



## Episode 457: Child Protective Services: A Whistleblower Speaks Out

Guest: Carlos Morales

**WOODS:** This is such a shocking book and story that you have here, and it's on a topic that I think a lot of libertarians are uneasy about, because as you note in the book, there obviously are cases in which children's welfare is obviously not being maximized in particular homes. And people then draw from that the conclusion that the system we have now is obviously protecting them, the way I think they draw this conclusion from the police. They see the police helping a guy with a flat tire or coming over to somebody's house after he's been burglarized — never actually returning the items, of course.

**MORALES:** No.

**WOODS:** And they conclude that, well, the system works, and that anything to the contrary is probably just some outlier, that, you know, you're going to have these cases. You get a bad apple or you just get a weird situation, but by and large, the thing works. Is that false, when it comes to Child Protective Services?

**MORALES:** Well, seeing as how I wrote a book called *Legally Kidnapped*, you can assume my answer to that question —

**WOODS:** (laughing) That was the biggest softball ever.

**MORALES:** You know, when it comes to Child Protective Services and the topic of abuse as a whole, the reason why I started working for Child Protective Services originally was because I was convinced that that was the only way to be able to try and stop child abuse as a whole. Where I'm coming from is not a parents' rights issue; me, it's a kids' rights issue. And Child Protective Services has done the exact opposite of what their intention supposedly was for, which is to protect children.

Now, when we're talking about things like physical and sexual abuse, that is prevalent in every single culture across the world. It's something that's still occurring, and it's incredibly tragic. But when you take a look at the statistics, even by CPS' own numbers, with the fact that 80% of removals of children are not for physical or sexual abuse, but they're for negligence, and the way that the government chooses to define negligence is about as obscure as how they decide to define the term freedom, it's a pretty negligible term in and of itself, in that it can be used to justify the removal of a

child for things as simple as allowing the child to play outside, or false allegations completely, or a parent admitting that when they were in college, they smoked a little doobie at one point, and therefore they're not a good parent anymore.

And if you take also a look at the numbers of the amount of children who are in Child Protective Services' care, which is over 400,000, it is amazing to me that, one, I'm the first ever Child Protective Services whistleblower who came out and actually said anything more than just, "We need more pay," or, "We need more workers," but also that this isn't being talked about more often.

I think in part, the reason why it's not spoken of about a lot is, one, people are afraid, which is fair, because Child Protective Services has gone after activists in the past, and two, it has to do with the type of people that CPS goes after, which is generally people who are kind of impoverished. They go after immigrants; they go after minorities; they go after people who cannot defend themselves and who do not know the laws from the get-go, or people who have had the government involved in their lives for such a large period of time, that they just assume that they don't have any rights and that a CPS investigator can just go into their house, ask the kid whatever questions they want, and the parents aren't allowed to know anything. And so what I'm trying to do is simply educate people, not to protect child abusers, but to protect good parents from the abuse of the state.

**WOODS:** I bet another reason, by the way, even when you have an affluent family that gets in trouble with CPS, is that since everybody gives this institution the benefit of the doubt, if you come out and say we're being harassed by these people, the presumption is going to be you probably had it coming to you. What are you up to in your household? So everybody has got to keep quite, because frankly it's embarrassing to be in trouble with these people.

**MORALES:** There's more victim blaming going on whenever it comes to CPS, parents dealing with CPS, than I've seen even when it comes to cops dealing with black people. I mean, it is amazing to me how often this whole idea is brought up that, well, CPS is doing something right, or simply the case that it's a few bad apples, as we already brought up earlier. And we'll get into this a little bit here, but the financial incentives presented to Child Protective Services to remove children, that to me is really the tree of all the evil here. It's where the money is coming from, and it's the incentives of Child Protective Services to remove kids and destroy households on a constant basis, not because these people are malice or evil from the bone — although I met some investigators that I don't think I could ever call them "good people" — but simply put, the government, the whole way that it's set up, leads to this type of situation because it is a monopolistic force that steals money.

**WOODS:** At the very beginning of your book you tell a story that you describe as the most open and shut case you can imagine of an abusive household —

**MORALES:** Yes.

**WOODS:** — and you say this really solidified me as somebody happy and proud to be CPS. But then obviously something over time began to wear on you. Was there a particular moment, or was there an accumulation of moments that made you finally say, that's it. That's the straw that broke the camel's back. I can't be part of this anymore.

**MORALES:** So yeah, my first case was interesting. I go into pretty graphic detail in that chapter, kind of discussing how awful it was. I mean, I went to this house; there was a drug raid that had just occurred; there was children's fecal matter everywhere. I mean, it was absolutely atrocious. I looked at that situation and thought, hey, look, we're heroes. We're getting these kids out of the situation. So that was my first case, and I thought, yes, I'm a good guy.

From there, though, I never got an open and shut case like that again. It was time after time, going to parents because someone once said this one thing about someone smoking marijuana. It was drug case after drug case after drug case. Not crystal meth, here; we're talking about weed. We're not talking about alcoholism; we're talking about marijuana. Marijuana was just such a huge aspect of this. We were a branch of the Drug Enforcement Agency. And at the time when I was working for CPS, a big problem with this was that I had read Murray Rothbard before I had even started working for CPS.

**WOODS:** All right, that was another question I was going to ask. All right, go ahead.

**MORALES:** Yeah, I was already into this. I had gotten into Stefan Molyneux back in 2006. I mean, this was when I just started out in college. But what I was seeing constantly was harassing parents, and my supervisors telling me that I needed more removals, because it was obvious that I wasn't doing my job correctly. If you took a look at the numbers, the removals I had, which was under 10 over the course of a year, versus some of the other investigators who were having 30 or 40 in a month, you would look at both of us and go, I'm the incompetent worker. In actuality, I actually did my investigation practices of asking legitimate questions to kids and parents to be able to decipher whether or not it would be better if the child was removed from the household. So a mixture of false marijuana charges, a mixture of just false allegations as a whole, and good reporting practices by me, which was antithetical to the reporting practices of CPS as a whole, yeah, it was pretty bad.

And you know, I should have known. I should have known from the get-go. I should have known whenever they said, oh, you were a sociology major? Okay, you seem about fit for the job. Here's maybe two months of training. We're going to teach you almost nothing about how to question people. We're going to teach you fraudulent practices about how to ask leading questions. We're going to tell you that you're going to be so smart when you leave here, you're going to know every single time that someone is lying to you. You're also going to have the capability to be able to psychologize individuals and to be able to handle massive dispute resolutions and dispute situations, whereby you'll be able to conquer these abusive families. And we were also constantly told that the world is worse now for kids than ever, that parents

are more abusive now than ever, and that the world is scarier now than ever. And of course all of those things are actually untrue.

But the entire platform, the entire training protocol, the entire way that CPS was run, was incompetence to the fullest. When people ask, for instance, how are we going to replace Child Protective Services when we have no more state, I ask them how are we going to replace the DEA? Well, we're not going to, because I don't want an organization like this to exist without the state. And actually, it can't exist without the state.

**WOODS:** Well, I want to come back to that at the very end, because it's a natural wrap up sort of question, but in a case like this where you're investigating problems facing children in particular households, you come up with the naughty problem of children's testimony, because of course we know that children's testimony can be extremely unreliable, but at the same time, at some level, you feel like you can't discount it altogether. How did they teach you how to navigate that thicket?

**MORALES:** The best case example, and I bring this up in my chapter, "Satan and the Issue of Evidence," was the satanic ritualistic abuses that supposedly occurred in the 1980s and '90s in America. There were 1,000 satanic ritualistic abuses alleged across the country. And in these particular cases, they were saying that daycare workers were flying around buildings, sacrificing children, throwing them in toilets, and that Chuck Norris emerged from Hell and chopped one of the kids in half. That was actually in case reports by Child Protective Services, saying that this actually happened.

Now, what was occurring in these particular situations was what was called leading questions. So here's an example. I'm at a daycare; I'm talking to a kid: you know, little Tommy told me that Rebecca was sticking her finger somewhere where it's not supposed to be. Now little Tommy's a really good kid, and I like him, and I think it's awesome that he told me that, so why don't you tell me more about that? Well see, that's an abuse of power, right? Because a kid is in a situation where he just either wants you to go away or he wants you to be appeased; he wants you to be happy with whatever happens here.

So when it came to Child Protective Services, what would happen with us — and that leading question problem still hasn't quite gone away yet — I'm a CPS investigator; I'm told that the state owns the child; that the parent does not own the child; that I can go to a public school, ask a kid a bunch of questions who's five years old, ask him if he wants to be recorded — which means a five year old is then therefore capable of consent — ask him leading questions like, "How often does your father hit you?" "How often are you touched by your nanny?" I ask them these leading questions, and they just give me whatever I want.

Now, I record that conversation, and what gets even worse with the issue of evidence is this: we were told not to write down exactly what they stated. We were told to write a narrative, which means we're supposed to create a story about what happened. So you have this kid who's being asked leading questions, who might have

overheard someone else say something else at one point regarding something regarding abuse. So you basically have this long telephone game, and we call that evidence. We call that justice. And from there, we can enact the total power of the state to destroy this family.

**WOODS:** You mentioned at one point that money and following the money is very important, and I do want to get to that, but I would bet that the average person in Child Protective Services probably thinks he's doing the right thing. In his own twisted way, probably thinks he's doing the right thing, probably does not think he's being influenced by financial considerations or influences like that. So what are your comments on that?

**MORALES:** It depends, right? I mean, I knew investigators who simply just stated, well, this is a really secure job that helps me out. Like, I knew ones who I don't think they even thought they were doing anything good; they just thought, oh, well this is just something to do, and it's a job. I mean, a lot of bureaucratic workers are like that. I'm not going to say that every single one of these people was like, I'm an angel trying to fight against child abuse.

Now, when it comes to the intentions of these workers, yeah, some of them are good, but here's the truth of the matter: the road to Hell is paved with good intentions. And CPS proved that time and time again. I don't — intentions don't matter that much to me when you stick a kid in a foster home for doing absolutely nothing, and for his parents doing absolutely nothing.

And when you look at foster home statistics, where a child is seven to eight times for likely to be physically or sexually abused, where 50% will end up homeless whenever they age out, where they are three times more likely to be put on psychotropic drugs, where they're more likely to get Post Traumatic Stress Disorder than veterans of war and less likely to recover from it, and they are six times more likely to die than if they stayed in an impoverished household — when you look at that — and guess what: those studies aren't hard to find. You look up foster homes on Wikipedia and you can find them. When you look at that, and you say, well, I still have good intentions, well, once the education is out there, you don't get a break anymore. If you know what's going on in the camps and you still keep saying, well, this is what you're supposed to do even though you can volitionally choose to quit, I can't exactly consider you an ethical person.

**WOODS:** What happens — let's say I get in trouble with Child Protective Services for some reason. Let's say my neighbor just reports something, and maybe it's without foundation, and maybe I get cleared. Maybe there's 10% truth to it, but it's being distorted — whatever. I mean, just say for some reason they come to my house, and let's say they find there's adequate reason to proceed with a case against me, what happens next? What can I expect to have happen? Innocence until proven guilty?

**MORALES:** Um, no. Guilty until proven innocent. So I'm an investigator. I have a hero complex; I just got this report that there's supposedly, say, at Tom's house, there's

cocaine and strippers and child abuse and all this other stuff. So when I'm reading that case report, I'm looking at something where I can go, hey, look at how terrible this human being is. So the moment I step into your house, I already have this idea of the person that you are. And as a result, I'm going to be as coercive as I can be to be able to get the answers that I want, because in my mind, you're a child abuser. I've talked to investigators, who, so many of them would say, I know they're an abuser; I just don't have the evidence yet. So that is guilty until proven innocent.

And when it comes to what to do if Child Protective Services comes after you, of course to know the information regarding CPS, which is why I'm choosing to present this in this kind of way. It sounds slightly shocking, maybe in the way that I decide to put it, but I'm just trying to be honest. And to let people within your own community know who Child Protective Services is as well. Your friends, your family, your colleagues, so as to, if they see something abusive occurring, maybe they won't immediately call CPS, or maybe they'll just actually talk to the parent or see if they can help with the situation.

And then from there if an investigator does come to your home, well you treat them kind of like you'd treat a cop. But guess what, they have even less power in their particular cases. So you don't let the investigator into your home. You record the entire conversation. If you have a lawyer on tap, you go ahead and you call up your lawyer so that they can talk with the investigator with you. You don't let a private interview with your kid. So if your kid's in public school – which, I'd rather them not be in public school, but hey, it's not my call – you let your kid know don't talk to CPS investigators if they ever come to talk to you. So if you're already preparing yourself, you're already 80% of the way there.

Now, if you decide to talk to the CPS investigator, you've got make sure of course not to contradict anything you're stating, because that's what they're looking for is contradictions in your story, because they already assume you're a liar. As well as don't admit to any prior wrongdoings. Am I stating to lie? No, not exactly. But if you did, say, smoke marijuana three years ago, I don't think they need to particularly know that information. And most importantly, something they're not going to tell you is that you have a right to know what's going on in your case. So we were told don't tell the parent exactly what the case is about. You can't let 'em on, because then they'll know their rights. So you've got to actually make sure you only answer questions that are related to those. So the most important things: don't admit, don't contradict, and record. And if you do those simple steps, you'll get pretty good in there.

And I've been – for the last, say, year, I've been running Child Protective Services Victim Support, which is a Facebook page. A couple thousand people or whatever. But even in that small community, I have seen a huge change just over the last year of people sending me messages, saying, hey, CPS came to my house, and they were in and out in about five minutes, and the case was closed, because they did exactly what I stated. So a lot of this is about entrapment, and a lot of this is about protecting yourself.

Now, if the case does end up going past that investigation process and you're in a situation where you're going to have to be questioned again or maybe your kids are removed, the number one thing I tell people is get yourself a good family court attorney, because going into a court without an attorney is basically showing up to a gun fight with a spork. They know the rules; they know the game, so you're going to lose in this particular situation, especially with these terrible judges that are out there for family court. So it's just about protecting yourself as much as you can.

**WOODS:** Tell us about, along these same lines, court-appointed special advocates. That sounds warm and fuzzy. What is it?

**MORALES:** Oh, CASA, CASA, CASA. Okay, so you'll actually see these people trying to fundraise money and things like that. So CASA is a group of individuals, which are supposedly child advocates. We're talking about 45-year old middle class moms who have nothing else to do, so they say I'm going to be a child advocate, and I'm going to help out kids. They're supposedly the voice of the child in a court case, instead of having an actual lawyer for the child. They're supposed to — they go to houses and things like that, and they say these are the things this child needs; this is the abuse that is supposedly occurring in this household. Now most of them have very little training. A lot of them have this hero complex, which is one of the biggest problems I see with the state as a whole, is everyone's trying to be a hero. So they think that they're angels for truth.

2If you take a look at — I bring up this in my book; I believe the title is "Family Court's Sacred Cow, CASA" — even according to their own statistics, whenever a CASA representative ends up with a kid, you end up with longer court cases, worse situations for the kids, and way worse situations if the child happens to be a minority. I'm not screaming out to the walls that there's racism abundant within all of America, but I will state that there may be a little bit of racism whenever it comes to the justice system and court cases as a whole, which is why black people only make up about 10 to 12% of the country, but they make up about 40% of all foster kids, and when they're in those foster homes they're less likely to be adopted and they're less likely to be moved quickly. So I would say CASA is just another massive failure, and it's really unfortunate that I see people who are talking about Child Protective Services badly and then going, "Isn't CASA great?" It's every single branch of the family court system is pretty terrible.

**WOODS:** Now Carlos, you have performed the very important service of writing this book, *Legally Kidnapped*, so I almost feel bad putting it quite this way, because I think what you've done is heroic, but maybe would you be willing to share with us something specific that you did when you were with CPS, that when you look back on it, you're not really proud of?

**MORALES:** Oh, okay. Yeah.

**WOODS:** Because you're a whistleblower; you were part of the machine, and you had good intentions.

**MORALES:** Yeah, absolutely. There was one particular case in which I went out to a home to assess whether or not there was child abuse occurring, and the stepfather's particular situation, it was being suggested that he was using marijuana. So I went ahead and I spoke to them, and he stated, yes, I smoke weed. And I kind of gave him a blank stare, like, why are you telling me this? Why are you giving me this information? Because at the time I was like, this isn't really all that important. But he was being recorded at the time. I was recording the conversation that I was having with him, and as a result I had to remove the children out of the situation.

That caused a lot of stress between the stepmother and the mother. They ended up almost getting divorced in this particular case, but sadly, the saddest aspect of this entire thing was that the children were removed and stuck in a foster care situation, and as soon as they got there, they were stuck on psychotropic drugs that drained their brains, to be quite honest. It really hurt them. I traumatized this family, and I traumatized those kids. And when you look at the financial incentives for the psychotropic drugging of children in these particular situations, it gets really, really barbaric, because psychotropic drugs are 21st century child abuse, as far as I'm concerned.

**WOODS:** Carlos, I think in 457 episodes, that's the toughest question I've ever asked anybody, but I think it makes you real. I mean, it shows that you're a real person, and you're a man, and you really have faced the music about this, and that's why I really do want people to read what you've written, because you can be trusted. You're a real human being.

**MORALES:** Even when I've started off a lot of my speeches, I go on and I basically just state from the get-go, like, I'm guilty of working for Child Protective Services, and the work that I'm doing now, it's not like it's exactly paying me hundreds of thousands of dollars or garnering massive amounts of fame. In a way, it's to kind of atone for my sins, and it's a way to atone for the actions that I committed while I was working for CPS as a whole, and I'm doing the best that I can to help as many families as I can.

**WOODS:** Let's wrap up by saying a little bit about the last section of your book, which is in and of itself worth the price of the book, which is how to protect yourself and what exactly to do if you find yourself ensnared by CPS, and you go through here's what you should do in court; here's what you should do if they're coming to your house. It's a — you've got sections on all this stuff. People are going to have to read that for themselves, but just a couple of quick tips that you think people need to know that maybe they don't know.

**MORALES:** Well, so I went ahead and I brought up some of those a little bit earlier, is of course the ideas of don't allow for private interviews with your kids. I mean, that is to me the number one right there, because even if these people have the best of intentions, they're going to ask a lot of leading questions. They're going to lead to some disturbing situations.



So I'll bring up an example of this, a perfect example: this guy in North Carolina that I met, he had already spent \$200,000 on court fees to be able to get his kid back. What had occurred was they said that he had been sexually molesting his daughter, which is a horrific situation, absolutely. So I talked to him, and I asked him, hey, did you get a recording of the investigator with the child? He said why would I do that? I said, your attorney hasn't asked for that? He was like, no. Okay, go ahead and get that recording.

In about a week, the case was closed. Why? Because the investigator asked three times how often does your dad touch you? And then finally asked, "Does your dad ever touch your private parts whenever he is washing you in the tub?" Like, just cleaning you. Is it when he's cleaning you? Because the kid was like two and half, three years old. And based off that, the guy lost \$200,000. Based off of that, the kid is traumatized.

The most important thing here is just don't allow private interviews with the kids, ever, and to record all interactions, and if you end up in family court, always have an attorney with you. That book, the section to me was the most important part of the book. I mean, I go through very intense detail of exactly what to do in court: how to dress, how to talk, to understand the judges, to understand that the judges are paid for by the state and so is the defense, and so is your defense attorney if you're choosing to go with a state one. Just look at all the incentives to destroy you. This is how you prepare yourself, and that's why I was so very rigorous, and I actually got help from a local Free State Project representative attorney out here to help write that section too, because you know what, I'm not an attorney, so I need to make sure that I look to a specialist as well.

**WOODS:** Now let me finish up with the question that basically anybody's going to want to ask you. All right, granted that the current system is a nightmare that nobody would possibly want to have to navigate, on the other hand, there are obviously, as you concede, cases in which children's welfare is not served by leaving them in the home. Is there any way that we can look after the welfare of those children without creating the kinds of abuses that we see in the current system?

**MORALES:** So it is by far and away the most difficult question that I'm generally asked.

**WOODS:** Yeah.

**MORALES:** And the one that I'm asked obviously the most often. I have found that community building can be really helpful. Knowing your neighbor, knowing the people around you. If you go to church, knowing the people who are interacting within your own church. A big problem that occurs here whenever the state gets involved is that it monopolizes any particular service, and then everyone assumes afterwards that we couldn't have ever lived without that monopoly. So you know, parents would actually go and talk to other parents. Community leaders would go talk to other parents and see how they can help out in situations. Is it an economic issue? Is there a money issue? Is there something that you could do to try and better help out these situations? I am not a central planner, so I obviously cannot give an answer for every single particular case.

It is very rare that CPS getting involved will help out a particular situation. If there is massive violence — you see a kid outside, caged up, being beaten with a belt? Obviously you can call CPS — although I would just call the police in that particular case — when a situation is that absolutely dire. But the vast majority of child abuse out there is not like that, and if we can open up a community and open up a dialogue whenever it comes to these, and not yelling at people for ever saying maybe you shouldn't do these particular actions, I think we can get a lot further in this world by doing that and trying to stomp out child abuse as a whole.

Personally for me, I work with the Free State Project in New Hampshire, which is a very strong community of 1500 libertarian folks, and as result, there's open dialogue regarding things like parenting, regarding helping out people in situations in which they need help, maybe with their kids or daycare or anything else. And by opening up that market, by implementing those changes in your own life, those things that are within your own control, you can live a happier life, and a lot of other people can end up living a happier life.

**WOODS:** The book is *Legally Kidnapped: The Case Against Child Protective Services*. Check it out at [LegallyKidnapped.net](http://LegallyKidnapped.net). We'll also be linking to it on today's show notes page, which is [TomWoods.com/457](http://TomWoods.com/457). Carlos, thanks so much for your time today. I hope a lot of people will check out your book, and best of luck with this important work that you're doing.

**MORALES:** Thank you, and thank you for all the work that you're doing as well.