

# HAVING KIDS™

## *Child-first Advocacy*

[HavingKids.org](http://HavingKids.org)

[info@havingkids.org](mailto:info@havingkids.org)

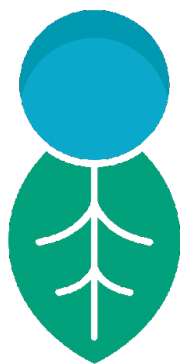
Greg Abbott  
Governor  
State of Texas  
P.O. Box 12428  
Austin, Texas 78711-2428

Governor Abbott,

[Having Kids](#) is a national nonprofit organization dedicated to [reforming family planning](#) by replacing parent-centered family planning models with the human rights-based and child-first [Fair Start model](#). We are writing to you out of concern for current and future child abuse/neglect victims in the State of Texas.

The case of Paige Harkins and Andrew Fabila, arrested February 12, is one recent instance of child abuse in Texas that underscores the need for child-first family planning. When law enforcement responded to a domestic dispute, they found four children on site in the couple's home, a shed with electricity but no working toilet and no heat beyond a space heater. The children, ages 5, 4, 3, and 1, were malnourished and covered in urine and feces. The older two children, one of whom is autistic, were confined together in a dog crate. While there was food in the home, it was locked up beyond the reach of the children. Now the children are in foster care while Harkins, mother of all four children, remains in Wise County Jail. Fabila, who is the biological father of only the youngest child, is free on bond.

It is, of course, extremely important that these four children finally receive the care and attention that they deserve. But it is critical if the allegations of abuse are proven to be true, that these children not be put back in the hands of their abusers in the near future. Having Kids wants more for the children of Texas than the state's after-the-fact reaction to such horrible abuse, however, and we're convinced you feel the same way. After all, reacting after a child has already been made to suffer means that the child will spend their lifetime recovering from this trauma. The children Harkins and Fabila's case already experience developmental delays and the oldest is likely to harbor permanent memory of the experience. From a purely economic point of view, the



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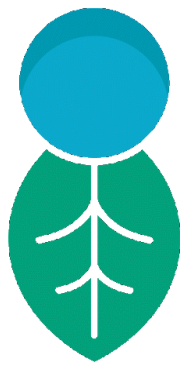
state will spend a considerable amount of resources to attempt to reverse these negative effects.[1]

What happened to the children in Harkins and Fabila’s case stems from a larger problem of poor family planning and parenting; a problem that begins with a paradigm in which the decision to have a child is focused on what parents want in the short term rather than what each child needs in the long term. Under that paradigm, it’s unsurprising that long-term abuse and neglect cases like this – and far worse – make headlines in Texas every week.[2] This is of course entwined with the state’s struggling foster care system, which, according to a federal judge, is a system in which “rape, abuse, psychotropic medication and instability are the norm.”[3]

We are sure you are also familiar with the Texas Department of Family and Protective Services’ recently-released annual report on Child Maltreatment Fatalities and Near Fatalities. The publication reports 211 confirmed child abuse and neglect-related deaths in fiscal year 2018, a significant increase from 2017, coming in above the national average[4]. Placing these statistics alongside the state’s deeply troubled foster care system paints a grim picture for children in Texas. The state has a dire need for a better approach to child welfare and family planning, and Fair Start orders are a perfect first step.

The current model of family planning – which makes having and raising kids the exclusive business of the parents – ignores every child’s right to a minimum standard of wellbeing not only at birth, but throughout childhood. The parent-centered family planning and parenting paradigm is a violation of the rights of children to be protected. Instead, Texas must move toward the Fair Start model ([havingkids.org/model](https://havingkids.org/model)), which will benefit children and the state. An ideal entry point to shift to this new approach is through Fair Start orders, which focus in on the problem of abusive parents.

Having Kids urges the State of Texas through its appropriate agents, to consider seeking a Fair Start order in the case of Harkins and Fabila. This order would, in the event of conviction and probation, prevent either party from having children for a limited time period as a condition of their probation. More details of Fair Start orders can be found at



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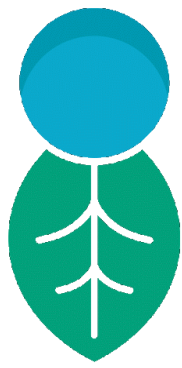
<https://havingkids.org/solution-fair-start-orders/>, and we are available to discuss the details with you.

Harkins and Fabila's alleged conduct, if proved true, has demonstrated clear unfitness to parent at this time and the state should not be setting them up for further failure without first taking the necessary steps for rehabilitation (such as government-mandated counseling, parenting courses, etc.). The state would not consider putting helpless children back into a convicted abuser's care; the state should similarly consider the right of a child not to be born to a known abuser for a period of probationary time.

Finally, we urge you, Governor Abbott, and your administration to protect future children in Texas by working with legislators on a law that explicitly authorizes courts, in specialized cases of egregious abuse, such as that of Harkins and Fabila, to issue orders preventing abusive and neglectful parents from having additional children for limited time periods. You have pledged your intention to "improve upon early intervention and prevention programs and ensure that future fatalities are prevented." Fair Start orders are your opportunity to make good on that promise and demonstrate the state's commitment to truly repairing its broken fostering and child welfare system. The State of Texas can fulfill its obligations to future children by moving toward a human-rights based and child-first family planning. Having Kids is available to assist in creating state policy and law that furthers this goal. Please contact us.

Sincerely,  
Erika Matthews

CC: Sasha Rasco  
Associate Commissioner for Prevention and Early Intervention  
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**Having Kids** is a 501(c)3 nonprofit organization dedicated to reforming family planning by replacing parent-centered family planning models with the human rights-based and child-first Fair Start model.

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[1] Per a 2017 study, the economic cost to the public was \$400,000 for each victim of child abuse in the City of San Francisco in 2015. See *The Economics of Child Abuse*, a report by the San Francisco Child Abuse Prevention Center and the Haas School of Business at University of California, Berkeley, available at:

[https://safeandsound.org/wp-content/uploads/2017/09/economicsofabuse\\_report\\_sfcapc1.pdf](https://safeandsound.org/wp-content/uploads/2017/09/economicsofabuse_report_sfcapc1.pdf)

[2] <https://www.star-telegram.com/news/local/community/fort-worth/article228223084.html>;

[https://www.expressnews.com/news/politics/texas\\_legislature/article/More-than-90-Texas-children-died-from-abuse-in-13656428.php](https://www.expressnews.com/news/politics/texas_legislature/article/More-than-90-Texas-children-died-from-abuse-in-13656428.php);

<https://wtkr.com/2019/03/19/texas-mother-accused-of-allowing-man-to-sexually-assault-daughter-for-400/>

[3] <https://www.courthousenews.com/texas-foster-care-system-back-in-fifth-circuit/>

[4] <https://www.acf.hhs.gov/sites/default/files/cb/cm2017.pdf#page=69>