

## AT THE MERCY OF OTHERS: FACT SHEET

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Certain demographics are vulnerable to being at the mercy of others as a result of age of minority, legal incompetence, disability, and/or adjudication. For the purposes of this fact sheet, minors who have not reached the age of majority will be the demographic explored though similar potential risks are experienced by all demographics referenced above.

**Problem:** My legal guardians are irresponsible, neglectful, tortious, and/or criminal in their treatment or care of me. What do I do?

**Government Solution:** If a crime has been committed such as rape, battery, human trafficking, false imprisonment, or the like, report it to the police in the jurisdiction where the crime occurred.

**Problem:** What happens to me if my legal guardians are convicted of a crime?

**Government Solution:** If you are a minor, potentially living with extended family where such is approved as suitable or placed in systems of care which may mean seeking any available bed for your demographic at the least cost to save the taxpayer while meeting your needs. This may mean segregated congregate care in a private detention center or psychiatric facility if no less restrictive options have openings even where you are not criminal nor mentally ill.

**Problem:** What if I don't want to go into systems of care or live with extended family? What options do I have in that case?

**Government Solution:** If you qualify for emancipation at law, you can request to be legally emancipated and you will be 100% responsible for yourself including school, work, financial security, housing, and all other expenses/responsibilities of an independent adult. Even in Alabama, those who have not reached the age of majority may file a petition for emancipation in their jurisdiction if abandoned by their parents. This is one reason The HEAL Mission supports all minors being made aware of this option who as a matter of age qualify to petition for emancipation where they've been abandoned by any legal guardian to segregated congregate care. For emancipation laws and guidelines, see: <https://family.findlaw.com/emancipation-of-minors/selected-state-minor-emancipation-laws.html>

**Problem:** I don't feel ready for full independence, but, do not wish to be at the mercy of abusers or potential abusers, what are my options?

**Rev. Angela Smith's Commentary:** If not ready for independence, then you are as a matter of law at the mercy of those accepting legal guardianship and responsibility for you at law. However, those to whom you are at mercy are not exempt from criminal prosecution where a crime has been committed whether faith-based, otherwise exempt

from corporate regulations, or not. Reporting the crimes against you will possibly result in your being placed in systems of care if no family homes are available to provide you a family environment where you aren't ready for independence and recognize that. And, once you reach age of majority you can also file a civil suit to recover in tort (personal injury suit) for harm done to you.

Problem: How can we stop people from abusing others or committing crimes in the first place?

Government Response: The US Constitution protects everyone from unreasonable searches and seizures without due process of law. So, what we can do is say something is wrong like we can and have encode(d) into law that human trafficking is a crime with penalties attached while disclosing that. Then, we can provide law enforcement agencies, and we do, that if they receive a report that a crime has occurred can investigate which may lead to prosecution and penalties at law with sufficient evidence for a conviction. We can also say that segregated congregate care providers have to meet minimum public health and client safety standards that if not met result in penalties at law when effectively reported to the licensing agency or government regulatory body providing oversight of that particular industry. The government isn't psychic and even if it was reasonably believed that a crime was imminent, we couldn't prevent it without violating the civil rights/civil liberties of the potential offender. We don't break the law, we enforce it. That's official policy.

Rev. Angela Smith's Commentary: I think the issue is the feeling of vulnerability, hopelessness, and powerlessness that results from being at the mercy of others. But, if seeking charitable assistance rather than emancipation and independence, your options are limited to services available which may or may not include extended family/blood relatives. If you are a victim of crimes and/or torts, there are remedies at law which may result in penalties for those that harmed you including requirement they pay you restitution for harm done. See: <https://www.sandiegouniontribune.com/news/courts/story/2020-01-15/county-settles-child-welfare-lawsuit-for-1-8-million>

Problem: How does that stop the abuse from happening in the first place?

Rev. Angela Smith's Commentary: That's not possible unless people choose not to commit crimes including child abuse. So, encouraging reasonable discussion over emotionally-charged language or actions, understanding trauma and trauma management including deescalation techniques to avoid escalating tensions, recognizing everyone is human with the potential to "snap" depending on all active stressors and environmental/socio-economic factors, and recognizing one's own vulnerability, actual options, and choosing the best of the actual options afforded to you given your individual situation as victim or potential victim is the way to survive childhood or that vulnerable situation where emancipation isn't an option you'd consider or pursue. So, if you've ever done anything illegal including Jaywalking, speeding, vandalism, parking in a reserved spot that didn't belong to you, and weren't prevented from doing that, think about how

you'd feel if you were prevented from doing those things in those situations. Those aren't as serious as child abuse, human trafficking, battery, and rape. That's true. But, they are all violations of the law. So, we lift probable cause out of the US Constitution requirement for a warrant before search, seizure, and/or penalty of any and all US citizens, whether corporate or not while assigning other fallible people to monitor everyone so everyone is monitoring everyone (kind of like the internet from some perspectives) where if there is any sign, like even a person raising their right hand quickly in a classroom setting when the teacher asks for those with the answer to raise their hands and wait to be called upon is seen by the fallible monitor as an intention to strike where if another student flinched at the quickness of the raising of the hand that would be the evidence of the violence of the one who raised the hand quickly, the identified threat is removed and segregated until they learn to raise their hands in a manner that doesn't result in anyone else flinching. So, not a single hint of violence ever exhibited or else penalty is imposed swiftly by fallible monitors without a trial or anything. If you'd find that unreasonable if you were the one to raise your hand quickly and would demand a trial because the full context shows you were responding at the direction of the teacher with no intention to hit anyone else though a classmate (potentially with traumatic stress) flinched at the swiftness of your movement, then you understand why you have to report it in a timely fashion to the proper enforcement body after the fact and that pre-crime units are a really bad idea though nonprofit activist organizations, churches, and missions can run consumer information campaigns that will warn potential victims away from alleged and/or confirmed offenders.

Problem: That's too much information and I'm overwhelmed. Can you handle it if I just tell you what happened? What if I tell my US Senator or US House Representative or even the President?

Government Response: We can help if you report it to the right office to handle your complaint. The correct office to report crime is the police in the jurisdiction where the crime occurred. For consumer complaints you can report it to your home state's attorney general, Federal Trade Commission, and/or file a personal injury suit. If your US Senator is Rand Paul of KY, likely going to be advised to report it properly so you can get justice. If your US House Representative is Adam Schiff of CA, likely a big emotional deal, bullshit legislation that will never leave committee because it is unconstitutional as written, and lip service that the government cares to make you feel better. If you write the president because you are a victim of child abuse and want the president to establish a pre-crime unit you've mistaken a democratic republic for a monarchy and really were done a disservice in terms of academic services which is clear to everyone else.

Rev. Angela Smith's Commentary: Make sure the musical "Annie" makes the rounds to all affluent neighborhoods and tell all the financially secure people they can be as loved as "Daddy Warbucks" if they'd open their hearts and homes to children in need while providing the comfort and security every child deserves. The alternative is to demand the government just take the wealth from those financially secure people without legal justification (though arguable social one) and give it to poor families so they can provide comfortable and secure family homes for children. But, without the resources, service

providers do their best and if their best is a criminal enterprise turn them in because they deserve it and so do you. If the world was one big communist collective right now, each person would be allotted \$18,205.85 to cover all expenses per year. The average money spent on an individual in segregated congregate care is \$330/day. Source: <https://www.oregonlive.com/politics/2019/03/oregon-sends-hundreds-of-foster-kids-to-former-jails-institutions-not-families.html> And, for one year that would be \$120,450 or more than Harvard tuition even with room, board, and other amenities fully funded at \$72,391 in 2020/2021 school year. Source: <https://www.harvard.edu/about-harvard/harvard-glance> So, it is clear that the government would prefer if family homes were available and more families would provide that. The average cost to provide family home foster care per child is \$4,944 per year (includes monthly stipend for family as well as annual clothing allotted budget for one child). Source: <https://wehavekids.com/adoption-fostering/making-money-off-foster-care> So, I promise you the government and taxpayers want more family homes and to not be putting kids in expensive, abusive, exploitative segregated congregate care. The difference would be close to \$115,000 and that's how much the entire country would save if a child was living in a family home rather than institution. They'd save enough to cover a full year at Harvard and then some. So, if looking to stop segregated congregate care entirely, making sure there are plenty of family homes available to take children who are vulnerable, not ready for independence, but, in need of comfort, safety, and support. But, if looking to stop crime, report it properly and that will help.

#HopefullyHelpful

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