



# Texas Home School Coalition ASSOCIATION

*Dedicated to Serving and Protecting the Home School Community of Texas*

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August 9, 2007

Ms. Kaycee McLaurin, CPS Investigator III  
Texas Department of Family and Protective Services  
1622 10<sup>th</sup> St., Mail Code 217-4  
Lubbock, TX 79410

Dear Ms. McLaurin:

By way of introduction, let me state that the Texas Home School Coalition Association is a statewide organization of home educators with over 60,000 home school families on our mailing list. Our mission is to serve the home school community and protect the right of parents to teach their children at home.

I am writing in response to your forced entry into the home of Mr. and Mrs. L\_\_\_\_ M\_\_\_\_, a home school family in Slaton. According to this family, you and other case workers appeared at their home on the afternoon of July 10, 2007. The first two caseworkers told Mrs. M\_\_\_\_ that they were with CPS and that allegations had been made and they needed to come into her home. Mrs. M\_\_\_\_ declined to allow them entry into her home. They then told her that the allegation was that her home was unsanitary, not safe, and her children were in danger and they must come into her home. Mrs. M\_\_\_\_ asked for the specific allegations and the women responded that an emergency report had been made that cat feces were all over her home, the children had ring worm which had not been treated, and no food was in the home.

While Mrs. M\_\_\_\_ had this conversation with these women, her children were with her on the front porch of her home. The women asked for her name and social security number and continued to insist that they be allowed to have immediate entry into the home. Mrs. M\_\_\_\_ told the caseworkers that she needed to call her husband and went into her home to do so. Her husband left his place of employment to come home, telling his wife he would be there in thirty minutes.

Before Mr. M\_\_\_\_ arrived, Mrs. M\_\_\_\_ responded to a loud banging on her door to find a police officer with his hand on the top of the door frame and shoulder against the door frame leaning inside the door opening. According to Mrs. M\_\_\_\_, you were directly behind the officer. The officer informed Mrs. M\_\_\_\_ that the CPS officials were there to investigate her home and that if she interfered in any way, he would arrest her. Mrs. M\_\_\_\_ responded that she had called her husband and that he was on his way home and asked them to wait outside until he arrived. Mrs. M\_\_\_\_ recounts that you responded at that point that they "had to come in now." Mrs. M\_\_\_\_ responded that her husband had told her not to let you into the home until he arrived and he would speak to

August 9, 2007  
Ms. Kaycee McLaurin  
Page 2

you. The officer responded, again, that if she did not let you in immediately he would arrest her, and at that point, you pushed your way into her home along with the other three workers; the police officer also came into the home at that point.

Mrs. M\_\_\_\_ and her children were interrogated and the children photographed, and Mr. M\_\_\_\_ was also questioned when he arrived. The home was inspected, including the cupboards and refrigerator. Mr. and Mrs. M\_\_\_\_ received a letter from you dated July 17, 2007, informing them that the allegations of medical neglect against Mr. M\_\_\_\_ and physical neglect against Mrs. M\_\_\_\_ had been "ruled out" and the case has been closed.

Ms. McLaurin, an investigation in which the children are not in immediate danger does not give you or police officers authority to violate the 4<sup>th</sup> Amendment rights of Texas citizens. Texas statute requires CPS workers to receive training on these rights of citizens to prevent such violations, and I assume you have received such training and know the law. If that is the case, you knowingly violated this family's rights when you entered their home without their permission.

I am asking your supervisors to investigate this situation and take appropriate disciplinary actions for all of those involved in this abuse of power. The family may also seek legal action against you and the department as well as the police officer involved and the city he represents.

Sincerely,



Tim Lambert

cc: Mr. and Mrs. L\_\_\_\_ M\_\_\_\_; Ms. Nickie Gonzales, CPS Caseworker; Ms. Amy Garcia, Supervisor, Department of Family and Protective Services; Ms. Camille Gilliam, CPS Regional Director; Ms. Colleen McCall, Director of Field Operations; Mr. Jose Martinez, DFPS Office of Consumer Affairs; Ms. Joyce James Assistant Commissioner of CPS; Mr. Carey Cockerell, Commissioner TDFPS; State Senator Robert Duncan; State Representative Carl Isett; State Representative Delwin Jones; Texas home schoolers