



Written by [Dave Bohon](#) on November 26, 2013

## Tennessee Father Arrested for Insisting on Picking Up His Kids at School

A Tennessee school district recently demonstrated what happens when citizens concede too much authority to local civic institutions. When Jim Howe arrived on foot at 2:00 p.m. on November 14 to pick up his two children attending South Cumberland Elementary School in Crossville, Tennessee, he was told that a new policy mandated that students may leave at that time only if their parents arrive at school in a vehicle to pick them up. Howe was told that he would have to wait until 2:35, when the other students had left, to escort his kids home.



With traffic backed up on a busy highway as parents waited to pick up their kids, Howe and his fiancée, Jennifer Long, decided to pick up the two kids, ages eight and 14, on foot rather than wait in the long line of traffic. As shown on a [YouTube video](#) shot by Long, when Howe showed up at the school office, local sheriff's deputy and school "resource officer" Avery Aytes belligerently threatened to arrest him after Howe pointed out that the school couldn't legally keep him from his kids.

"I'm going to call some help down here and we're going to take you up to the jail right now," Aytes shouted. "I'm not putting up with this today. You're being childish and it's uncalled for."

In the video an office attendant can be seen offering a form for Howe to sign that would allow his kids to walk home by themselves, but Howe politely refuses, explaining that he intends to accompany them home.

As Howe calmly explains that state law requires the school to release students within 15 minutes of the end of the school day, and that officials may not keep him from his own children, an increasingly agitated Deputy Aytes threatens Howe with arrest for disorderly conduct.

"I'm not raising my voice, I'm not confrontational." "I want my kids," Howe says, adding, "I can't stand in line — I'm walking, picking my kids up."

Apparently miffed that his police authority is being challenged, an angry Aytes again tells a calm Howe, "You're trying to be difficult. You're being childish."

"School is out," says Howe as he cites Tennessee state law. "My children are to be given to me," to which an increasingly angry Aytes replies: "It doesn't say when. School is out, they will give you your child, but it doesn't say when, now does it?"

As Howe explains what state law mandates in the situation, Aytes suddenly snaps, and demands of Howe: "Put your hands behind your back. I'm not staying here and arguing with you. You've been disorderly."

With that the angry deputy escorts a calm Howe to a squad car as Long continues to video the incident — an action that prompts Aytes to threaten her with arrest as well.



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Cumberland County School Superintendent Donald Andrews explained to the online [Huffington Post](#) that the new policy, which has prompted complaints from parents over the time they have to wait in their cars to pick up their kids, was instituted as a safety precaution for students.

"Previously, parents were coming out to pick up children, [and] they were just getting out of cars and coming to school," Andrews said. "In this day and age, the [parent-teacher organization] was concerned that it was a safety issue, [that] someone could come up and grab [any] kid."

Andrews didn't address Howe's arguments that the school has no legal authority to hold children from their parents, and that parents arriving on foot are not contributing to the problem for which the policy was instituted.

Amazingly, however, in spite of Aytes' behavior on the the video, the superintendent backed up the deputy's actions, saying that "quite honestly, the officer that handled that showed quite a bit of restraint."

Andrews added that "a lot of attention is being drawn because someone doesn't want to follow rules and guidelines. I stand by the decision to [arrest Howe]. We'll get negative press but that's okay if it's for the safety [and] well-being of our children."

The superintendent insisted to [TheBlaze.com](#) that "there is much more to the story than meets the eye. We simply can't have that in our public schools and we aren't going to tolerate it. Our duty is to protect our students. That sir, is nonnegotiable."

For his part, Howe told TheBlaze that the issue centers on the rights of parents to take responsibility for their children. "It's not the school's child; it's my child," he said. "At any time, when you request your child, it's not up to the school.... There's a big difference between policy and law, and that's what I'm trying to get across to them."

<https://www.youtube.com/watch?v=g8r-bdcvx8E>



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