

CHILDREN DESERVE BETTER PETITION

Petition Synopsis: Petitioners ask the Tennessee Legislature to pass a **PRO**active law precluding courts from awarding unsupervised custody/visitation to addicts. This new law should require the judiciary to: (1) Undergo annual education about: (a) the impact on children of a custodian's addiction, (b) the behavior of addicts, i.e., dishonesty, sociopathy, etc., (c) the likelihood of an addict's recovery where there is, or is not, psychological and/or psychiatric support; (2) hear all "substantiable" evidence regarding the alleged addiction; (3) give such evidence heavy consideration in making a final determination; (4) order supervised visitation where the evidence is found credible.

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Dear Tennessee Legislator:

We the undersigned, hereby express our deep concern and outrage at the status of current domestic relations laws that: (1) ignore the impact of addiction (sex, porn, drugs, and alcohol) on children; (2) routinely award custody and unsupervised visitation to addicted adults, without even hearing evidence of the addiction; (3) ignore convictions and patterns of behavior that demonstrate addiction; and (4) take action only **AFTER** harm to the child has occurred; often waiting so long that the harm is irreparable.

By asking our legislators to pass **PRO**active laws, we ask them to acknowledge what responsible parents know, and the psychological community has proven: (1) exposure to a custodian's addiction can, and usually does, have a negative and long-lasting effect on children under the addict's care; and (2) the impact on the child happens long before the addict's behavior reaches the level necessary to prompt criminal charges and/or conviction.

For the foregoing reasons, we **EXPLORE** our legislators to pass a law requiring that the judiciary:

1. Undergo **ANNUAL** education about:
 - a. The impact that a custodian's addiction has on children under that person's care;
 - b. The behavior of an addict, i.e., dishonesty, sociopathy, etc.
 - c. The likelihood of recovery from addiction where there is, or is not, psychological and/or psychiatric support;
2. Hear any "substantiable" evidence regarding a potential custodian's alleged addiction—regardless of whether that person has been charged/convicted of a crime related to, or stemming from, the addiction;
3. In awarding custody/visitation, give **HEAVY** consideration to the evidence presented regarding a potential custodian's addiction; and
4. Award **SUPERVISED** visitation where there is:
 - a. Credible evidence of a custodian's addiction, or
 - b. The custodian has been convicted of an addiction-based behavior, i.e., DUI, child porn, etc.

How can we claim to be concerned about "family values," demanding impeachment of politicians (President Bill Clinton), and removal of public officials (Judge John B. Hagler, Cleveland, TN), who engage in immoral but not illegal behavior; yet, continue awarding unsupervised custody of our children to addicts merely because they have yet to be convicted of a crime? What message does this our children?

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A child's right to grow up in a home free of the influence of addiction—porn, sex, drugs, alcohol, etc.—must outweigh a parent's right to have unfettered access to the child. This does NOT mean that an addicted parent should have no contact with the child, but that, contact must be appropriately supervised in order to safeguard the child. **REacting after the addicted parent has harmed the child through molestation, introducing the child to drugs, alcohol, or porn, etc., is simply ridiculous.** This course of action extracts a much higher price than supervised visitation, not just on the child, but on society, which after the child is harmed bears the burden of another victim, who will likely (at least temporarily) be unable to be a productive member of society and may become another addict or perpetrator.

We must raise the bar such that a custodian's behavior, while it may not be illegal, may make him/her an inappropriate candidate for unsupervised custody. For example: Where a father admits that he: has had a problem with pornography, and has had no ongoing therapy; has been investigated by the FBI for his involvement with a convicted pedophile; thousands of pictures/videos of torture and mutilation pornography were found on the man's personal computer; and the investigating officer will testify that these were the most disturbing porn pics he's ever seen----the court MUST hear the officer's testimony and give it very HEAVY consideration in making a final award of custody/visitation. Although this man may not have been viewing illegal materials or convicted of a crime, the testimony of the officer is credible. Therefore, the court should award only supervised visitation. Consider this situation carefully; would you want this man spending unsupervised time with your child, potentially talking to your child about sex? Please take action and provide courts with the tools to protect children in such situations.

Pass the proposed legislation addressing this glaring gap in domestic relations law. **By putting the welfare of our children ahead of the protection of addicts, we ultimately help the addict face their problem,** rather than supporting the addiction by treating the addict as though his/her behavior is acceptable and appropriate. **It is time that we give more than lip service to the idea of "family values."**

Thank you for your time and serious consideration of this petition.

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