

Kidjacked

To seize control of a child, by use of force

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Mother Sues State for Racketeering

She says officials kidnapped her children

By: Diane Bukowski,
[The Michigan Citizen](#)

DETROIT - Starletta Banks has not seen her three children, Darius, now 11, Danielle, now 7, and Darren, now 5, since the year 2000, but she says she is determined to have them come home again to her loving arms.

"It's been devastating," said Banks. "It's been hard holding jobs and eating and sleeping. You can't even imagine the Christmases and birthdays I've spent. When we get them back, whenever that is, it will be Christmas because I've gone on buying presents for them all this time."

Banks says her children were essentially kidnapped by Governor Jennifer Granholm, Attorney General Mike Cox, and various judges, administrators and doctors to be used as "cash cows" for the benefit of the state's child foster care system. That system is largely farmed out to private non-profit agencies who receive federal funds for each child. She says the alleged kidnappers have profited because they sit on the boards of agencies in that system.

On June 6, Banks filed suit in U.S. District Court under federal racketeering and civil rights statutes, demanding her children's return, and calling for an immediate investigation by the U.S. Department of Justice into the alleged misuse of federal funds by the State of Michigan in hers and thousands of other foster care cases.

"I'm going to fight them with everything I've got, until my children are returned to me, and I want other families to join me," said Banks, who, so far, is representing herself in the case. Banks resides with her mother and father Barbara and Leo Banks, who are supporting her suit. The suit was inspired by a similar action in Los Angeles County that opened an investigation into 30,000 foster care cases there.

"Plaintiff was severely damaged and her family destroyed by the kidnap under color of law of her

In 2004, 514 Children died while in Foster Care and another 4,261 ran away.



Starletta Banks displays pictures of her children. She hasn't seen them since 2000.

three children," reads Banks' complaint. "Defendants used the Michigan state foster care system as a 'child for profit' machine, with eighty percent of their caseload contracted out to private agencies who are paid federal monies by the case... Defendants sat on the boards of agencies that received federal monies for the 'care and custody' of children, while actively participating in, or making judicial decisions on cases involving child custody or termination of parental rights including plaintiff's case."

Banks' parental rights to her children were terminated by Wayne County Juvenile Court Judge Patricia Campbell in October, 2000, after a series of events that began two years earlier when Banks took Danielle, then an infant, to Henry Ford Hospital after she fell out of bed. (See "Attorney General Seeks to Take Children," Michigan Citizen Mar. 12-18, 2000.)

The baby sustained a skull fracture, but the hospital contended at the time that other X-rays showed evidence of old rib fractures. Subsequent studies, however, showed no such old fractures. The family now believes that Danielle's X-rays were initially mixed up with those of another infant.

At the time, the court took temporary custody of Banks' two children. Her third child was born later and also taken based solely on the accident with Danielle. The children were assigned to Orchard's Children's Services, where workers eventually recommended that they be returned to Banks after she successfully completed a parenting course at Black Family Development.

The workers said the children had been traumatized by their removal from their mother, repeatedly cried and asked for her, and were scared of being left alone.

However, after an Orchard's worker withdrew the recommendation for return, Campbell terminated Banks' rights, despite the fact that no charges of abuse or neglect had ever been brought against her. Banks' parents were later appointed as guardians, but that status was terminated in 2001 and the children were returned to foster care.

Banks appealed to the Michigan Court of Appeals, which ruled against her in July of 2002. The State Supreme Court has since refused to hear the case.

Banks contends that numerous state officials who participated in the termination of her parental rights also are members of non-profits connected with the foster care system, creating a blatant conflict of interest. They are cited as individual defendants in her case.

They include appeals court judge Kathleen Jansen, one of the three judges who denied her appeal, who sits on the Macomb County Child Abuse Neglect Information Council, and Supreme Court Justice Elizabeth Weaver, who chairs the "Governor's Task Force on Children's Justice and Family Independence Agency."

Although she was not the attending physician, Dr. Annamaria Church testified against Banks on behalf of Henry Ford Hospital. Besides heading the pediatric residency program at the DeVos Children's Hospital in Grand Rapids, she is also involved with the state's non-profit Children's Trust Fund, which doles out \$70 million annually in funding to various non-profit child welfare agencies

including foster care programs.

"My lawsuit showed every foster care case was tainted because officials in Los Angeles County failed to disclose their conflicts of interest," said Dr. Shirley Moore, National Director of Legislative Affairs for the American Family Rights Association.

In response to Moore's actions, as well as an American Civil Liberties Union lawsuit and an expose by the Los Angeles Daily News, a judge ordered a review of foster care placements in that county.

"Up to half of the 75,000 children in the systems and adoptive homes were needlessly placed in a system that is often more dangerous than their own homes because the county receives \$30,000 to \$150,000 in state and federal revenues for each placement," wrote the Daily News.

Moore said the situation in Michigan is far worse, because officials at all levels up to the state are involved, and there is no recourse here except federal court.

Press representatives for Governor Granholm and the state's Human Services Department would not comment on Banks' action due to the pending litigation, and the attorney general's representative would not comment due to "attorney-client privilege." An attorney for Dr. Annamaria Church had not returned a call for comment by press time.

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Posted: July 6, 2005

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Last Updated: 5/25/2008

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