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URGENT/TIME SENSITIVE

Mar. 31, 2014

Attention:

Governor Bill Haslam
1st Floor, State Capitol
Nashville, TN 37243

Tennessee Attorney General
Robert Cooper Jr.
PO Box 20207
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Department of Children's Services
Commissioner James Henry
Cordell Hull Building, 7th Floor
Nashville, TN 37243

Dear Sirs:

As a collective group of professional psychologists and mental health professionals from across the country, we are writing to make sure you understand the grave injustice that occurred to 9-year-old Sonya Hodgin and the magnitude of the emotional abuse bestowed on this innocent child by the state of Tennessee. Perhaps you are aware of Sonya's background and the circumstances surrounding her case. It is obvious that the professionals involved in this case do not understand the psychological trauma forced upon this child by the Tennessee judicial and child protection systems – the very systems put in place to protect children from harm. Following is additional information about Sonya's story, the psychological impact and our recommendation for correcting this appalling situation.

Background

At the request of DCS, Sonya was placed with David and Kim Hodgin of Dickson, Tenn. as a foster child. After several months, DCS came back to the Hodgins and recommended they file to adopt Sonya. They loved Sonya as their own child and at a very young age, Sonya considered them her Mommy and Daddy. They were and are in every way - her parents.

Meanwhile, Sonya's biological father, deemed by the Department of Justice as a "violent career criminal," was in prison serving a 15-year sentence for three counts of felony robbery and possession of a firearm by a felon. Prior to this sentence, her birth father, John McCaul, had served other sentences. His criminal history is extensive.

As you know, in Tenn. when a child is under 8 years old and a parent is sentenced to 10 or more years in jail, parental rights are automatically terminated [Tenn. Adoption Code Chapter 36-1-113 (6)]. This would apply to Sonya.

The Hodgins adopted Sonya while he was in prison. Her birth mother had voluntarily terminated her rights. However, when her biological father cooperated with a murder investigation from behind prison walls, his sentence was reduced from 15 years to 7.5 years. At this point, Sonya had been in foster care and with the Hodgins for several years! She was bonded to her family and thriving. However in 2009, your Court of Appeals overturned the adoption because of a technicality.

The Hodgins, who had raised and provided for Sonya went from being foster parents at the request of DCS, to adoptive parents and back to foster parents. At this point, Sonya was now 5½ years old! Report after report from DCS acknowledged that Sonya was best served in the Hodgins' home.

The Hodgins continued doing everything asked of them by DCS and their attorney in order to provide Sonya a permanent home. They continued to fight for permanency for this child. Then in Nov. 2012, when Sonya was 8½ years old, her birth father was released from prison and on Jan. 29, 2014 she was forcefully removed from the arms of her parents and sent to live with a man who had not financially or emotionally supported Sonya nearly her entire childhood. She begged him not to take her. She pleaded with him not to take her from her family. He ignored her pleas. DCS and the state of Tennessee completely ignored her pleas.

She was forced by DCS to spend the night in a hotel room with a complete stranger and the following day, flown to Nebraska where she has been ever since. Communication with her parents has been cut off since shortly after, despite her pleas to come home.

What type of precedent are we setting for other children in foster care and/or adoptive placements? Are these children really expected to sit around and languish in the system while biological parents serve prison terms for violent crimes, only to be pulled away from the very people the child considers family?

Psychological Aspects and Impact:

As a collective group of psychologists and mental health professionals, we are extremely concerned about the irreparable emotional damage this legal decision has and will continue to cause Sonya. Developmental research is very clear regarding the deep psychological and neurological damage that is likely to occur when a child who is securely attached to her caregivers has that essential attachment severed.

Attachment starts with the emotional bond that occurs between infant and caregiver(s). John Bowlby, a leading expert on attachment has stated "the initial relationship between self and others serves as blueprints for all future relationships." (Ainsworth, M. and Bowlby, J. 1965 & Bowlby, 1975). Attachment between a child and primary caregivers creates a template for all the child's relationships as they mature. A healthy attachment, that is 'ongoing' with the primary caregivers markedly aids a child in becoming aware of their emotions, helps them soothe themselves when upset and allows them to be resilient from stressful situations. The key concept is that a positive attachment is formed in the first few years of life and then maintained as the child develops and matures. **Attachment figures cannot be replaced!**

When secure attachment is severed, a child may become embroiled in a variety of negative responses, including distress, anger, rage, fear, shame, and humiliation (Tomkins 1991, 1992). Children are particularly sensitive to the effects of uncontrollable trauma (van der Kolk, 1987). One factor known to decrease the impact of traumatic separation is the existence of a good social support network, and lack of social support magnifies the response to trauma (van der Kolk, 1987). Sonya has suffered from double jeopardy, as the trauma itself involves living with essentially a stranger and the dissolution of her entire social network.

Children do not transfer their attachment from one or more caregivers to new caregivers, particularly when the change in caregivers is abrupt and severe. Attachment is a deeply emotional and neurologically motivated and determined process that affects the deepest expression of emotions and relatedness throughout the life span. As long as Sonya is not with the family who raised her, there will be no "getting over" the extreme trauma that she has experienced.

Conclusions:

Every day Sonya is away from the Hodgins the likelihood of numerous severe problematic mental health outcomes increases. The trauma she will have to live with and reconcile, should she not be returned to the parents who raised her, cannot and will not be offset by living with a biological parent. The selfish desire of the biological father to choose now to raise her after serving a multi-year prison sentence should not supersede Sonya's long-term psychological health and her right to protect the permanency she had with the Hodgins.

We urge you to help bring Sonya Hodgins back home to her family in Tennessee. It is clearly in Sonya's best interest to remain with the parents she grew up with, where she will continue to be loved and cherished. Please help reverse this decision and bring Sonya back to her rightful home. Time is of the essence. We believe that significant psychological damage is being done to this innocent child every day she is away from her parents.

Thank you for your concern and time in this most urgent matter.

Sincerely,

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And counting...

Collectively, we respectfully ask that you take the right and honorable action for Sonya.

References:

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Legislation:

Adoption and Safe Families Act: <http://tinyurl.com/lmumhbb>

Tennessee Compilation of Selected Laws on Children, Youth and Families, 2011
Edition: <http://tinyurl.com/k2j6gqj>

Interstate Compact on the Placement of Children: <http://tinyurl.com/q3lgy9w>