

Mom suspecting abuse by girl's father wins case against DCS

Written by Dennis Ferrier | WSMV.com
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A Middle Tennessee mother says all she did was try to protect her daughter, but after several calls to the Department of Children's Services, she was the one charged with severe child abuse.

Although a judge has since ruled that she did not commit any severe child abuse, the Nashville mother still hasn't spent any time with her daughter since December 2012.

The mom, whose identity we are not revealing, claims it was pretty clear something was wrong with her 8-year-old daughter when she would come home from visits with her father.

"What would happen is she would have burning sensations down there. Like, sometimes, we would put her in a tub, and she couldn't sit down. She would just scream, 'Momma, momma, it hurts,' and I would have to take her to the doctor to make sure that she was OK," the mother said. "And this was only happening while she was in his care."

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Documents show a doctor at one hospital visit said, "I am very suspicious that this child has been abused by her father."

The Nashville Children's Alliance identified the dad as a perpetrator of sexual abuse, and the Child Advocacy Center of Rutherford County also indicated the father of possible sexual abuse.

"It's horrible. It's the worst thing to see your little girl say she can't get it out of her head. And, at one point, you have a video of her hitting her head saying, 'I can't get it out of my head, mom,'" the mother said. "You feel helpless."

But DCS says its investigators found no evidence of sexual abuse by the dad, and DCS told the mom that there were too many calls to DCS and that the mom took her daughter to the hospital too many times.

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After interviewing the daughter, DCS concluded the mom went too far in examining her daughter's genitals that it actually constituted rape and incest.

So, in a surprise turn of events, it was the mom who lost custody of her daughter and accused of severe child abuse.

"Parents are required by law to report their suspicions, and this can be the result of you following the law, doing what you're supposed to do, and you end up on the wrong end of a DCS case, cut off from your child," said the mother's attorney, Cynthia Cheatham. "And if you find out something is going on with your child, or firmly believe it, and you don't report it, you can also lose your child. There is no win."

DCS officials said that this was a thorough investigation and removing the girl from her mom was in the best interest of the child - that her mom had just gone too far.

But a Rutherford County judge threw out the DCS claims last week, saying this is not severe sexual abuse.

Mom won the court case, but she still doesn't have her daughter.

"It's just unfair. I don't know what to say, except I miss her dreadfully, and I can't wait until she comes home. It's the worst feeling to send your daughter to school and she never comes home," the mother said.

Judge Robert Corlew of Rutherford County is holding a hearing Sept. 16 to decide what to do with this little girl and whether mom is going to get her back.

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