

## Section 6

### Do Children Have Legal Standing To Sue CPS For Their Illegal Abduction From Their Home And Violating Their 4th And 14th Amendment Rights?

Yes they do, children have standing to sue for their removal after they reach the age of majority. Parents also have legal standing to sue if CPS violated their 4th and 14th Amendment rights. Children have a Constitutional right to live with their parents without government interference. *Brokaw v. Mercer County*, 7th Cir. (2000) A child has a constitutionally protected interest in the companionship and society of his or her parents. *Ward v. San Jose*, 9th Cir. (1992) State employees who withhold a child from her family infringe on the family's liberty of familial association. *K.H. through Murphy v. Morgan*, 7th Cir. (1990)

The forced separation of parent from child, even for a short time, represents a serious infringement upon the rights of both. *J.B. v. Washington county*, 10th Cir. (1997) Parent's interest is of "the highest order." And the court recognizes "the vital importance of curbing overzealous suspicion and intervention on the part of health care professionals and government officials." *Thomason v. Scan Volunteer Services, Inc.*, 8th Cir. (1996)

You must protect you and your child's rights. CPS has no legal right to enter your home or speak to you and your child when there is no imminent danger present. Know your choices; you can refuse to speak any government official whether it is the police or CPS as long as there is an open criminal investigation. They will tell you that what they are involved with is a civil matter not a criminal matter. Don't you believe it. There is nothing civil about allegations of child abuse or neglect. It is a criminal matter disguised as a civil matter. Police do not get involved in civil matters if it truly was one.

You will regret letting them in your home and speaking with them like the thousands of other parents who have gone through this. Ask a friend, family member or some one at work. They will tell you if you agree to services, they will leave you alone or you can get your kids back.

Refusing them entry is NOT hindering an investigation, it's a Fourth Amendment protection and CPS or the juvenile judge can not abrogate that right as long as your children are not in imminent danger. Tell them to go packing.

Do Not sign anything, it will come back to be used against you in any possible trial. You are protected by FERPA and HIPAA regarding your children's educational and medical records. They need a warrant. Tell them they need a lawful warrant to make you do anything. CPS has no power; do not agree to a drug screen or a psychological evaluation.