school buses, and out

of homes. In one county a private drug testing business was operating within the DFCS department that required many, many drug tests from parents and individuals for profit. In another county children were not removed when they were enduring the worst possible abuse.

Due to being exposed, several employees in a particular DFCS office were fired. However, they have now been rehired either in neighboring counties or in the same county again. According to the calls I am now receiving, the conditions in that county are returning to the same practices that they had before the light was shown on their deeds.

Having worked with probably 300 cases statewide, I am convinced there is no responsibility and no accountability in the system.

I have come to the conclusion:

- that poor parents often times are targeted to lose their children because they do not have the where-with-all to hire lawyers and fight the system. Being poor does not mean you are not a good parent or that you do not love your child, or that your child should be removed and placed with strangers;
- that all parents are capable of making mistakes and that making a mistake does not mean your children are always to be removed from the home. Even if the home is not perfect, it is home; and that's where a child is the safest and where he or she wants to be, with family;
- that parenting classes, anger management classes, counseling referrals, therapy classes and on and on are demanded of parents with no compassion by the system even while they are at work and while their children are separated from them. This can take months or even years and it emotionally devastates both children and parents. Parents are victimized by "the system" that makes a profit for holding children longer and "bonuses" for not returning children;
- that caseworkers and social workers are oftentimes guilty of fraud. They withhold evidence. They fabricate evidence and they seek to terminate parental rights. However, when charges are made against them, the charges are ignored;
- that the separation of families is growing as a business because local governments have grown accustomed to having taxpayer dollars to balance their ever-expanding budgets;
- that Child Protective Service and Juvenile Court can always hide behind a confidentiality clause in order to protect their decisions and keep the funds flowing. There should be open records and "court watches"! Look who is being paid!

There are state employees, lawyers, court investigators, court personnel, and judges. There are psychologists, and psychiatrists, counselors, caseworkers, therapists, foster parents, adoptive parents, and on and on. All are looking to the children in state custody to provide job security. Parents do not realize that social workers are the glue that holds “the system” together that funds the court, the child’s attorney, and the multiple other jobs including DFCS’s attorney.

- that The Adoption and the Safe Families Act, set in motion by President Bill Clinton, offered cash “bonuses” to the states for every child they adopted out of foster care. In order to receive the “adoption incentive bonuses” local child protective services need more children. They must have merchandise (children) that sell and you must have plenty of them so the buyer can choose. Some counties are known to give a \$4,000 bonus for each child adopted and an additional \$2,000 for a “special needs” child. Employees work to keep the federal dollars flowing;**
- that there is double dipping. The funding continues as long as the child is out of the home. When a child in foster care is placed with a new family then “adoption bonus funds” are available. When a child is placed in a mental health facility and is on 16 drugs per day, like two children of a constituent of mine, more funds are involved;**
- that there are no financial resources and no real drive to unite a family and help keep them together;**
- that the incentive for social workers to return children to their parents quickly after taking them has disappeared and who in protective services will step up to the plate and say, “This must end! No one, because they are all in the system together and a system with no leader and no clear policies will always fail the children. Look at the waste in government that is forced upon the tax payer;**
- that the “Policy Manuel” is considered “the last word” for DFCS. However, it is too long, too confusing, poorly written and does not take the law into consideration;**
- that if the lives of children were improved by removing them from their homes, there might be a greater need for protective services, but today all children are not always safer. Children, of whom I am aware, have been raped and impregnated in foster care and the head of a Foster Parents Association in my District was recently arrested because of child molestation;**
- that some parents are even told if they want to see their children or grandchildren, they must divorce their spouse. Many, who are under privileged, feeling they have no option, will divorce and**

then just continue to live together. This is an anti-family policy, but parents will do anything to get their children home with them.

- fathers, (non-custodial parents) I must add, are oftentimes treated as criminals without access to their own children and have child support payments strangling the very life out of them;**
- that the Foster Parents Bill of Rights does not bring out that a foster parent is there only to care for a child until the child can be returned home. Many Foster Parents today use the Foster Parent Bill of Rights to hire a lawyer and seek to adopt the child from the real parents, who are desperately trying to get their child home and out of the system;**
- that tax dollars are being used to keep this gigantic system afloat, yet the victims, parents, grandparents, guardians and especially the children, are charged for the system's services.**
- that grandparents have called from all over the State of Georgia trying to get custody of their grandchildren. DFCS claims relatives are contacted, but there are cases that prove differently. Grandparents who lose their grandchildren to strangers have lost their own flesh and blood. The children lose their family heritage and grandparents, and parents too, lose all connections to their heirs.**
- that The National Center on Child Abuse and Neglect in 1998 reported that six times as many children died in foster care than in the general public and that once removed to official "safety", these children are far more likely to suffer abuse, including sexual molestation than in the general population.**
- That according to the California Little Hoover Commission Report in 2003, 30% to 70% of the children in California group homes do not belong there and should not have been removed from their homes.**

Please continue:

(See Final Remarks next page)

FINAL REMARKS

On my desk are scores of cases of exhausted families and troubled children. It has been beyond me to turn my back on these suffering, crying, and sometimes beaten down individuals. We are mistreating the most innocent. Child Protective Services have become adult centered to the detriment of children. No longer is judgment based on what the child needs or who the child wants to be with or what is really best for the whole family; it is some adult or bureaucrat who makes the decisions, based often on just hearsay, without ever consulting a family member, or just what is convenient, profitable, or less troublesome for a director of DFCS.

I have witnessed such injustice and harm brought to these families that I am not sure if I even believe reform of the system is possible! The system cannot be trusted. It does not serve the people. It obliterates families and children simply because it has the power to do so.

Children deserve better. Families deserve better. It's time to pull back the curtain and set our children and families free.

“Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and the needy” Proverbs 31:8-9

Please continue to read:

Recommendations

Exhibit A

Exhibit B

RECOMMENDATIONS

- 1. Call for an independent audit of the Department of Family and Children's Services (DFCS) to expose corruption and fraud.**
- 2. Activate immediate change. Every day that passes means more families and children are subject to being held hostage.**
- 3. End the financial incentives that separate families.**
- 4. Grant to parents their rights in writing.**
- 5. Mandate a search for family members to be given the opportunity to adopt their own relatives.**
- 6. Mandate a jury trial where every piece of evidence is presented before removing a child from his or her parents.**
- 7. Require a warrant or a positive emergency circumstance before removing children from their parents. (Judge Arthur G. Christean, Utah Bar Journal, January, 1997 reported that "except in emergency circumstances, including the need for immediate medical care, require warrants upon affidavits of probable cause before entry upon private property is permitted for the forcible removal of children from their parents.")**
- 8. Uphold the laws when someone fabricates or presents false evidence. If a parent alleges fraud, hold a hearing with the right to discovery of all evidence.**

**Senator Nancy Schaefer
50th District of Georgia**

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EXHIBIT A

December 5, 2006

Jeremy's Story

(Some names withheld due to future hearings)

As told to Senator Nancy Schaefer by Sandra (XXXX), a foster parent of Jeremy for 2 ½ years.

My husband and I received Jeremy when he was 2 weeks old and we have been the only parents he has really ever known. He lived with us for 27 months. (XXXX) is the grandfather of Jeremy, and he is known for molesting his own children, for molesting Jeremy and has been court ordered not to be around Jeremy. (XXXX) is the mother of Jeremy, who has been diagnosed to be mentally ill, and also is known to have molested Jeremy. (XXXX) and Jeremy's uncle is a registered sex offender and (XXXX) is the biological father, who is a drug addict and alcoholic and who continues to be in and out of jail. Having just described Jeremy's world, all of these adults are not to be any part of Jeremy's life, yet for years DFCS has known that they are. DFCS had to test (XXXX) (the grandfather) and his son (XXXX) (the uncle) and (XXXX) to determine the real father. (XXXX) is the biological father although any of them might have been. In court, it appeared from the case study, that everyone involved knew that this little boy had been molested by family members, even by his own mother, (XXXX). In court, (XXX), the mother of Jeremy, admitted to having had sex with (XXXX) (the grandfather) and (XXXX) (her own brother) that morning. Judge (XXXX) and DFCS gave Jeremy to his grandmother that same day. (XXXX), the grandmother, is over 300 lbs., is unable to drive, and is unable to take care of Jeremy due to physical problems. She also has been in a mental hospital several times due to her behavior.

Even though it was ordered by the court that the grandfather (XXXX), the uncle (XXXX) (a convicted sex offender), (XXXX) his mother who molested him and (XXXX) his biological father, a convicted drug addict, were not to have anything to do with the child, they all continue to come and go as they please at (XXXX address), where Jeremy has been "sentenced to live" for years. This residence has no bathroom and little heat. The front door and the windows are boarded. (See pictures) This home should have been condemned years ago. I have been in this home. No child should ever have to live like this or with such people.

Jeremy was taken from us at age 2 ½ years after (XXXX) obtained attorney (XXXX), who was the same attorney who represented him in a large settlement from an auto accident. I am told, that attorney (XXXX), as grandfather's attorney, is known to have repeatedly gotten (XXXX) off of several criminal charges in White County. This is a matter of record and is

known by many in White County. I have copies of some records. (XXXX grandfather), through (XXXX attorney's) work, got (XXXX), the grandmother of Jeremy, legal custody of Jeremy. (XXXX grandfather) who cannot read or write also got his daughter (XXXX) and son (XXXX) diagnosed by government agencies as mentally ill. (XXXX grandfather), through legal channels, has taken upon himself all control of the family and is able to take possession of any government funding coming to these people.

It was during this time that Jeremy was to have a six-month transitional period between (XXXX grandmother) and my family as we were to give him up. The court ordered agreement was to have been 4 days at our house and 3 days at (XXXX grandmother). DFCS stopped the visits within 2 weeks. The reason given by DFCS was the child was too traumatized going back and forth. In truth, Jeremy begged us and screamed never to be taken back to (XXXX his grandmother) house, which we have on video. We, as a family, have seen Jeremy in stores time to time with (XXXX grandmother) and the very people he is not to be around. At each meeting Jeremy continues to run to us wherever he sees us and it is clear he is suffering. This child is in a desperate situation and this is why I am writing, and begging you Senator Schaefer, to do something in this child's behalf. Jeremy can clearly describe in detail his sexual molestation by every member of this family and this sexual abuse continues to this day.

When Jeremy was 5 years of age I took him to Dr. (XXXX) of Habersham County who did indeed agree that Jeremy's rectum was black and blue and the physical damage to the child was clearly a case of sexual molestation .

Early in Jeremy's life, when he was in such bad physical condition, we took him to Egleston Children Hospital where at two months of age therapy was to begin three times a week. DFCS decided that the (XXXX grandparent family) should participate in his therapy. However, the therapist complained over and over that the (XXXX grandparent family) would not even wash their hands and would cause Jeremy to cry during these sessions. (XXXX the grandmother), after receiving custody no longer allowed the therapy because it was an inconvenience. The therapist reported that this would be a terrible thing to do to this child. Therapy was stopped and it was detrimental to the health of Jeremy.

During (XXXX grandmother) custody, (XXXX uncle) has shot Jeremy with a BB gun and there is a report at (XXXX) County Sheriff's office. There are several amber alerts at Cornelia Wal-Mart, Commerce Wal-Mart, and a 911 report from (XXXX) County Sheriff's Department when Jeremy was lost. (XXXX grandmother), to teach Jeremy a lesson, took thorn bush limbs and beat the bottoms of his feet. Jeremy's feet got infected and his feet had to be lanced by Dr. (XXXX). Then Judy called me to pick him up after about 4 days to take back him to the doctor because of intense pain. I took Jeremy to

Dr. (XXXX) in Gainesville. Dr. (XXXX) said surgery was needed immediately and a cast was added. After returning home, (XXXX), his grandfather and (XXXX), his uncle, took him into the hog lot and allowed him to walk in the filth.

Jeremy's feet became so infected for a 2nd time that he was again taken back to Dr. (XXXX) and the hospital. No one in the hospital could believe this child's living conditions.

**Jeremy is threatened to keep quiet and not say anything to anyone.
I have videos, reports, arrest records and almost anything you might need to help Jeremy.**

Please call my husband, Wendell, or me at any time.

Sandra and (XXXX) husband (XXXX)

Continue - Exhibit B

EXHIBIT B

Failure of DFCS to remove six desperate children

A brief report regarding six children that Habersham County DFCS director failed to remove as disclosed to Senator Nancy Schaefer by Sheriff Deray Fincher of Habersham County.

Sheriff Deray Fincher, Chief of Police Don Ford and Chief Investigator Lt. Greg Bowen Chief called me to meet with them immediately, which I did on Tuesday, October 16, 2007

Sheriff Fincher, after contacting the Director of Habersham County DFCS several times to remove six children from being horribly abused, finally had to get a court order to remove the children himself with the help of two police officers.

The children, four boys and two girls, were not just being abused; they were being tortured by a monster father.

The six children and a live in girl friend were terrified of this man, the abuser. The children never slept in a bed, but always on the floor. The place where they lived was unfit for human habitation.

The father on one occasion hit one of the boys across his head with a bat and cut the boy's head open. The father then proceeded to hold the boy down and sew up the child's head with a needle and red thread. However, even with beatings and burnings, this is only a fraction of what the father did to these children and to the live-in girlfriend.

Sheriff Fincher has pictures of the abuse and condition of one of the boys and at the writing of this report, he has the father in jail in Habersham County.

It should be noted that when the DFCS director found out that Sheriff Fincher was going to remove the children, she called the father and warned him to flee.

This is not the only time this DFCS director failed to remove a child when she needed to do so. (See Exhibit A)

The egregious acts and abhorrent behavior of officials who are supposed to protect children can no longer be tolerated.

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