

Members of Congress - Our Child Welfare Program is a broken system and the parent and child relationship is not being protected. Many families like mine are being torn apart on a daily basis. The time has come now to repair this broken system of ours and there is no time like the present. It was Dr. Martin Luther King Jr. who once said, "The Time Is Right To Do What Is Right."

My name is Myrna Fernandez and I am from the San Francisco bay area. I am here today because C.P.S. wrongfully removed my daughter, Ariella, from my custody, due to a false allegation of child abuse made by the father.

On Friday, August 20, 1993 at about 10:30 a.m., Detective Steve Jackson of the San Carlos Police Dept. phoned me at my place of work stating that he had to discuss the care of my daughter with me.

I remember just feeling completely numb. When I asked him if my daughter had been kidnapped, he paused and sighed for a whole minute and said, "no." But I had already known the answer to my question and it frightened me.

When I arrived to the station, I was questioned for about three hours and was told to take a polygraph test.. But because of the state that I was in it was decided that my attorney would need to be present.. I did take the polygraph test one month later and passed it.

Never in my life, had I ever been so maliciously treated.. My Freedom of Speech was severely violated. I found this police detective to be covering up the real crime here which was Kidnapping.

The father, David Cooley, had had visits of two nights per week and two other days of the weeks for 1 ½ hours. UP to this point I had been threatened verbally by him, yet when I told this to the police detective, he did nothing about it.

.I remember thinking to myself, "Can these people get away with this?"

"Innocent til Proven Guilty" is what our law is here in the U.S. But people like Steve Jackson do not abide by it.. When a parent is being falsely accused we are being treated as though we are guilty of wrongdoing already even though there is no evidence or proof to show otherwise. This police detective was stating to me that it was my daughter, Ariella, who had made the allegations and that I had abused her. At the age of 2 ½ years old my daughter couldn't put sentences together, but he didn't care.

On August 19, 1993, without my knowledge, my daughter was taken to San Mateo County General Hospital. A pediatrician by the name of Dr. Harvey Kaplan examined my daughter due to the false allegations. Mr. Cooley sat outside waiting while my daughter was examined on a cold table. This

pediatrician, Dr. Kaplan lied on his medical report to the court stating that my daughter had been abused twice.

Eight years later in a letter sent to me by this same pediatrician, Dr. Kaplan wrote that there was no evidence of sexual abuse, and that he was sorry that it took him so long to clarify this. Eight years is a long time. While this letter was presented to my attorney, she never did anything about bringing it into court I also presented this evidence to the Department of Health and Human Services But they did nothing also..

Thousands of dollars have been paid to attorneys, therapists, psychologists, and Still I don't have my daughter back to this day. Every so-called professional has sided with the father, as this is typical in many other cases like mine.

There was never any proof or evidence in my case, and I was never convicted or charged of anything. On August 30, 1993, C.P.S. reported my name to the Child Abuse Central Index system based on false medical information.

It seems as though whatever evidence I had against the father was ignored by C.P.S., judges, police, etc. It is horrid to see that we live in a world where people like this are making money off our precious children. I need to say that our children are being bought and sold to the highest bidder possible. Many people would call this "Black Market."

When one is innocent and has proved it, C.P.S. refuses to look at the proof or evidence. C.P.S is to be held accountable for what happened to my daughter, Ariella, because I gave them that proof and or evidence, yet they cancelled reunification services for both her and I..

C.P.S. is known for never investigating the accuser, the anonymous phone caller who initiated that 911 phone call and only investigates the person who the allegations were made against.

So, what happens to the real child abuser who has committed this crime. They are let scott free.

My ex, David Cooley, had had two D.U.I.'s, one in 1985 and the other in 1989, Although C.P.S. knew about these two D.U.I. offenses, they told me that the offense had to be "more recent". But I knew that was a lie.

Instead of believing that this man was an alcoholic, C.P.S. stated that I was an "alcoholic, perpetrator, and unfit" mother.

My child was being told over and over again by C.P.S., Law Enforcement, her father, and therapists that I had abused her.

When a child is told by a vindictive and revengeful parent that they are being abused over and over again, a child begins to believe it. But these "so-called" professionals don't care. They only care about making money off our precious children and don't even know what is in the best interest of a child.

The Child Protective Services industry is a money making industry which we all know already. In the state of California, when a child is taken and placed in a foster home, \$30,000 is made off this child and \$5,000 is made by the Federal Government as a bonus.

We need to cease the rights of parents and children being violated now. The injustice being done to families around the world stops here.

I am asking that the reform changes I request be taken into consideration today

1. Every social worker who works for C.P.S. or an organization affiliated with C.P.S. must have knowledge on the laws of our state and follow them. If they are a U.S. citizen, the law applies to them.
2. False allegation of child abuse made by the accuser or C.P.S. without hard proof or evidence will be punished by imprisonment. The amount of time in prison will depend on the detriment they have caused to the child.
3. An accuser who has reported an allegation of child abuse will be investigated thoroughly.
4. Children need to be protected from the real child molesters. The law, as it stands right now, doesn't protect our children from these criminals.
5. The statute of limitations should be increased to 15 years. Many times when one files a complaint against these people, because the statute of limitations has runned out, the state will not investigate and close the case automatically.

I would like to show you a video tape now congress, so you can see the how happy she was when she was in my custody.

Last but not least, I want to remind you congress, what our forefathers wrote

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the united States of America."

Thank you very much.

