

## Chapter 2

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### **An Unforgiveable Mistake: Corey's Struggle**

On September 2003, at about six o'clock in the evening, while on my way to play basketball, I was pulled over in my car by police. Why? I had no idea. I wasn't speeding and I hadn't run a light.

Growing up in New York, I frequently saw the police harass citizens; I never wanted to have anything to do with them. So, as a 28-year old African-American male pulled over by the police for no apparent reason, an uneasy feeling overcame me, putting me on edge.

The policeman walked up to my car, and as expected, he asked for my driver's license and registration. After handing it to him, I started thinking, "While this guy is harassing me for no reason, I'm gone miss my game!"

Nearly ten minutes passed, and the officer still hadn't returned to my car. I was starting to get worried. In my rear view mirror, I could still see the officer sitting alone in the front seat of his police car. The very next moment I suddenly saw a second police car pull up followed by a third one. That's when nervousness began to set in.

The officer who had pulled me over finally got out of his car and started walking towards me. With the window still half cracked, I couldn't believe the words that came out of the officer's mouth, "Sir, would you please step out of the car?" I hesitated for a moment. I was trying to digest what he had just said. In that brief moment, before I could fully get out of the car, I heard words that did not seem possible or logical. The officer stated, "There's a warrant out for your arrest."

"What? A warrant? For *my* arrest!?" I quickly replied, "I haven't done anything." My verbal protest didn't deter the officer. Within moments, I was handcuffed and placed in the backseat of the police car. It wasn't until he started driving me to the jail that he explained to me that a warrant for my arrest had been issued by the state for failure to pay child support.

Hearing that just made me even more confused. That was not possible. I had been paying my \$400 a month in child support like clockwork for more than five years. I always paid on time, never missing a payment. In some instances, I paid days or weeks in advance. So, how in the world was it possible that I was being arrested for not making child support payments?

Arriving at the jail, I was booked and put into a cell. During the booking process, I was told that I'd have to stay in jail overnight and wait to see the judge in the morning. With the one phone call I was permitted to make, I called one of my

best friends. Luckily he answered the phone. I told him the situation and asked him to go get my car.

The next morning I was rounded up with a group of prisoners and taken to the courthouse across the street. About 9:00 AM, the bailiff called my name, and I stood in front of the judge. To my surprise, the judge asked to hear my side of the story before saying anything. I quickly argued my innocence—that I had always made my child support payments on time, even making early payments occasionally.

I must have been pretty convincing. In the middle of one of my sentences, the judge interrupted and said, “You’re free to go.” Being so filled with emotion and anxiety from feverishly pleading my case, the judge’s words had not yet fully sunk in. I was in such a defensive posture and had such an argumentative mindset, that a part of me—even after it did fully register in my mind that the judge said I was free to go—wanted to continue arguing with the judge. “How could this happen to me?” “Why did this happen to me?” “Aren’t you guys gonna apologize to me or something?” But, I quickly came to my senses and politely said, “Thank You, Your Honor.” I then walked towards the bailiff, gesturing me into another room to sign some papers to process my release.

Fortunately, my shift at work didn’t start until 10:00 AM. So, in an effort to take time to try and get my head together, I called in sick. I went home, sat on the sofa and stared at the wall for about 20 to 30 minutes. I didn’t move. I didn’t say anything. I just sat there.

Inevitably, I then started to replay over and over in my mind exactly when it was that I first started to pay child support. It was March of 1999 after my girl and I had broken up. She got angry and threatened to move out of state with our two-year old son.

She was being overemotional, but I took it literally. I was used to seeing my child and wanted to make sure I would stay attached. I was there when my son was born and was committed to being a responsible father.

I got out of the relationship because we were arguing and fighting too much. I imagined and hated the thought of my child growing up in an unhealthy environment. My girlfriend was so upset with me because of the breakup that, for a few weeks at a time, I had not been able to see my kid. I was afraid and panicked with the thought of not being able to see my kid considering how vindictive she had become.

I was living in Atlanta at the time, and somehow was referred by a friend to go to a social service agency. They recommended that I go to court and sign up to start paying child support. That way, based on the information they gave me, I would automatically be entitled to joint custody.

Unfortunately, it wasn’t until after I signed up to pay child support that I discovered the information given to me was not only false, it was detrimental

to me. To top it off, the people at the social service agency had no clue about how the legal system really worked. As a result, the advice given to me worsened my situation.

At that time, paying child support had nothing to do with visitation rights in Fulton County or the state of Georgia. A man could pay child support and not be entitled to visitation rights. Getting visitation was a separate process. You had to go to the Juvenile Court. Before I could request visitation through the Juvenile Court, I had to fill out legitimization paperwork.

I was in the delivery room when my child was born, and I had an official birth certificate with my name on it. But, the state of Georgia didn't care anything about that. They had their set procedures and I had to follow them.

I decided not to press the issue of full custody. I, instead, decided to pursue joint custody. I was being sympathetic to the mother of my son, a young single parent, financially struggling, just like I was. I knew that neither one of us could afford a legal battle. So, in my mind, I told myself, "I know my kid is being taken care of, and I can see everything is cool."

I also assumed that as the legally documented father of my child, that I would automatically be entitled to joint custody and subsequently, regular visitation. The painful truth was that the real legal battle was not going to be with the mother of my son. It was going to be with the State of Georgia, or Fulton County, in particular.

Now that I was in the computer system from having voluntarily registered to start making child support payments, I was targeted. The fact of the matter is that I should have gone to the Juvenile Court to file for custody of my son. My thinking was that I would automatically be entitled to visitation as the legally documented father of my child. Since I was trying to do the right thing by letting the state know I was the father of my son, I expected them to treat me fairly in return.

The state, however, didn't want to involve itself in anything other than the formula for calculating how much they felt I should pay in child support. The Court didn't even want to take into consideration the fact that I was already paying \$400 a month in childcare not only for my two-year old son, but also for my son's stepbrother who had been living with us. There were also other out-of-pocket expenses I took care of for my son's mother that they didn't want to take into consideration.

The Court had the nerve to say that my current financial support and financial contributions to the house were only being categorized as a gift. Even more, they fined me and said I would have to pay \$1,000 in arrears by the next day, or face going to jail. The only help I received from the Court was when I was only able to come up with \$500 by the next day. They said it was an acceptable payment and that they would not issue a warrant for my arrest.

I did, however, still have a court hearing scheduled in two weeks. When I arrived at the court hearing, I brought copies of every receipt from every expense that I had ever paid for my son. This included any cash that I had given directly to his mother. It didn't matter. The Court didn't listen to any of my complaints or any of my arguments.

I even explained to them that I was enrolled in school and was working an internship in my field of study. This meant I no longer earned the \$40,000 a year salary I used to make; that I now only earned \$23,000 a year. Once again, all of these important details didn't matter. The judge didn't care. He ruled that my monthly child support payment would be \$416, and that I also needed to make installment payments towards my arrears. This meant that they were going to take additional money out of my paycheck on top of the \$416 a month. I knew the judge's decision wasn't fair, so I tried to appeal. I called and emailed many people in the county office but not one person saw anything wrong with the story I shared. This was such a deflating experience. I felt empty and a fool for having listened to the advice of the social service agency and voluntarily signed up for child support.

I only wanted to do the right thing, but in my naiveté I made a decision for which I would pay a financial and emotional price for years to come. In my mind, I thought it was mature to choose to disregard all the petty back and forth drama that my girlfriend was trying to put me through. I wasn't even upset about the money or the idea of having to pay child support. I just wanted to provide for my kid. In trying to do the right thing, I painfully discovered that the system wasn't trying to do right by me. The system wasn't fair.

Memories of my years of history with the "system" flashed through my mind as I sat on the couch. I thought out loud, "Why me Lord? Why do I have to go through this?" Up to this point, I had done everything within my power to keep my nose clean and steer clear of problems with the courts or the law. But somehow, less than 24 hours earlier I had been arrested and put in jail. Not because of being an irresponsible dead-beat dad, rather, because I was a "responsible" dad who was trying to be there for my kid. Instead of trying to help me, the system was punishing me.

I had never missed a child support payment in more than three years, but some computer had me listed as a person behind on child support payments.

What was unbelievable was that there were no apologies, no compensation for my pain and suffering, or income loss from work as a result of their mistake. Nothing at all.

My previous bad experiences with the system were not just emotional. I felt totally disrespected. The system caused me financial hardship and a lot of pain and suffering.

Then, on top of being disrespected and made out to be a criminal, the court refused to lower my child support payments in spite of evidence presented regarding my financial situation and my history of being a responsible father. As a result of being caught up in the system's unyielding ways, I experienced homelessness and near starvation. I could only afford to eat a small snack in the morning and a very cheap dinner. I slept through lunch to forget about my hunger. I had trained my mind to hold my appetite until dinner. After a while, I eventually realized I needed to hustle to try and find a second job.

Even after being fortunate enough to find a second job, I still remember not making enough money to pay the bills. After paying bills, I usually didn't have any extra money to buy groceries. Barely making ends meet left no money for extras. No recreation. No clubs. No hanging out. Within weeks, I was skinny enough that you could see my rib bones sticking out. Often times, people who hadn't seen me in a while couldn't recognize me or were startled by my weight loss.

Money was so tight that every penny counted. I remember one day being short a dime at the bus stop. In a panic to not miss work, I quickly asked a stranger for ten cents to be able to pay the \$1.50 bus fare.

When payday came, I barely had enough money to buy a bag of chicken wings. After each check, it was difficult to hold onto just \$50 to make it to the next paycheck. Any money I could hold onto was being split between a MARTA public transportation card, Clayton County Bus System, and trying to have a little cash for the weekend when my kids came to visit.

My rent and bill payments were constantly behind, to the point that I could no longer afford to stay in my apartment. On two separate occasions, for six months at a time, I stayed in a boarding home. I paid \$75 a week making things more manageable, yet I was still struggling to survive.

In addition to the child support payments that were eating up most of my paycheck, I also had other major debts and financial responsibilities. I had student loans, and both the state and IRS were garnishing my wages because I had failed to file my taxes. My financial stress was coming from a bunch of different places, but the court didn't want to take any of this into consideration. It was extremely difficult. How did they ever expect someone would be able to survive on such a limited income?