

November 12, 2019

The Honorable Donald J. Trump  
1600 Pennsylvania Avenue  
Washington, D.C.

Dear Mr. President,

I greatly appreciate your administration's increased efforts to incarcerate pedophiles, to stop sex trafficking of children, and to end the incentives that the U.S. government has paid to states for years to take more children, terminate parental rights, and adopt them out to new families.

There is no right more precious in this country than to have and raise your own children. Sadly, that right has wrongfully disappeared for **millions of American families** over the past decade or two. If family and friends are included in that count, tens of millions of American voters have been devastated by this injustice. Just as many other problems have gotten worse through previous administrations, abuses by CPS (Child Protective Services) and family courts have rapidly increased. CPS routinely targets single parents and the poor, and disproportionately minorities. Children disappear for months and sometimes never return. Too often children are harmed or even killed while in foster care. Gag orders are issued. Those fighting against the system have been threatened with incarceration and sometimes actually incarcerated. The emotional harm done by separating more than 250,000 children a year from families and placing them with strangers is severe, not to mention the more than 400% greater likelihood that the children will be sexually abused. Children are routinely taken without notice, without a hearing, without a court order, without a parent being told why children were taken, and without a parent ever doing anything wrong. In a rush to take more children, even sex offenders have been given custody of children.

By its own reports, more than 80% of CPS investigations **find no abuse or neglect**, yet children are not immediately returned. Of the remaining less than 20% of cases, the vast majority of those are cases of neglect. Why spend tens of thousands of dollars to take children and put them in greater risk of harm, when hundreds of dollars of remedial measures could be taken to avoid removal. Give CPS funds and incentives to remedy the neglect, certainly, in first findings of neglect, or allow CPS to partner with communities, businesses, and/or churches to remedy the neglect.

Mr. President, a federal task force needs to be assembled immediately. If you want to stop sexual abuse and trafficking in foster care, the solution is simple: stop the unnecessary removal of children and placement in foster care. Immediately end all monetary incentives paid to states to take more children. No more children should be taken without basic rights of notice, a hearing, right to counsel, right to confront your accuser, etc. I propose the immediate mandatory adoption of some, if not all, of the following rights if states want to continue receiving federal funds for CPS and family courts:

CPS and Family Court Bill of Rights:

1. The right to immediate written notice of allegations made against a parent (in every case) along with a remedial plan to avoid removal (when possible);
2. The right to a formal hearing before a child can be removed (Criminal prosecution is always available to immediately remove abusive parents.);
3. The right to report CPS/Family Court wrongdoing without retaliation (whistle blower protection);
4. The right to freely report injustices, end all gag orders;
5. The right to timely (at least 30 days prior to a hearing) receive a copy of all reports, test results, documents, etc. that CPS has access to and/or will rely upon at trial along with a copy of all exculpatory evidence;
6. The right to legal representation;
7. The right to a jury trial, upon request;
8. The right to a copy of transcripts of all communications between social workers, guardian ad litem, experts, etc. and judges. End all ex parte communication. All communication with a judge must be under oath and recorded with parents present.
9. The right to place children with family members and/or close friends in the event a separation is absolutely necessary;
10. The right to know the exact (very short) time limitations (to be set) that CPS can remove children for the purposes of investigating various allegations, and if no proof of wrongdoing is found, the requirement to immediately return the children;
11. The right to be free from threats, harassment, intimidation, and misrepresentations of the law (develop a code of ethics); and
12. The right to interact with a fair and civil social worker (develop a code of behavior for social workers and a pamphlet outlining parental rights to be given to parents).

Not all judges are bad. Not all social workers are bad. Not all parents are good, and any parent found to be physically or sexually abusing children should be criminally prosecuted. There will still be a need for foster care, but with greatly reduced numbers of children placed in foster care, vetting and monitoring of foster homes can be more extensive. I propose developing a national reporting system (website) where the public can identify social workers, experts, therapists,

guardian ad litem, judges, etc. who continually violate parental rights and the law. More importantly, I propose developing a national reporting system where the public can identify social workers, judges, foster parents, or anyone else who knowingly place children with pedophiles, sex traffickers, or anyone else for any illegal purpose. Unfortunately, state law enforcement and courts do not always do the right thing.

The same task force also needs to address a disturbing trend in family court corruption (not CPS related). Too often, fathers who sexually or physically abuse their own children have wrongfully been awarded sole custody. This trend started with the creation of a fake syndrome, Parental Alienation Syndrome. It has been successfully argued by many to falsely accuse mothers and deflect from the sexual abuse inflicted on their own children. The cure for the syndrome calls for terminating all contact with the mother and giving the father sole custody. To further this scheme and prevent criminal charges, "reunification camps" have been established to place children in confinement until they recant their allegations, and mothers are court ordered to remain silent. (More than 95% of child sexual abuse allegations reported by children are true.) Many of the same tactics used in CPS corruption are used by dishonest judges in awarding sole custody to sexually and/or physically abusive fathers. The same bill of rights proposed above will help prevent this corruption. With whistle blower protection, banning ex parte communication, forcing all communication to be under oath and recorded, ending all gag orders, timely delivery of all reports, test results, documents, etc., bad judges will not be able to hide behind the veil of secrecy. Shed light on the darkness, and the darkness will flee.

Mr. President, I am not a politician and have never desired to be one, but I am willing and available to help lead an effort to correct these problems. I have been a practicing attorney for 24 years. Being personally affected by corruption and having studied ways to end the corruption, I can no longer remain silent and watch the corruption continue.

Thank you for your service and for caring enough to solve many problems caused and/or allowed by previous administrations.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Eric Malouf". The signature is fluid and cursive, with the first name "C. Eric" and the last name "Malouf" clearly distinguishable.

C. Eric Malouf, Esq.