



VIRGIL MOORE
State Senator

July 22, 1999

Appropriations &
Revenue

Co-Chair
Budget Review
Transportation

Small Business
Regulation

Tobacco Task Force

Veterans Affairs

Vice Chair
Transportation

Economic
Development,
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Tourism

Subcommittee on
Workforce
Development

To Whom It May Concern:

Please accept this letter on behalf of Doug and Kathie Harless who are continuing their efforts to regain custody of their children from Texas authorities. I have come to know the Harless family well over the last year, and have been attempting to help them for a good part of that time. I have had the opportunity to observe their life and find it wholesome and rewarding to them, even under the terrible strain they have endured in the loss of their children whom they dearly love.

The Harlesses are good, hardworking people. They are drug-free, alcohol-free, and tobacco-free. They are continuing to think positively about getting their children home, and Hardin County Social Services has found their current residence to be clean and adequate to accommodate their children.

Truly, the Harless's greatest problem seems to be that they are not wealthy enough to fight an extended court battle 1,000 miles away against the State of Texas. Their number-one priority in life is the return of their children, whom they feel were kept illegally from them by Texas and the system Texas has used to misrepresent their status.

Texas has attempted to force them to become Texas residents, using the children as blackmail and extortion. Texas has also made the false statement in court that Mr. Harless had a Texas driver's license, when in fact it was a check-cashing identification card procured because Mr. and Mrs. Harless had Kentucky commercial driver's licenses. They are not now, never were, and do not wish to be Texas residents. For that refusal, Texas is intent on terminating their parental rights and placing the children up for adoption -- children who had been in Texas only two days on the trip when they were taken.

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This family is caught in a legalistic and bureaucratic maze whereby Texas is claiming that adoption is required because the Harless parents are not abiding by the "plan" forced upon them by the Texas Division of Child Services. But, the "plan" calls for the children to be placed for adoption. Either way, termination of their parental rights is the result Texas is seeking.

If Mrs. Harless's medical condition after her nearly fatal accident with a fully loaded logging truck was a factor in the initial taking of the children, it is not now a factor. She has recovered and is physically able to work and take care of her children. In this regard, I have interviewed individuals and found cases where Texas CPS, as early as 1970, has taken advantage of sick mothers who were, in some cases, only temporarily sick. Texas took their adoptable children from them without compassion and gave no aid to the sick mother who was in the hospital for emergency attention. Now these adopted children are grown, bitter and hate Texas for rearranging their lives.

I can see no reason, either factually or legally, that Texas officials should hold the five Harless children. They should be sent to Kentucky and delivered into the hands of our social services officials who have determined that the Harlesses have an adequate home for their children. They can then remedy any deficiencies that may exist.

I believe the Harless parents are fit and willing to do whatever it takes to care for their children. This situation, as it now exists, sends a strong signal to lawmakers that our society is in danger when government condones seizing children without due course, then using lies and government funds to defend itself against its citizens and interrupting interstate commerce by seizing the family's entire business assets because the family failed to yield to Texas' illegal coercion and false information, to force them to become Texas residents.

I beg someone to help this family. Additional information and documentation will be made available on request.

Sincerely,


Virgil Moore
Kentucky State Senator

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c: The President of the United States
 United States Congressional Members, Texas and Kentucky
 United States Attorney General
 Governors of the States of Texas and Kentucky
 State Legislators of Texas and Kentucky
 Attorney General, Texas and Kentucky
 Circuit Court Clerk, Hardin County, Kentucky
 County Judge and Commissioner, Tarrant County, Texas
 Kentucky Cabinet for Families and Children
 Doug and Kathie Harless