

TEXAS HOME SCHOOL COALITION

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PRESS RELEASE

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Texas Home School Coalition Calls for Veto of SB 1440

Tim Lambert, president of the Texas Home School Coalition, joined other conservative organizations on Wednesday afternoon at the State Capitol to call on Governor Perry to veto SB 1440. "SB 1440 gives the court wide and arbitrary powers to make a ruling based only on an affidavit from CPS and **lowers the standard required from 'good cause shown,'** which protects children and parents from undue access by the government to their persons as well as their private information, to a **'fair probability** that allegations of abuse and neglect will be sustained,'" Lambert said. SB 1440 gives courts the authority to allow CPS access to the child and/or transport of the child for "interview, examination and investigation," **without a court hearing or notice to the parent.**

"This measure is an assault, not only on **parents' rights** to protect their children but also on the **Fourth Amendment** to the U.S. Constitution which protects against unreasonable searches and seizures, and should be vetoed," Lambert asserted.

"Proponents of the bill who argue for the measure due to the need for timeliness in an investigation are certainly aware that the law allows for the removal of children from a home who are in immediate physical danger; making CPS's job to investigate abuse/neglect easier does not rise to the level of throwing aside the Fourth Amendment and parental rights," Lambert maintains. "We call on Governor Perry to stand up for parental rights and the Fourth Amendment and veto SB 1440."
