

April 2, 2021

Jonathan Singer
200 E Colfax, Room 307
Denver, CO 80203

Re: Letter of support for HB 21-1228

Dear Chairman Singer and Members of the Public Health Care and Human Services Committee:

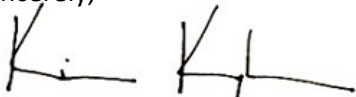
As Chief Executive Officer of Jefferson Center, I would like to express Jefferson Center's support of HB 21-1228, Domestic Violence Training Court Personnel.

Child abuse, child sexual abuse, and children's witnessing domestic violence can cause neurodevelopmental and neurobiological changes to children's brains. If the abuse is ongoing, some of these brain changes become permanent. These changes can lead to depression, anxiety, substance use disorders, and significantly increased risk for suicide. Recognizing the abuse and protecting the child early in life is vital to prevent mental illness and substance use disorders.

Vince Felitti and Robert Adna studied the effects of 10 factors on health later in life, including physical abuse, sexual abuse, emotional abuse, domestic violence, substance use, and mental illness in childhood. They found Adverse Childhood Experiences (ACEs) have a lasting impact on both the physical and mental health of children. According to the ACE studies, 28% of adults experienced physical abuse in childhood, 21% experienced sexual abuse as a child, and 13% witnessed as a child their mother treated violently. Children with an ACE score of 4 or more are 32 times more likely to have behavioral problems in school. Persons with an ACE score of 3 or more have are 6.5 times more likely to ever have attempted suicide, 7 times more likely to ever have injected drugs, 5 times more likely to self-report alcohol dependence, and 1.5 times as likely to have obesity or Ischemic Heart Disease.

Jefferson Center supports HB 21-1228. Training on child abuse, child sexual abuse, and domestic violence is essential for family court personnel who evaluate parenting. Child safety must be the primary factor in deciding parenting time and parental decision-making.

Sincerely,



Kiara Kuenzler, PsyD, Licensed Psychologist
President and Chief Executive Officer

https://gazette.com/opinion/a-sick-mom-alone-in-a-cell-on-christmas-eve/article_8d2d334e-47a8-11eb-bf8e-cf90c19812e0.html

A sick mom, alone in a cell, on Christmas Eve

Heidi Ganahl
Dec 28, 2020



GETTY IMAGES

As our government leaders bicker over meager handouts, shuttering businesses and who they deem worthy of vaccinations, a mom I know is sleeping in an isolation jail cell just miles away from my home, sick with COVID. She was issued one thin

blanket to cover her as she shakes with the chills. The jail staff only check on her a couple times a day.

I'm not allowed to use her name, even if she is OK with it, as the judge put a gag order on her, and anyone trying to help her.

What's her crime? She dared to post about her custody case, asking for help from her friends on Facebook. This case isn't just a tussle over child support or parenting time, the battle is over her unwavering belief in what her children told her and many others, that they were sexually abused by their father. Our family court doesn't believe the kids. Or her.

Children rarely fabricate allegations of sexual abuse; studies show about 2% are false. Thousands of abused children each year are ordered into unsupervised visitation or full custody with their alleged abuser because our courts don't believe what the children say.

Her friends rallied around her and launched a petition. Mothers around the country shared, posted, commented to lift her up, to join her in righting the wrongs by our system. There are thousands of cases like this one across our country where gag orders and jail sentences prevail.

Regardless, this mom took the post down as the judge ordered, and she was still put in jail.

She will be in jail for SEVENTEEN months, with NO contact with her girls.

She is devastated.

We live in Colorado. A place known for its evolved approach to dealing with crime, some of it vile. There's a lot that's vile about this story, it's hard to pick one area to focus on, so I won't, I'll just ask all the questions.

Why don't we believe the girls when they tell us they were abused? Why is a mom thrown in jail for believing her children? How can judges put gag orders on parents, what happened to the First Amendment? Why are hardened criminals being released

early from jail to avoid COVID, but a mom jailed for contempt over a social media post isn't?

“A system shouldn't be able to destroy someone's life. Punished for protecting, for speaking truth, for loving my daughters so much – I would do anything for them.” She wrote this to her friend a few weeks ago.

This mom *is* being destroyed by our system. But really the system is us. We elect the governor who appoints these judges and the legislators we put into office enact the laws that let this happen. We cannot remain silent when the results of this system crush a family.

Let's recap. A mom laid sick and cold in a jail cell Christmas night. She is in jail because she is fervently protecting her daughters from alleged abuse. She believes them with every fiber of her being. Research tells us a very small percent of sexual abuse allegations are false, so the girls were likely telling the truth. And yet, the courts have chosen not to believe the girls – or her – and put her in jail, terminate her role as a parent, and trample her first amendment rights with a gag order.

Across our country moms and dads are recognizing that the decisions made at all levels of our government have a direct impact on their families.

The government is broken, it breaks its promises, and the direct impact is most devastating in cases like this where our government systems can render a mom helpless. For defending her children.

Most parents have a primal, instinctual force to protect our kids. We carry an unbreakable commitment to stand by our children and go to the ends of the earth for them. Parents will go to jail to protect them.

And this mom did.

Does this story wake you to the impact of decisions made in city halls, judges' chambers and state capitals across the country?

Let's take back the responsibility for making our country a safe and secure place for our children. The government isn't doing it. The politicians aren't doing it. The courts aren't doing it. The schools aren't doing it. Society isn't doing it.

Just ask my friend that slept in that cold, isolated jail cell on Christmas night.

Heidi Ganahl is a businesswoman, entrepreneur, author and at-large member of the University of Colorado Board of Regents, to which she was elected as a Republican in 2016.

Around the Web

Ads by Revcontent

Colorado: New Guideline for Cars Used Less Than 50 Miles Per Day

EIM for MyInsSavings

Tinnitus? when the Ringing Won't Stop, Do This (It's Genius)

Newhealthylife

The States Where Americans Don't Want To Live Anymore

MoneyWise.com

Do This Before Bed and Melt Away Moles & Skin Tags

Reward Nice

Doctor: Painful Neuropathy Gone, Just Do This (Watch)

HealthScore

Plaque Psoriasis: This Treatment Might Surprise You

Psoriasis



CHILD SEXUAL ABUSE COVER UP/SILENCING OF CHILDREN IN ARAPAHOE COUNTY, CO

SEX TRAFFICKING/BRAINWASHING CHILDREN IN COLORADO

The mother of three children making consistent outcries of abuse has been sentenced to jail for sharing publicly the FACTS and trying to protect her children. Thousands of other Mothers are trying to bring awareness to the public and speak out on this issue.

Arapahoe County claims they did a proper investigation of child sexual abuse outcries with Forensic Interviews in 2017 when the first outcries were made, therefore, the continued MULTIPLE outcries of alleged sexual abuse have NOT been investigated. Instead of investigating the outcries, the children have been brainwashed that the mother is a liar and their outcries were false.

Stockholm Syndrome/Trauma Bonding

Where is the oversight for a caseworker at the Department of Human Services in Colorado?
Where is the oversight for the Office of the Child Representative and a GAL (Guardian Ad Litem/
Lawyer for the children)?

Where is the oversight for the entire Judicial System in Colorado?

Where is the oversight for the Attorney General in Colorado?

Are they all part of the same club, not investigating child sexual abuse or covering up the lack of investigation of children's outcries?

Abuse of power, lack of transparency, collusion, money laundering?

WHY WOULD THE STATE OF COLORADO NOT INVESTIGATE CHILD SEXUAL ABUSE?

1. Arapahoe County, State of Colorado, including social workers, GALs, The Office of the Child Representative, Attorney General of Colorado, Judicial Officers, & Mental Health Professionals, DORA are involved in not properly investigating child sexual abuse and/or covering up the lack of investigation, corruption and colluding to silence and brainwash children making outcries of sexual abuse.

2. Three sisters in Arapahoe County have made multiple outcries of sexual abuse alleging their father sexually assaulted their bodies.

First outcry (May/June 2017) 4-year-old youngest child states her father pees in a teapot and pours it in her mouth, father licks her front butt and back butt and pokes her throat (oral rape). Forensic Interviews take place with all three sisters. Arapahoe County Social Services (ACDHS) state the child is too detailed and does not know a difference between a truth and a lie. The child's outcry is labeled inconclusive and they state the child is safe with her father.

July/August 2017 7-year-old daughter states her father licked her private area too. A second forensic interview happens for 7-year-old child. Child draws picture of her father licking her private area and describes abuse. ACDHS labels the outcry as FOUNDED.

September 2017 (Labor Day Weekend) A neighbor of sisters has a 6-year-old grandchild that tells her father that 4-year-old's dad pokes her in the throat at night. 4-year-old had been telling friends and other adults about the alleged violation of her body. The 7 year old says to father of grandchild that's not true, we do not tell those stories because PROTECTIVE mother had spoken to the three children and asked them to only speak to doctors, teachers, therapists etc. about what the CHILDREN said was happening to their bodies.

The father of the neighbor's grandchild (Mike Gold, his mother is Gail Farrell) calls alleged abuser of child and colludes with alleged abuser to state that the children are making up the sexual abuse allegations because of this one statement made by 7 year old.

September 13th, 2017 Marika Quinn of Arapahoe County Social Services comes to mother's house and tells mother she is coaching her children and she can have NO contact with her children unless supervised by ACDHS. Mother is given choice to leave her home and leave the children in the care of grandmother or Marika Quinn will take the children and put them in foster care.

Mother leaves house for 7 weeks until a trial finds her not guilty of coaching her children, the trial also finds father not guilty of sexual assault of his children.

Multiple attorneys consulted state that authorities never believe children making outcries of abuse and give custody to alleged sexual abusers and take custody away from

PROTECTIVE mothers. This is happening all over the United States and in other countries. COULD THIS BE THE PEDOPHILE AGENDA?

Mother and Father finalize divorce in March of 2018 with 50/50 custody. PROTECTIVE mother is only allowed to protect her children 50% of the time and is told at least they are only molested half of their childhood.

The children continue to talk about being abused. Youngest sister talks about her father putting on blue gloves on his hands when he does the licking. Middle sister wakes up with her pajama bottoms on backwards and finds yellow sticky stuff in her underwear. August 2018 Middle sister asks her therapist Allison Benton-Jones to help her and protect her. She confronts her father at a family therapy session with Barbara Shindell, LCSW. Barbara Shindell and her father tell her many people have watched her forensic interview and no one believes her outcries of alleged sexual abuse.

December 2018 The oldest sister age 11 states and alleges to her therapist, Dominique Tavernier, that her father sexually assaulted her. ACDHS is called back to investigate 11-year-old child's outcry of sexual abuse. ACDHS refused to forensically interview the child and instead accuse the PROTECTIVE mother of coaching the 11-year-old child to make it up. The same case worker Marika Quinn and the same Guardian ad Litem, Sarah Yarbrough are assigned. ACDHS along with Barbara Shindell collude to stop a forensic interview and investigation of the 11-year old's allegation of sexual abuse.

February 2019. Protective Mother is served an Emergency Verbal Removal Order (VRO) and her children are taken away from her again. There is NO evidence that mother has coached the multiple outcries of alleged sexual abuse made by her children. The VRO was granted based on the neighbor from 2017. Mother was proven not to have coached her children and BELIEVES her children's multiple outcries of alleged sexual abuse. The Judge stated that sometimes the jury gets it wrong and allows County Attorney, Kristi Erickson to go after mother with no evidence of her coaching the children. DOUBLE JEOPARDY.

April 2019. Mother is told she is mentally ill without any proof of a mental disorder. Two Psychological Evaluations prove this is FALSE. Mother is not mentally ill. Her personal therapist of three years with 28 years' experience wrote a letter to the court saying mother is not mentally ill and is not capable of coaching her children. Marika Quinn and Sarah Yarbrough said this therapist is not approved by them and attacked the therapist professionally.

April 17th, 2019. Youngest sister makes another outcry of sexual abuse against her father on videotape at the department of Human Services. Marika Quinn and Sarah Yarbrough dismiss and refuse to investigate the child's statements of abuse.

April 24th, 2019 The oldest sister's teacher made a referral to the department after she went to her crying and wrote in a journal the teacher gave her about the alleged abuse. Again, the outcry was ignored by Marika Quinn and Sarah Yarbrough.

June 6th 2019, a referral was made by the children's dance studio about the children's alleged outcries of abuse, including making complaints about the GAL, Sarah Yarbrough and the caseworker Marika Quinn after the GAL contacted them and was dishonest in

representation of the facts. The children were then removed from their dance studio and competition dance team, not allowed to dance in their yearly dance recital and Judge Natalie Chase banned the children from ever attending their dance studio again. June 21st, 2019, Youngest sister makes another outcry of alleged sexual abuse on videotape at the Arapahoe County Human Services Department. She stated she was getting a break from the licking and poking in the throat because her father was out of town for work. Marika Quinn and Sarah Yarbrough refused to investigate the outcry.

Multiple journals were found in the two oldest daughters' bedrooms with their written statements of alleged abuse. This information was turned over to Arapahoe County Human Services.

When the children kept making outcries of sexual abuse to their bodies, Marika Quinn and Sarah Yarbrough colluded to say the mother lied about her health. They ignored mother's medical doctor's letter that mother was truthful and used this manipulation of information to cancel visits for the children with their mother. This 10-week time of canceled visits and no contact was used to try to brainwash the children and destroy the mother/child bond.

Arapahoe County in Colorado is covering up their lack of investigation into child sexual abuse allegations and they have violated the mother's civil rights, defamed her, lied about her, and legally abused her.

After the years of outcries by her children the mother finally went public with an outcry for help to investigate the allegations with a Change.org petition that had around 3000 signatures and 8000 views before it was ordered, by Judge Natalie Chase, to be taken down. Judge Elizabeth Volz sentenced the mother to 5 months in jail for defamation/slander when all statements made by the mother were TRUE and not false or defamatory and no names were listed. Mother has a 1st amendment right of free speech to make true statements, she agrees not to make false statements. Judge Elizabeth Volz said the mother made false statements by saying forensic interviews did happen and there was an investigation. Every outcry of sexual abuse should be thoroughly investigated with a proper forensic interview to make sure that a child is safe and free from their body being violated. Forensic interviews only happened in 2017. A caseworker and GAL should not be allowed to decide a child's outcry is false because they are in collusion with the alleged abuser and lack accountability and transparency.

An investigation into Arapahoe County and the entire judicial system all the way to the top must happen.

Below is a list of how Marika Quinn, Sarah Yarbrough, Kristi Erickson and Judge Natalie Chase have abused this mother.

1. Marika Quinn and Sarah Yarbrough never interviewed the mother about her children's outcries of abuse. Sarah Yarbrough blatantly violated the rules of conduct

- for a GAL in Colorado. When a formal complaint was made with direct violations to the Office of the Child Representative the attacks on the mother intensified.
2. The Judge told the mother, "Wait until your children turn 18, they will say bye, bye I am done with you!" As she flicked her hand in the air, she denied the mother her due process right to a hearing and had proven ex-parte communication with the GAL, Caseworker and County Attorney.
 3. Mother's name was slandered by calling her mentally ill when all mental health professionals concluded there was nothing wrong with the mother other than the trauma she has endured from the legal abuse and listening to her children's outcries of abuse with no way to protect them.
 4. When the Mother's doctor wrote her a letter to avoid stressful court situations to not exacerbate her low grade cancer, Sarah Yarbrough and Marika Quinn manipulated the information, ignored her medical doctor's factual letter and told the three sisters' that her mother didn't have cancer and that the mother was a liar. The family therapist, Barbara Shindell, got in on the collusion and stated in an email that she is telling the children that their mother is a liar to continue to brainwash the children.
 5. Marika Quinn, Sarah Yarbrough, Kristi Erickson and Judge Natalie Chase have worked with the father to isolate the children from their mother and from every single person that was involved in their life (people who believed the children's outcries of abuse). None of the many people who knew and loved the children were interviewed, only the neighbor's adult son in collusion with the father. The children were removed from dance, their school of 6 years and were allowed no contact with any extended family or friends.
 6. Marika Quinn and Sarah Yarbrough have consistently twisted information, ignored facts and evidence, told lies about the mother and abused their power to actively destroy a bond between a mother and her children with the approval of County Attorney Kristi Erickson and Judge Natalie Chase.

What kind of government system destroys a mother/child bond and ignores children's multiple outcries of sexual abuse? A corrupt government system.

The father of these three girls has full custody and the State of Colorado has filed to terminate the mother's parental rights. The Termination hearing is 8/25 & 8/26 of 2020.

This mother was the sole caretaker of the girls from birth until the outcries of the abuse. The children were thriving in mother's care.

Whistleblower's exist. This is a story that will be turned into an investigative documentary exposing the corruption and the bigger picture of the "PEDOPHILE AGENDA" in Arapahoe County, Colorado.

What needs to be investigated in Colorado:

A thorough investigation of all workers, clerks and employees within the judicial system should take place.

The openly fraternization between Marika Quinn and the father of the three girls mentioned above.

The ex-parte communication between Judge Natalie Chase, Marika Quinn, Sarah Yarbrough and Kristi Erickson.

Judicial Collusion

Payments made to LLC's by wealthy parents to attain custody of the children at all costs.

Payments made by Arapahoe County Human Services to Mental Health Providers to write fraudulent mental health evaluations.

Investigation into the Office of the Child Representative.

Investigation into DORA and their board actively covering up clear violations of the law by the registered therapists.

A full investigation of Marika Quinn and Sarah Yarbrough.

Payments made to employee's at law firms to give out confidential information to further the agenda of state workers and The Department of Human Services.

The legal lack of transparency and accountability according to the Colorado Open Records Act (CORA) in the state of Colorado and covering up of public records.

REAL PEOPLE SEE THE TRUTH AND THE ABUSE OF POWER IN ARAPAHOE COUNTY, COLORADO

- *According to a conservative estimate by experts at the Leadership Council on Child Abuse and Interpersonal Violence (LC), more than 58,000 children a year are ordered into unsupervised contact with physically or sexually abusive parents following divorce in the United States. This is over twice the yearly rate of new cases of childhood cancer.*
- *Research Shows that in family courts, false allegations remain rare. According to a 2008 study by law professor Nicholas Bala and three other researchers, in the context of custody disputes, mothers make deliberate false reports less than 2 percent of the time. Fathers are 16 times more likely to make deliberate false reports which contributes to disbelieving true reports made by mothers.*
- *Children hardly ever fabricate allegations of sexual abuse. Studies analyzing maliciously fabricated allegations of child sexual abuse have found that children bring only 0% to 2% of such allegations. There is no reputable research to support the notion that children can be brainwashed to believe they have been sexually abused when they have not. Jones, D. P. H. & McGraw, J. M., *Reliable and Fictitious Accounts of Sexual Abuse to Children*, *Journal of Interpersonal Violence*, 2, pp. 27-45, 1987. (Out of 576 cases of possible sexual abuse, Denver Department of Social Services determined that only 1% [n=8] of allegations of child sexual abuse brought by children were fictitious (five children made the eight fictitious allegations), and out of 696 cases, The Kempe Center determined that only 2% [n=8] of children's reports of child sexual abuse were fictitious.)*

Joan Meier has completed a study about Child Abuse Allegations: Mothers who report abuse are losing custody at astonishing rates, according to the study. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3448062

What can you do to expose the corruption?

- Share on Social Media
- Tweet and reach out and contact all major and local news stations.
- Tweet and reach out to all alternative news outlets.
- Call and email the FBI field office in Denver, Colorado tips.fbi.gov.

8000 East 36th Avenue Denver, CO 80238

denver.fbi.gov

(303) 629-7171

- Call (202-456-1111) and email The White House with all of this information: <https://www.whitehouse.gov/contact/>
- Send a letter to: (Include all of this information)

The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

- Contact your local representatives and ask them to get involved.
- Contact the Arapahoe County, Colorado District Attorney

If you need information on this type of case contact Maralee McLean. Arapahoe County failed her and her daughter almost 30 years ago. **MARALEE MCLEAN** is a child advocate, domestic violence expert, national professional speaker, and author of **PROSECUTED BUT NOT SILENCED: Courtroom Reform for Sexually Abused Children**. Maralee has written several articles for the ABA Child Law Journal, Women's E-News, Ms. Magazine and many other publications on the problems of family courts not protecting abused children. Maralee is with Women's Media Center (WMC), SheSourceExpert, NPEIV (National Partnership to End Interpersonal Violence) and is with APB Speakers and RAINN speaker bureau, Child USA ambassador, and the APSAC (American Professional Society on the Abuse of Children). She speaks at conferences, law schools and is a spokesperson for protective mothers. Her passion for advocacy developed through living a mother's worst nightmare. Fighting the system with body and soul, she gained the insight that this was not her nightmare alone. She organized a National Rally of Mothers at the Colorado State Capitol and has been involved in legislative work that spans over two decades. She testified before Congress to promote judicial accountability to better protect sexually abused children's rights in our courts.

Maralee's story has been covered by many media outlets and internationally on CNN.

Bio: www.MaraleeMcLean.com

We can't let those in a position of power abuse and hurt children and families anymore.

HB21-1228 Bill Protective Mother MFB TESTIMONY for Bill Colorado Rep. Meg Froelich

Colorado Case Advocate Rep MFB.: Maralee Mclean 720-252-5115

leighmcl@hotmail.com <http://www.maraleemclean.com/>

Colorado Multi Judicial **Case: SCHURER Jefferson County Colo. Case # 12DR 1926**

Judge Randal Arp / Magistrates Ryan/ Jason Cathers/ Jefferson/ Judge Mary Hoag Grand County
Case Bio: Protective Mother Dina Schurer of Colorado USA

Dina Schurer/ 2 children are victims of **Croesive Control DV/sexual abuse/ systematic court ordered abuse: Judicial Trafficking through the court orders. 2015/16 DA Denver Senior Criminal Investigator criminally reported Colorado General Attorney DA Grand/ Deputy/ DA Route & DA Jefferson County for Trafficking the sexually abused kid's case.**

Colorado Case covers, Grand County, Jefferson County, Route, Larimer, Arapahoe, and Denver County of Colorado USA. (Mother & children were in Colorado Safe Houses 1 year due to the Domestic Violence problem of the father making the case multi-Judicial case: father was reported doing crimes from the counties. Michael hired a Private Decetive to stock/ hunt down Dina/ Children) Some of the SCHURER case is sealed / has physical paper evidence Law Enforcement/sexual Forensics law Enforcement Dective files/ videos/ audios/ DA/ DA Deputies trafficking the sexually abused kids though the courts. The Colorado General Attorney cover up paper evidence 2015/16. This Colorado Case is turned into US Congress for H. Con. Resolution 150 & H. Con. Resolution 72 Child Safety.

In 2005-2006 Dina, a Jefferson County business owner, met Michael, owner of 4 businesses in Grand County/ Courtship/ marriage 2008.

November 2011, after the birth of their two children. Dina/Children ran away due to domestic violence & sexual assault against her: Protective Mother running away with children from a DV crime scene for safety. Michael alleged Dina had abducted the children in Ex-partay hearings in Grand County. She and her two children, then ages 3 and 5, spent a year in domestic violence safe houses. Then moved into Transitional Housing; Were safe.

The children started acting out sexual abuse at the safe houses. CPS became involved. All safe houses/ therapists reported to CPS. CPS said that if Dina a DV Victim returned to her abusive husband, they would take the children.

Douglas CPS insisted when they were being supinated & sued by the father. CPS ordered Dina to make a police report in Grand County: the origin of the crimes. The Law Enforcement dective forensic investigator for the child sexual abuse is in Route County/ Grand County Sheriff Dective/ DA Routte. Dina and her children had a restraining order against the DV father & were in a Federal Protection program during the 3 years of domestic violence and child sexual abuse investigations on the father. The Jefferson County Put a 3-year abduction alert on Dina/ flight risks.

Michael who had collusion relationships with Grand County DA & law enforcements, filed for divorce in Grand County 2012/ custody in Jefferson County. Grand County Judge kicked the divorce case out of Grand County; Ex Partay Hearings court for the mother/ kids was a missing persons but safe in safehouses: Law Enforcement reports show this/ while DV/ sexual assault on children criminal investigations were open in Grand County & multi counties on father. Jefferson County DA was aware of the abuse crimes of Grand County DA/ Deputy as evidence shows. Which is against Co law to have criminal cases open with family court cases opened. Federal Law H. Res. 172 was violated in this case in the State of Colorado. (Placing Children with batter). After 2 P.R.E. custody evaluations With PRE-Dr. Jacquelyn Richman, & later Jacquelyn friend PRE Monte a third evaluation: The kids forced into Reunification with identified abuser the whole time. The son was beaten by his father in the reunification therapy office which was reported by re-unification: not safe. Their son tried to kill himself by poison the day his abusive father took custody. Law Enforcement put out an Amber Alert on Protective mother Dina threatening to put her in jail at custody for her son was in an emergency room. Dad reported false allegations to Police/ CPS reporting Mom as flight risk/ doing a custody scandal Dad said mom was suicidal coaching child PAS & child endangerment. Dina's son was moved from Grand County Emergency room to Grand Junction Mesa County Mental Health institution for 2-3 months Intuitions trying to deprogram the fear of his dad/ & discredit sexual/ beating abuses of dad. Dina's son, age 8, tried to kill himself 3 more times in dad's custody. While Dina's 6-year-old daughter was forced to go alone with the identified abusive father from the emergency room and sleep in his bed. Law Enforcement Records show: The dad: was the children's identified sexual molester with all the Law Enforcement Forensics Grand County Sheriff/ Ralston House Arvada Criminal Cases. The father was never convicted of any of the DV crimes/ sexual abuse crimes in Grand County (County of origin).

April 2015 Jefferson County Judge Randal Arp/ Magistrate Ryan granted sole decision-making power and granted full legal custody of the children to the abusive father. Dina put forward an appeal to Jefferson/ Grand County. Dina was reduced from full custody to visitation and made the PAS child endangerment for Protecting her children refusing to share stating it was not safe. The Father refused visitation stating he had full custody and full decision making. The Father decided he did not want the mother involved in his children's life. Making up fabrications that he won the kids stating: the mother is, mentally ill, suicidal with PAS & dangerous flight risk. Grand County isolated mountain town theme is "SHOP LOCAL SUPPORT LOCAL" even if it is a batter/ molester. Michael has 4 business in Grand County. As well does the security systems/ video's/tv's/ electronics for the jails in Grand County. Michael groomed Grand County & has local community support as well law enforcement support for they need his products/services. Father is friends with DA/Law Enforcements. Father threatened to sue doctors/therapists/ professional witnesses with evidence etc..

Dina on July 4, 2016 was in Granby Co Parade dressed as a missing person's Milk carton passing out "**Children Should, Be Seen Heard Believed and Protected**" buttons & T- shirts. Dina saw & talked to her kids/ then changed into a martial arts outfit. She spent the day with her kids while the dad drank all day watching from afar. Never noticing it was mom. Then that night the kids told their dad they were so happy to be with mom, best day of their life. Michael called the Law Enforcement, and the hunt began. Michael then went to the Grand County Court to get a restraining order on the kids to not see mom. Dina went to Grand County court representing herself the Judge Granted permanent restraining orders on Dina & kids. (October DV awareness month November is Family Violence Prevention Month 2016)

(Dina was in Winter Park CO Awareness Campaign for DVAM/ **Congress H. Con. Res. 72 & 150** Public awareness. Putting out flyers video Mothers Lost Children public awareness campaign.

2 min video <https://www.youtube.com/watch?v=Jr4vFrLctMI>

Dina is a National Advocate/ human rights activist in the Washington DC videos. (Fact for the record.) Dina Was put in jail one week after these videos were released to international Media You Tube look @ dates of 2016 when Michael knew where Dina was doing promotions of campaign DVAM Domestic Violence Awareness Month, since Michael put a restraining order on Dina & her kids. The father used the kids again and had a nanny drop off his kids where Dina was working doing DV awareness month. Michael then called the police and had Dina arrested with the flyer promotions at the Fraser Library,) Michael as well Grand County Advocates did not want this Public Awareness Campaign for it highlights Perpetrator dads as well Highlights how Grand County Advocates is failing in educating battered mothers in Family Violence Awareness. Michael was getting the town of Winter Park Police and shop owners to hunt who is putting out the flyers. Dina's free speech/ human rights violated. The Winter Park Police arrested Dina for flyers but then found out it was Dina Schurer then covered up the flyer incident arrest and said then it was then RO violation/ Human Rights Violations. Protective Mother is in Federal Protection & in hiding.

(1st amendment and 14 amendment US Constitution rights violated in USA Colorado as well Miranda rights violated) Dina put forward an appeal to Grand County.

Video Testimonies of the Protective Mother Dina Schurer Washington DC speaking out.

<https://www.youtube.com/watch?v=LWZBtbELhIY>

<https://www.youtube.com/watch?v=qD6vRjflkbQ>

Congressional Briefing May 2017 Washington DC H. Con. Res. 72 (Video/Documentary)

<https://www.youtube.com/watch?v=TsH3Rb29hoU>

[Mothers of Lost Children Washington D C May 15, 2017 - YouTube](#)

<https://www.youtube.com/watch?v=HcrHgoLLUKs>

Protective Mother Dina Schurer is speaking out in International Documentary "What Doesn't Kill me"

<https://www.whatdoesntkillme.com>

[HOME | whatdoesntkillme](#)

[What Doesn't Kill Me: Domestic Abuse and the Family Courts | Brunel University London - YouTube](#)

Vote yes on HB21-1228

My name is Aydan Metsch, (I have chosen to no longer use my fathers family name). I am currently a high school senior and I am one of the lucky ones. I made it through a childhood full of abuse and maltreatment, not just by family members, but by those who were supposed to protect me. They didn't protect me. At no point did I ever feel like investigators had my best interest in mind.

I was a child, too young to understand the situation around me. I was abused by my father and grandfather from an incredibly young age. When my brother and I told my mom about what had happened to us, she was horrified, as any good parent should be. She went to get help, help never came. From that time forward my life was full of social workers and evaluators eating dinner at my house and pulling me out of class during school. They would interview me, and I would tell them the same things every time: I am being abused, I am being molested, and I want it to stop. And nothing would change. It would just happen over and over and over. Not just the social workers, the abuse would continue, and every time I talked to a new person I had a new story to tell about what my dad did to me.

I was a little kid, I had no idea that those people talking to me were supposed to protect me. In fact, I felt like every time I talked to them, I was trying to prove to them that I was telling the truth. One day during school, I was pulled out of class to talk to a woman. My mom didn't tell us about this, I didn't know she was coming. The woman sat me down in my elementary school, and tried to convince me that the abuse I was enduring was normal. That the cream my father would rub on me, was just him moisturizing me. That the baths my grandfather would watch me take, was just him making sure that his 9-year-old grandson didn't drown. She wasn't there to protect me, she told me to my face that I was a liar, and that nothing bad happened to me.

A few months later, my younger brother and I were taken away from my Mom and forced to live with my abusive grandparents for the summer. They took me away from my Mom, the only person who had been fighting to keep us safe, and they put me in the custody of the very people she was trying to protect me from. I was abused non-stop for months. My grandparents screamed at us, hit us. They forced me to sit on the stairs for hours and if I started to fall asleep they would beat me. I was a kid, I was supposed to be going on playdates and playing with toys. Instead, I spent every waking moment wishing I was dead, every night before I went to bed praying to God that I wouldn't wake up. I was 9. When you have a suicidal 4th grader on your hands, you don't tell them that their life is fine, that nothing bad has ever happened to them. You listen to them and get them the help they need. Children don't have ulterior motives, they don't understand the complexity of the situation they're in, all they know is that they want to be happy.

I am one of the lucky few who made it out of this broken system. I am on the executive board of my High School Student Government, I have won multiple national and international awards for movies that I have made. I am attending film school next fall at a top university. I've succeeded despite the broken system, but do not let yourself think that I have anything to thank the system for. I still think about it every day, I still deal with the consequences every waking moment. No child should have to go through what I went through. We need change and we need it now. Children deserve better, I deserved better.

After a short conversation with a therapist at Mental Health Center of Denver, I woke up to the nightmare that is domestic abuse. I documented physical, emotional and sexual abuse using audio recordings, pictures and videos. In these recordings, I documented nearly every point on the Duluth Power and Control Wheel. My children and I were in a textbook domestic violence situation.

I left our abuser. Then, I filed for a protection order for me and my children, and I presented the court with my documentation. Initially, my children had supervised visitation, and a CFI was appointed.

My experience with the CFI was shocking. The CFI told me that he didn't know if this was domestic violence because there weren't other women coming forward with allegations against my ex. Despite the large body of evidence presented to him, the CFI believed my ex's claims that he abused me and the children because of his anxiety, my bad parenting or that he was "just playing" when he left welts (that's plural) on our 4 year old. This argument doesn't account for the years of abuse I experienced prior to having children. The CFI did not understand why I "allowed" my ex alone with our children when he was still in the home. He had no understanding of my fear of my ex, and he used this as part of his justification for recommending unsupervised parenting time.

After reading the CFI's recommendations, the judge ignored the Rules of Evidence and allowed my ex to have unsupervised parenting time.

Since starting unsupervised visitation, my children's behavior has changed drastically. These negative changes have been observed directly by both children's therapists. One therapist was so concerned that she called the child abuse hotline and tried to get them to stop unsupervised visits. When presented with these observations, the CFI, who is an attorney and isn't trauma or domestic abuse informed, said the changes in behavior could be the result of going back and forth between homes. Both therapists agree that the changes in are too drastic to be contributed to going back and forth between homes. Both therapists told the CFI that they are observing behaviors that are red flags for abuse (physical, non physical, sexual). My children, 3 and 5 years old, don't talk to their therapists about being abused. Because neither child has talked to their therapists about being abused, the CFI refuses to acknowledge what has/is happening to them, even with the documentation.

I have a 5 year old who has PTSD because of what his dad did to him. His younger brother has a diagnosis of trauma, other stressor and is only missing two criteria for a PTSD diagnosis. I'm appalled at how dismissive and uninformed the judge and CFI have been regarding what is happening to my babies. Please vote yes on HB 1228 because my children, all children, deserve better.

As I write to you today about HB21-1228, I come out of experience and troubles that I have seen in the Family court system. I am very disturb by how little training is offered for Judges, PRE, CFI and G.A.L. Also how this bill crosses off the post abuse of men and women in the family court system, this is not providing a safe place for the law to prevail for those men and women that are constail abused mental and physically after the split.

My case is the same as many others have gone before me, but because the lack of training in the system made mines worse. I want to remind you I was never married to my ex. When I first met my ex, he was charming and it seemed like he was a great dad when I was around him. Then I got pregnant and moved in, before I knew it, I found out his drinking was so much worse and he would run to his dad for muscle relaxers after his heavy drinking sessions. Due to him falling and not after the week I moved in he would leave me with his two kids being pregnant and go to the bars at night and would not return to the house around 2 am. Then the mental abuse started which then turned into death threats and physical abuse. I felt I could not call the police due to his dad being an ex cop and was still in contact. I was told that will would not help and no one would care, by his father. So I never called.

When I finally left the father of my daughter due to him being an Alcoholic, drug and mental and physical abuse, I thought I would be free from his abuse. Unlike most I had family to go to I left hoping to protect then my 7 month old from growing up around this. He turned to the courts, where it was a messy process. The mental abuse started to get worse, but due to the lack of training for my attorney, they kept telling me he is just a dad that needed time. I granted him time, at first it was supervised by me, but then he got mad that I was even there. I want to make sure she was safe, from him and his family. Then we moved into the Fort Collins Harmony house, at first it was ok, but then he started to tell them what he wanted me to provide for his visits. My daughter at the time was 11 months and was told if I didn't provide breast milk I would be not giving him the right to be a father. She was on Solids at that time and the visit was only for an hour. The Harmony house was not trained in spotting abuse and not trained in stopping it either.

Moving on, my attorney at the time suggested having an ENA to allow me and my ex talk without getting in the court. The process was hard, remember, that is when he laid the news of him having lung cancer and instead of the factilators stopping due to this it processed. I brought up my concerns of him being an Alcoholic and Drug user and they gave him time with me being allowed to test him at any time. I was so scared to even do this because he would get mad at me and threaten me. They all felt sorry for him because of the cancer, they looked past what was really going on in the case. Like why did I have a hard time with him taking our daughter. I was told to go to therapy that I needed it to be strong for my daughter.

We got a plan after the ENA, but he wasn't quite sure about his cancer, he lied and worked around it and his attorney covered up his cancer claims. When we finally came to an agreement I had full decision making, with good faith and Most of the time. Then the struggle came because we had in it an agreement that we would review it in 6 months. The next six months where hell went through our talking parents he would mental abuse me and my attorney did

nothing, but tell me I was just bitter and could not allow the father take care of the child. I fought long and hard with this. So when the 6 months came to discuss what he would like the parenting plan could and should be for him, we had not even started the every other weekend plan. Then he dropped days because he didn't want to do them any more, because it was too hard for a dinner visit. I was hoping that my attorney would help out but to much avail it was not.

Where we could not come to an agreement so our next step was a Level 2 parenting class. We signed up for the one in April and then COVID hit. He then filed with court to head to mediation and not take the parenting class due to COVID and he was worried about being in class, due to his cancer that he said he was cancer free. The class was moved to online for June. In my experience you should not be allowed to be in a parenting class while planning for a mediation. Our judge told us that we had to do both. The class gave me some more tips and tricks, but for him was a way to show how he was abusing me mentally, nothing was done.

Our mediator was amazing for and was properly trained and spotted the signs and could only write to the courts that it was a failure. When those both failed we ended up in court. I finally felt better in away to ask for a alcoholic test due to some signs. When I did he became angry and followed me and our daughter to my call, yelling and filming us. I could not call the cops because My hands were full and I was trying to protect my daughter. As I stood there in fear thinking he was going to hit me again I finally got in my car and left.

We then got a CFI Steve Gimple. Who had us fill in a bunch of paperwork and then have a 2 and half hour zoom called with both of us. Which was not the best situation to determine why we could not work together and refused to look over our talking parent messages, but he has seen it all he said. After that we had an individual phone call with him which lasted over an hour of how I was not allowing him to be the father and I was just bitter about him. I was just trying to protect my child from being left with no one to watch her at night when he decides to go out for his binge drinking. Then he talked to the father and wrote the report the way my ex wanted him to write. The report put me in a negative light, said I was bitter about the abuse and nothing was not done about the abuse. If this CFI would have more training in post abuse after a break up it could be in the best interest of the child and would stop labeling parents as over protective and bitter.

In the meantime We went to court and with COVID we were not allowed to be in the same room as the judge. I told my story and why I didn't feel a change in plan was needed at this time. At the end of the hearing I was told me and my witnesses were uncredible and him and his was. Then She changed her tone and said that the statement she was wrong was credible but biased against him. My attorney did nothing to help either; she sat in the other room and just gave up. I have lost time with my daughter after working full time and not having to do joint decision making but of the lack of training on post abuse by an abuser.

I know my story still has to go on in the family court system, but I need the system to change so people like me get a fair right to have my child protect my child. I feel that it is necessary for you to reconsider making more time and more training in this field so those who are to help can help

right. Taking out what you are taking out in HB21-1228 is extremely dangerous and doesn't give people of the state of Colorado a fair hearing.

**Testimony to the Public and Behavioral Health and Human Services
Committee of the Colorado House of Representatives**

Re: HB21-1220

Jeff Ball, Chair, Colorado Child Support Commission

Tuesday, April 6, 2021

Chair Michaelson Jenet, Vice Chair Sirota, and Members of the Committee,

Thank you for this opportunity to testify. My name is Jeff Ball, and I am the chair of the Colorado Child Support Commission. I am also the child support administrator for El Paso and Teller Counties. I have been an attorney for 40 years and have focused exclusively on child support for 34 years at the federal, state, and local level.

The Child Support Commission is a statutorily-authorized body whose members are appointed by the Governor, House Speaker or Minority Leader and Senate Majority or Minority Leader. Our job is to review child support laws in general to see where improvements can be made, and specifically to review our child support guidelines at least every four years. The Commission has included

Representatives Singer and Froehlich, Senators Crowder and Smallwood, and we now are fortunate to have Senator Fields as a member. Other members include judges, magistrates, parent representatives, private attorneys, a county human services director, the state child support director Larry Desbien, the state judicial liaison to child support, and public and private child support attorneys.

The Commission worked for the past two years to craft the recommendations that are the basis of HB21-1220. We feel that the bill has provisions that will markedly enhance the child support program and clarify some points in existing law.

The current interest rate in Colorado for delinquent child support is twelve percent, compounded monthly. This percentage is tied with three other states as the highest child support interest rate in the country. We recommend lowering the interest rate to ten percent, compounded annually. Interest can be fully or partially waived by a court if the court finds good cause. Interest can bury a low-income payor who accrues significant arrearages.

Another provision adds contract workers to the definition of employees for the purpose of new hire reporting. Since welfare reform in 1996, employers have had to report new hires to a state new hire directory, which allows child support workers to issue income assignments to the employer soon after hire of the person who pays support. Adding the “gig” or contract worker will close up a significant and growing loophole.

Also, the bill allows for life insurance claims or settlements to be reported to the state child support agency, and after state review an administrative lien may be placed on the proceeds if they are owed to a child support payor, and the proceeds are in excess of \$1,000. The law currently allows for worker compensation and personal injury claims and settlements to be subject to lien and levy after medical and legal expenses are deducted.

To those who practice family law, the income assignment statute represents a multi-page monster of overlapping statutes and effective dates. This

bill cleans it up and makes this key statute clear and concise. It also clarifies that lump-sum payments are subject to income assignments.

An important restoration of the *status quo ante* is the concurrent jurisdiction of Paternity courts and Dependency and Neglect courts to hear paternity cases. This gives the child welfare and child support programs the ability to jointly determine who should bring a paternity action in a case if a paternity action has not yet been filed, and allows a Paternity Court action to proceed if a Dependency and Neglect action is filed afterwards. This arrangement worked well for many years before a Court of Appeals decision determined exclusive jurisdiction resides in dependency and neglect proceedings, even though jurisdiction determination is the prerogative of the General Assembly.

Finally, the bill includes some technical amendments to clarify several situations that were ambiguous and subject to more than one interpretation.

In closing, I respectfully ask that you vote in favor of HB21-1220 so that our child support program can take several steps forward.

Judge Roberto Ramirez

Judge Ramirez continuously bullied me by finding fault with the ambiguous court order that he issued for drug tests, which I submitted according to the order, to continue making me do multiple drug tests. He ordered 3 hair follicle drug tests, 42 hair panels, within a 3-month period, when I have never had any history of alcohol, substance abuse or criminal background. He sided with opposing counsel's false allegations about drug abuse to drag out the case to keep my kids from me. He also violated and deprived me of my ADA rights by misconstruing ADHD diagnosis as substance abuse.

Judge Ramirez also signed off on an illegal document, notarized by ex-husband's girlfriend, Stipulation to Modify Permanent Orders, without holding a hearing, which left me and my children homeless.

Judge Ramirez also refused to address numerous fraudulent financial issues, that I presented, that were committed by my ex-husband, Bobby Jr. and his father, Bobby Sr., during the divorce proceedings. He excused my witness, Custodian of Records for Vectra Bank of Colorado, without any explanation, that would have testified regarding the company finances and ownership. He accepted perjured testimony as true, regarding Company ownership. Judge Ramirez continuously sabotaged my efforts to have a fair hearing by gaslighting my facts. Judge Ramirez chose to engage in the removal of my children without meeting any standards of law, but through the wrongful use of actual and threatened force under Color Of Law.

Judge Ramirez ordered that I seek employment of 40 hrs. a week, without considering the fact I was a stay home mom for 12 years, taking care of the children, specifically, one child with a complexity of disabilities, who required around the clock care.

Judge Caryn Datz

Judge Datz concluded that I had not demonstrated sobriety to the Court, even after three (3) documented negative hair follicle tests. A clear-cut case of abuse of discretion and harassment, and yet, ordered an additional, fourth 12-panel drug test. She stated that based on evidence, mother knew, or reasonably should have known, that her actions and defense were substantially vexatious. The court finds that mother repeatedly failed to comply with procedures and court rules, and that her actions were interposed for delay and harassment. She then ordered me to comply with Abduction Prevention, to include completion of an educational program regarding the harmful effects of abduction on children, even though the abduction allegations were false, as me and the children were at a domestic violence shelter, which she, as well as James Hoysick, CFI, were well aware of. As no such program can be found, it was impossible for me to fulfill that order. I filed a Motion to the Court to grant and appoint an Independent MD; or other Certified Specialist to read both MRO and Raw Test Drug Results. She denied the motion. It is obvious that the Court made it impossible for me to defend myself regarding the false allegations of substance abuse. Judge Datz found by a preponderance of the evidence that Father committed domestic violence against Mother. However, Judge Datz

downplayed all domestic violence by proxy and spousal abuse in her final orders regarding my case. Judge Datz only supported testimony, by so-called credible witnesses, that were friends, or in some way connected with my ex-husband. I provided evidence that clearly showed that the Court's findings were totally inaccurate. Judge Datz overlooked the fact that James Hoysick, CFI, failed to interview or contact any of the witness contacts that I provided him. Judge Datz only based her conclusions on the so-called, credible witnesses that were provided by Defendant Sisneros.

Judge Datz concurred with the CFI that mother's behaviors are suggestive of an underlying and undiagnosed mental health or substance abuse problem. The Court is aware that Defendant Hoysick, CFI, is not qualified to make such a damaging statement, as he does not hold MD or PHD degrees.

Judge Datz found that Mother's unemployment is not the result of legitimate care of a disabled child, as the evidence does not support David is in fact disabled. These findings contradict Judge Quick's findings, who presided over the Permanent Custody hearing, where qualified expert witnesses, testified to validate David's medical condition and disabilities, as well as documented statements from the State of Colorado doctors which I do have.

Judge Datz found, additionally, that given the established concerns for substance abuse and mental illness, the Court is not persuaded that Mother could immediately obtain gainful employment as a dental assistant. Judge Datz is again disparaging me as substance abuser, with mental illness concerns that were never proven or established. Belittling me is another instance abuse of discretion.

James Hoysick, CFI

In his CFI Report, James Hoysick presented extremely biased analysis and recommendations to the Adams County District Court. James Hoysick, CFI, presented some of the facts that were in fact false while he presented other facts in an extremely favorable light to my ex-husband, Bobby Sisneros, in an obviously biased fashion. Some of this conduct includes, but is not limited to the following:

During a hearing in the Adams County District Court regarding the CFI report, James Hoysick appeared as a witness. He falsely asserted to the Adams County District Court that I exhibited indications that I had a substance abuse problem, particularly with Methamphetamine. The evidence that James Hoysick relied upon to make this assertion was an erroneous interpretation of a hair follicle test that neglected to consider my prescriptions. James Hoysick intentionally and/or recklessly made this inaccurate representation to the Adams County District Court.

James Hoysick stated: "In contrast to Mr. Sisneros, Ms. Trujillo completed none of the undersigned's requests and had no documentation prepared." This statement was

patently false. I completed all of the paperwork James Hoysick directed me to complete and I also offered additional documentation.

James Hoysick intentionally and/or recklessly falsely reported that Children had 70 tardies/absences from school while in my physical custody. This fact was false in that the Children's actual missed days totaled 8.

James Hoysick stated that my ex-husband, Bobby Sisneros ceased my son David Sisneros' administration of Adderall and Clonazepam which, according to Bobby Sisneros, created a significant improvement in my son, David Sisneros' mood in behavior. James Hoysick recklessly and improperly made this assertion without contacting David Sisneros' doctor who wrote said prescriptions, which Defendant Hoysick was required to do, but never did.

James Hoysick failed to include a statement of my ex-husband, Bobby Sisneros to my daughter, Leah Sisneros, where Bobby Sisneros told Leah Sisneros "to commit suicide as I didn't raise quitters," or words to that effect. Leah Sisneros subsequently attempted suicide. This omission shows James Hoysick's actual and implied bias against myself.

James Hoysick deliberately downplayed my ex-husband's domestic violence conviction. James Hoysick's failure to address the intoxication aspect of the domestic violence contradicts James Hoysick's reported statement of Defendant Sisneros stating, "Tomorrow I will have six years of sobriety from alcohol." especially in light of the fact that the domestic violence incidents occurred within that six-year time period. James Hoysick failed to include in his report, a charge of child abuse against Bobby Sisneros' Sr., my ex-husband's father, where he ultimately entered a plea bargain on a different charge.

James Hoysick failed to include in his report, my ex-husband's CBI report which included numerous charges including the following: Resisting Arrest, Obstruct Police Interference, Public Peace, Assault Threats, Driving Under the Influence (DWA), and Assault 3rd Degree DV.

James Hoysick also failed to report an Erie Police Report dated January 15, 2019, wherein Defendant Sisneros was stalking Plaintiff. James Hoysick also failed to report an incident where Children's Hospital reported neglect of David Sisneros while David Sisneros was in father's custody.

In his CFI Report, James Hoysick stated during his summary of his observations of myself, "Although inattention is a major feature of ADHD and may present in individuals as difficulty remaining focused during a conversation, Ms. Trujillo demonstrated some behavior far more pervasive than difficulty concentrating and the undersigned as able to identify the pattern of behavior observed from experience working intensive services. Individuals with acute stimulant intoxication may present with rambling speech, transient ideas of reference, and paranoid ideation. Additionally, the undersigned immediately noticed pupillary dilation and psychomotor agitation when Ms. Trujillo entered the office but the undersigned originally attributed these features to anxiety. Furthermore, there was

an element of grandiosity, particularly when discussion of her advocacy in the family court system though it was veiled being some tactic which the undersigned suspects Ms. Trujillo uses to seek validation such as by apologizing when there is no need to apologize. In this statement, James Hoysick is stating expert opinions for which he does not possess the requisite certification. Additionally, this statement shows James Hoysick's actual and implied bias against Plaintiff.

James Hoysick, CFI, states: "All credible sources of information report a significant change in Ms. Trujillo's personality and rapid deterioration of her mental health." In this statement, James Hoysick is stating expert opinions for which he does not possess the requisite certification. Again, this statement shows Defendant Hoysick's actual and implied bias against me.

James Hoysick states: "Severe parental alienation, questionable use of psychiatric medicine, over-stating David's level of dysfunction and seeking more serious diagnoses, and introducing a dangerous third party with a history of imposing his own interests over the well-being of other are among the top concerns in this case that appear to stem from Ms. Trujillo's mental instability and raise the question as to whether Ms. Trujillo is interested in the best interests of the children or if her interest is at least on an unconscious level actively trying to ensure that some terrible tragedy befalls on or both of her children." In this statement, James Hoysick is stating expert opinions for which he does not possess the requisite certification. Additionally, this statement shows James Hoysick's actual and implied bias against me.

James Hoysick stated during his summary of Leah Sisneros' interview: "Although she claimed to overhear her father talk about the case, she used the same language as her mother, even repeating allegations stated in her mother's pleading filed with the Court. She even opines about the judges aligned with her mother's opinions." This statement shows James Hoysick's actual and implied bias against me.

In his CFI Report, James Hoysick stated the following regarding Dr. Markland, my son's doctor, "Mr. Sisneros's resentment towards Dr. Markland is likely misdirected as he is likely just doing his job and trying to be helpful, but Ms. Trujillo is providing false information." In this statement, James Hoysick is providing facts that are not discovered in his investigation and demonstrating actual and implied bias against myself.

James Hoysick, CFI, falsely asserted to the Adams County District Court that I was cohabitating with a convicted sexual offender, which was patently false. James Hoysick also stated to the court that I, was attempting to create a tragedy in my family's lives to gain recognition, a statement that was patently false and/or made with reckless disregard to its falsity. The above-captioned individuals conduct was known by the above-captioned individuals to clearly violate established statutory or Constitutional rights of myself which a reasonable person would have known. All the above-captioned individuals deprived me of my civil right to familial association without due process of law by intentionally and/or deliberately and/or maliciously engaging in conduct that deprived me of my Constitutional right to familial association by depriving Children from my physical custody.

Some of this conduct involved, but is not limited to, all or some of the above-captioned individuals engaging, and/or conspiring to engage, in conduct which involved presenting and/or offering and/or testifying and/or asserting facts that were patently false and were known by the above-captioned individuals to be so false and/or made with reckless disregard to the Adams County District Court of Colorado. As a direct, immediate, and proximate result of the above-captioned individual's conduct, I lost my familial association with my Children. The actions of the above-captioned individuals described herein, while acting under color of state law, conspired to intentionally deprive me of the securities, rights, privileges, liberties, and immunities secured by the Constitution of the United States of America, including, but not limited to, deprivation of familial association without due process of law, as guaranteed by the Fourteenth Amendment of the Constitution of the United States of America. All the above-captioned individuals agreed in some manner with one another to do an act that deprived me of my familial association without due process of law. All or some of the above-captioned individuals deprived me of my civil right to familial association without due process of law by intentionally and/or deliberately and/or maliciously engaging in conduct that deprived me of my Constitutional right to familial association by depriving my Children from my physical custody.

Some of this conduct involved, but is not limited to, all or some of the above-captioned individuals engaging, and/or conspiring to engage, in conduct which involved presenting and/or offering and/or testifying and/or asserting facts that were patently false and were known by the above-captioned individuals to be so false and/or made with reckless disregard to the Adams County District Court of Colorado.

Judge Ramirez & Judge Datz have demonstrated their inability to uphold the law, to the extreme of allowing misrepresenting false statement of facts, fraud, identity theft, tax evasion, and financial crimes committed not only against me, but against multiple government agencies, including Adams County and the IRS.

When you abuse the powers that you are given, in order to offend the very object which affords you your powers, you become an enemy of that object and its wrath is unavoidable. Extortion, fraud, conspiracy, obstruction of justice... are all criminal acts and criminals should not be sitting in judgment of other criminals. If you want to represent the law, you must hold yourself to a higher standard, you cannot break the law to enforce the law.

Due to the lack of competency by the CFI to do the report he is not qualified to do, and judges who ignored evidence of abuse, my children and me have suffered injustice at the highest level and will be living the trauma for a lifetime.

Based on the prolonged cruel and unjust treatment, especially through the exercise of authority, my case for Constitutional Civil Rights violations by multiple government officials is being reviewed by the Federal Court.

MYSOGYNY AT THE HIGHEST LEVEL

By Maralee Mclean www.maraleemclean.com

Everyday women voices are not being heard and nor are their children's.

Women and their children are being forced into the hands of their abusers by our family courts. This is systemic failure. Good loving mothers trying to protect their children from abuse find themselves on trial.

In 1989 I was a young divorced mother and the sole custodian for my two and half year old daughter. She is the light of my life. I am put in the worse nightmare any mother could imagine, and the same nightmare hundreds of thousands of women and their children are living in today. My little girl discloses sexual abuse by her father. In shock your first reaction is to protect your child. My first mistake is in believing that my child will be protected, and that all the systems are in place to protect children. The same mistake women and good loving mothers are facing everyday in every state and internationally.

Imagine trying to protect your child to only have them taken away. This is what is happening in our family courts. The pain of being in courtroom battle after courtroom battle facing your abuser, and the pedophile who is raping your daughter. The psychopath, narcissist, sociopath charming all courtroom players and you are labeled with "PAS" Parental Alienation Theory by Richard Gardner. No scientific method a junk science and is not approved by the "AMA" (American Psychological Association) or the "APA" (American Psychological Association). Dr. Gardner states, "Jail these moms gag these moms." Women in the U.S. are being sentenced with gag orders and jail sentences every day. The outcome silences the mother and destroys our children.

Gardner self published his own books and states in his books, "We need to have more pity for the pedophile than scorn, we all have some pedophilia within us, it makes little girls and boys better sexual partners." Judges not understanding or properly trained in domestic violence cases which most of these cases are and the abusers overlap the domestic violence with the abuse of the children which is termed domestic violence by proxy. It is easier to believe that these women are vindictive women, than to look for the safety of the child first. Forcing a child into the hands of the abuser is beyond criminal. Domestic violence and rape is a criminal act and does not belong in family court.

Everyday your child is looking to you for help and each mother is feeling like a failure. She and her child are being abused by the system that is supposed to protect them. Most in this situation end up with severe (PTSD), post traumatic stress disorder. In my own case the evidence is presented with three police reports, three doctor reports, and hospital reports with medical evidence. My little girl is still forced to live with her abuser, the father. The ongoing abuse and trauma later turns into Complex Trauma and Betrayal Trauma. This kind of trauma has been proven to cause neurological changes to the

brain. The CDC the Centers for Disease and Control and ACE Study the Prevention's of Adverse Childhood Experiences study has proven the effects of lifetime trauma.

The thought runs through my head that this is like the Salem Witch Trials of 1692. Surely if I or any of these women lived in this era we as protective mothers would have been burned at the stake. If we were in the seventeenth century we all would have had the scarlet letter of a red "M" burned on our chest. The scars for these women do not show but they are ever so present.

In 1994 I planned a National Rally at the Capitol in Denver with Joan Pennington an attorney who had just received the honor of Woman Attorney of the year in New Jersey. She understood gender bias and the misogyny that was taking place in our courts. Her Domestic Violence Center was receiving thousands of calls from women like me. We planned a national rally together for six months to be held in Denver. A week before the rally my 7th judge in my case Michael Bieda unlawfully ordered my beautiful daughter into the hands of her perpetrator, the father, and silenced us both. My daughter isolated with her abuser and I was issued a gag order. The judge discussed in the courtroom how to confiscate all my records with the proof of sexual abuse of my daughter. He discussed openly in the courtroom about taking the case # off the file so the media could not get to my case. The media was outside the doors and the courtroom was sealed. He then delivered a punishing court order for me to try and silence me. I was ordered to pay all court cost, the father's attorney fees, therapist fees, evaluator fees, and child support higher than the father had ever paid me. This is what happens to mothers who fight for their children. The courts are bankrupting women for believing their child and seeing the daily behavioral changes of that child. You are damned if you do or damned if you don't protect your children. This could be your daughter, son, niece, sister, aunt, best friend and this could be you.

As I stood on the Capitol steps in Denver on a sunny day in July 1994 at the grass roots rally to stop this insanity it was the year of VAWA ACT of 1994. I was in disbelief that we had pulled this incredible rally off. Good loving mothers showed up depleted financially, emotionally and still made it to Colorado. There were mothers from every state who had lost their children to the abuser by our family courts. Senators, Congressmen, feminist as Louise Armstrong who wrote "Kiss Daddy Goodnight", Alliance for the Rights of Children, Musicians and every media station covering the rally with full page newspaper article surely we were going to make a difference and change what is happening. When I spoke on the Capitol steps that day my voice was guttural and so powerful. I could hear myself speak but it was if someone else was speaking through me.

Joan Pennington stood on the Capitol steps this day stating, "It took 20 years for them to listen to domestic violence and we do not have another 20 years for them to listen to this issue. This is like the civil rights act of the 60's this is the movement of the 90's. At first we took a list of mothers going through this at our center today we are changing that list to judges. The first judge on our list is Judge Michael Bieda who has sentenced Maralee Mclean's daughter to a life time of abuse. Then she raises her arm and her fist goes in the air in for solidarity and yells," This is for you Amy! shouting out, "No More, No More!"

It is now 2017 and I am standing at the Women's march across the street from the Capitol. Holding my sign high in the air with a poster of the cover of my book, "Prosecuted But Not Silenced" Women's Human Rights and Civil Rights are being denied by our courts. My heart is aching for all the women and children who are suffering following in my footsteps. The loss of their lives physically and many devastated beyond repair emotionally at the loss of their children which feels like a living death. The children being betrayed and heartache is unimaginable to lose your child to the abuser.

Equal pay or the right to choose all women's issues are important, but take any of these women's children from her and force her children to live with the abuser is the ultimate of misogyny. Every day I get calls from good loving mothers pleading for help from all over the nation and internationally.

For God to take your child away can in time be accepted as the will of God, for the laws, family courts, and perpetrators to do the same is the will of the system. We need all women to ban together and all good men to take a step forward. We are destroying generations of children and loving women. Safety of the child must come first. Stop destroying the Voice of Mother and Child. Women's Voices need to be heard in all aspects of humanity.

My voice is heard and will continue to be heard for all the mothers and children suffering. I hear from women with the same nightmare in the U.S. and Internationally everyday pleading for advice or just to have me listen. I will continue to speak at Law Schools, Conferences and to write articles. Devoting my time to getting the media to open their eyes to the METOO# of the biggest crime for women and children. My dedication has not wavered in over twenty five years and I will never give up trying to educate. Protect the Innocent.

VIEWPOINT

Mother Seeks Courtroom Reform for Sexually Abused Children and Protective Parents

In *Prosecuted but Not Silenced: Courtroom Reform for Sexually Abused Children*, Maralee McLean shares her legal journey to protect her daughter from her ex-husband's alleged sexual abuse. She faced barriers at every turn and her ex-husband ultimately won custody. Her efforts to seek justice produced outcomes that would make many protective mothers question whether to travel her path. Changing the legal landscape motivated her to write her book. *CLP* caught up with Ms. McLean in the following interview.

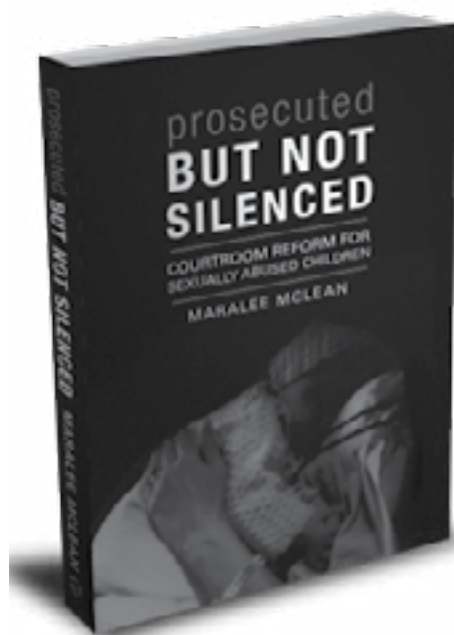
Why did you decide to write your book?

I wanted to make a difference for those working in the fields of domestic violence, child abuse, or child trauma so that such maltreatment would not continue. I wanted to open the eyes of the legal system to mothers "trapped" in similar situations. I also wanted to make the public aware of the tragedy taking place in our courts and to make a difference in saving other children and protective mothers.

After experiencing the system fail time and time again despite evidence of abuse; hearing my daughter's cries for help hearing after hearing; enduring year after year of the abuse not being heard; and finally becoming financially depleted, I began to realize a main problem was lack of education and training among professionals handling these cases.

You faced challenges while seeking justice for your daughter. What did you learn?

I learned that my case is not an isolated one. There are thousands of cases in our courts in every state with the same outcome as mine and my daugh-



ter's. When I testified before Congress with 10 other mothers from different states, it was heart wrenching to hear each mother's experience; they all could have been my case.

The failure of various systems when child sexual abuse is reported and how these cases are turned against the protective parent in family court illustrates a Catch-22 situation. Mothers who report sexual abuse nearly always lose custody. Research shows children are placed in full or partial custody of their identified sexual abuser 90% of the time.¹ Unfortunately many judges, attorneys, and mental health professionals do not understand the overlap of domestic violence and child abuse.

When the child resists going with the abuser and the mother asks for protection from family (divorce) court, the mother is labeled dangerous and considered to be alienating the child from the father. The "Parental Alienation Syndrome" is relied on heavily although it isn't approved by the American Medical Association or the

American Psychological Association, and is considered "junk science" that should not be allowed in courts. In my experience, judges ignore or minimize evidence of sexual abuse and do not allow abuse findings in court.

Research shows that in family courts, false allegations of child sexual abuse remain rare. The allegations occur in approximately two percent of custody and visitation disputes, and most are substantiated.² Family court judges may not understand evidence that is essential to correct decision making. Incorrect family court decisions will have damaging effects, either by subjecting the child to continued abuse and/or by depriving the child of a relationship with the non-abusive parent.

According to another important study³ on child custody and domestic violence by Dr. Daniel G. Saunders, "the attitudes and knowledge of evaluators are critical to making decisions in child custody cases involving domestic abuse."

In my view, cases alleging criminal acts do not belong in family court. They should be investigated by law enforcement and adjudicated in specialized family violence criminal courts using the preponderance of the evidence standard of proof, with evidence brought before highly trained and qualified judges.

Most of these cases involve domestic violence. No child should be placed in unsupervised contact with a domestic violence abuser against the child's will. Children need safe homes and need to have their constitutional rights protected. Giving an abuser control over the mother and the child is the ultimate act of revictimization. The mother is treated as a criminal with the loss of the children she tried to protect. She is often ordered to

receive minimal, supervised visits, sometimes lasting for years (even though she is not the abusive parent), jailed, given gag orders, depleted financially, and ordered to pay child support. Finally she may experience a de facto termination of her parental rights when the court disallows visits.

What can the legal community learn from your story?

My book is a case study. It includes legal documents to educate professionals, along with information on research studies, and my documentation of proof: police reports, doctor reports, hospital reports, judge's orders, etc. My hope is that professionals will seek training and not turn away. Attorney Richard Ducote said it well, "We need to disinfect these trusted institutions." When the system ignores strong proof that the children under its watch are being abused, it punishes those who act responsibly on behalf of child victims.

Many family courts accept and embrace as "infallible" flawed "evidence" and "experts" who would be rejected outright in other courtrooms based on constitutional law, rules of evidence, and judicial procedure. My story tells the breakdown in the judicial system. New measures must be taken. Most important are to: (1) not be so quick to ignore abuse allegations and assume it is a vindictive ex-wife; (2) listen to the children; and (3) educate and understand these cases as domestic violence and child abuse cases, not "high conflict" cases.

Professionals who lack this understanding must remove themselves.

Your book offers advice to mothers trying to protect their children in the court system. What is the most important advice?

Never ever give up. It is crucial to stay in your child's life no matter how you may be prevented from seeing your child. Your child needs to know you are fighting for him or her. If you can't

see your child because of court orders, speak out and seek changes in practice, policies, and legislation. Get help finding a pro bono attorney or educating yourself so you can advocate for yourself in court. It is sad that most mothers are destitute after a few years paying for attorneys, evaluators, litigation, and therapy for themselves and their children.

How can the judicial system better handle these cases?

Many mothers lose custody in ex parte hearings when they are not notified of the court hearing; this practice should be banned. Judges must be trained by child sexual abuse and domestic violence experts, not by other judges. Judges must be trained how to interview the child. There must be effective oversight and accountability for all professionals involved. Court appointees should have no place in these criminal matters; if on the rare occasion they are appointed, there must be a cap placed on the fees charged and paid by the court making the appointment.

What policy and legislative changes are needed to better protect child sexual abuse victims?

- Ensure "safety first" for children who report sexual or physical abuse, or who witness domestic violence.
- Use multidisciplinary teams and a forensic interviewer to interview on videotape all children who report physical or sexual abuse, or witness domestic violence.
- Have the court make specific findings on domestic violence and child abuse or neglect allegations before making further determinations.
- Recognize parents who are acting in good faith to protect their children and do not punish them.
- Discontinue use of alienation theories. Parental Alienation

Syndrome is discredited by the scientific and legal communities.

- Require the court to consider past or present domestic violence and to protect the child from the primary aggressor.
- Reduce unnecessary litigation by implementing custody jury trials in family violence courts
- Build effective oversight, accountability, and transparency for all professionals in these cases, including judges. Consider developing a federal oversight committee.
- Require continuing education for court professionals and judicial officers using a standard online curriculum taught by experts in child sexual abuse and domestic violence. Include an exam.
- Require disclosure of conflicts of interest by statute.
- Develop a system to more easily remove incompetent, poorly trained professionals.

— Interview conducted by Claire Chiamulera, CLP's editor.

For more information and to order the book (\$27.99), visit <http://mmclemm.tateauthor.com/>

Endnotes

1. Neustein, A., and Goetting, A. Judicial Responses to the Protective Parent's Complaint of Child Sexual Abuse. *Journal of Child Sexual Abuse* 8(4), 1999, 103-122; Steubner, Nancy Marie. "Custody Outcomes for Protective Parents in Cases with Child Sexual Abuse," (Master's Thesis), September 2011.
2. Thoennes, N. and Pearson, J. "Summary of Findings from the Sexual Abuse Allegations Project." In E. B. Nicholson (Ed.), *Sexual Abuse Allegations in Custody and Visitation Cases*, 1988, 1-36. Washington, DC: American Bar Association.
3. Daniel G. Saunders, Ph.D. *Child Custody Evaluators' Beliefs about Domestic Abuse Allegations: Their Relationship to Evaluator Demographics, Background, Domestic Violence Knowledge and Custody-Visitation Recommendations. Final Technical Report* Submitted to the National Institute of Justice, U.S. Department of Justice, October 31, 2011.

Reading your story, my first thought, was *how could this happen?* It seems unbelievable the system could fail a parent and child so much. In your case, what were some of the biggest legal hurdles in getting your child back?

This is happening in every state in the U.S. as well internationally. Yes it is unbelievable that a family court system could fail protective parents and their children, but it is happening in epidemic numbers, and is a national health crisis as well.

In my case I was in court for 12 years. The biggest hurdles were the inadequate response of professionals involved working in the fields of domestic violence, child abuse or child trauma. Finding the lack of training of judges, lawyers, mental health professionals, G.A.L. Lawyer for the child, social workers, medical personnel not understanding the dynamic that is happening when there is no protection for a child whom is being abused and a protective parent is only trying to protect their child.

The emotional abuse was debilitating knowing your child is being sexually abused and forced to give her to the abuser. The financial drain was insurmountable and never ending. The length of time it takes for the courts to respond to a crime and turn it into a custody issue versus abuse. Finding good attorney that is capable and well versed in domestic violence and child sexual abuse because these cases according to the statistics overlap. Being labeled as vindictive, hysterical, or with "PAS" Parental Alienation Syndrome is junk science and not approved by the AMA American Medical Association or the APA American Psychological Association and it took hold in my case. Dr. Richard Gardner theory is still being used today in the courts. This is not about alienation this is about abuse. He states, "We all have some pedophilia within us. It makes little girls and little boys better sexual partners and we need to have more pity for the pedophile than scorn it is Gods Will..."

How did you and your daughter feel when you were finally reunited? What was the healing process like? After 8 years of supervised visits in a tiny room 8'x10' and treated as a criminal and my daughter not being allowed to be with her family and friends and isolated the trauma was devastating. She was never allowed to speak of the abuse. We both hung on she used to tell me, "Mommy I fly to your house at night and I am on the window sill and we are always together."

It was surreal when I got her home it was gradual, and I remember the first time her running through the house looking in every room reminiscing. She ran to her room and sat on her beautiful bed staring intently at everything noticing nothing had been displaced or changed. We both were traumatized and in shock she was finally home. During this time I spent navigating trying to get her back to normal as much as possible. Never discussing the abuse but giving her all the love of family and friends.

Our home was the home all her friends wanted to come too. It was difficult because she still had to go back to her dads and now she had become dissociative in order to survive her trauma. It is very much the Stockholm syndrome.

We were now allowed to go on a trip and the first time we got on a plane to go to Hawaii we were both in fear and looking over our shoulders the whole time. In fear that someone from the courts were going to take her away and not allow it to happen.

This is Complex Trauma and Betrayal Trauma they know today how this trauma affects the neurobiology to the brain and affects the changing size and shape. My daughter is still in Trauma and will be working on this possibly for a lifetime.

In your WMC bio, it says "Fighting the system both body and soul, she gained the insight that this was not her nightmare alone." At what point did you begin to realize this was such a pervasive problem? Were you connecting with other parents through online forums, support groups, or anything like that?

When I was going through this there was no internet like moms have today to connect with other women going through this or to get the information that you can today. I felt I was completely isolated and alone. I started lobbying in D.C. going to the Governor of Colorado, legislature, Congress and never stopped networking to find help. I contacted a Domestic Violence Center in New Jersey called National Center for Protective Parents. Joan Pennington, Esq. was the Founder and in the grassroots effort of this nightmare. We decided together to have a rally at the Capitol in Denver to bring awareness of this issue by using my case. Protective Mothers came from every state and we had coverage from every news station. Fighting body and soul I did not see how the system was going to continue this horrific crime to our children. When I began speaking out and had the rally, lobbying and pervasive local news coverage, and the CNN International News women were contacting me from all across the U.S.

Can you give me the rundown of the advocacy work you do, and reforms you've worked for? What is your involvement with Women's Media Center?

Every day I am inundated with the most excruciating pain of mothers calling losing their children to the abuser in our family courts. I have worked with legislation here in Colorado and I was on the Governor's task force for re-writing the laws for our children. Nationally I testified before Congress and continue to write articles and speak on this tragedy at conferences, law schools, reaching out to media to bring about awareness.

I also work with Fight Back Foundation, JustUs for Children. Darkness2Light and FightBack Foundation are collaborating with a curriculum for judges, lawyers, police, and beyond for educating in court cases involving child sexual abuse and domestic violence.

Women's Media Center: media experienced women experts, I am SheSource Expert in the field of domestic violence, child abuse and advocacy, National Speaker APB Speaker Bureau, and of the 1,100 female experts we help journalist, talent bookers and other content producers get their jobs done.

When did you decide it was important to go public with your story and dedicate your life to being a child advocate?

When I lost court room battle after courtroom battle and no one was protecting my little girl. When I lost my daughter to the abuser and was delivered a punishing court order including a gag order and ordered to pay all court cost. I had nothing more to lose and was not going to let this happen to another child or good mother. I have dedicated my life to protecting the children in our courts and that their safety comes first. I started writing my book "Prosecuted But Not Silenced" (Courtroom Reform for Sexually Abused Children) when my daughter was 2 years old when I saw the system failing. I have made it my mission to advocate for these moms and their children and have been doing so for 25 years.

What does the process of working to reunite a child with a trusted parent or guardian look like? How long does it typically take? What about putting an offender behind bars? These men do not get put behind bars they are getting full raping or abuse privileges with their children simply because they are the father. In the Best Interest of the Child Statute it is the parent that is more able to nurture the relationship with the other parent. Judges in family court are not evidentiary hearings there is no due process. We need transparency and accountability this is not happening. We need the good men to stand up... #MeToo A court separate from family court with a jury trial and judges trained on the dynamics of domestic violence and child abuse.

What are some of the signs to look for if you suspect someone you love is suffering abuse? Depends if it is dv or child abuse or trauma we can talk about this one... A child if they feel safe with a parent or someone close will disclose. The fear of going to the abuser, changes in a child's behavior, masturbating, crying out in sleep about the abuse, and not sleeping, trance like state, bed wetting, physical evidence of the abuse. If a person is suffering dv they will find themselves isolated or in coercive control, financial abuse, emotional abuse and physical harm this abuse more than not moves on the children.

What advice would you give to mothers who find themselves in a similar situation as you?

To understand that times have not changed and women's voices are not being heard. Don't believe your child will be protected and prepare yourself for a long and painful journey. Stay strong and never ever give up.

Be very careful check into a good child therapist if you have the money and if not notify the police first not social services. Listen to your child and do not ask questions let them talk. If you take them to a doctor for possible abuse do not answer the nurse or doctor for your child tell them to speak with your child. If you answer they will say the mother said and then you will be labeled with coaching. Hire an attorney that understands dv because most of these cases are contested custody cases. Most of those contested custody cases are with abusers. I am not saying all men are abusers but you must look for the safety of that child first. We know the statistics that most dv abusers are men and most rapist are men. I believe Document, document everything... at the back of my book Prosecuted But Not Silenced I give several guidelines for what mothers in this situation should do plus the research of highly skilled professionals in these cases.

What can others do to effect change?

Time for society to wake up this is damaging hundreds of thousands of children and generations of children to come. We know how this affects the brain and how complex trauma and betrayal trauma affects individuals. Betrayal trauma to me being the worst to overcome because as a child has told all the professionals and those they trust what is happening to them and to not be protected is the ultimate. Society needs to understand the ACE Study Research by Dr. Vincent Feletti and health practitioners and schools need to use this study. We need legislation for jury trials that separate these cases with no CPS or Child Custody Evaluators but where evidence is allowed in and where the safety of the child is paramount. Training and awareness and to stop allowing abusers access to their children just because they are the father.

The work you do must be so rewarding on many levels. What are the things that remind you daily how important it is that you keep doing what you're doing?

When I speak on this it is a great feeling to know you are making a difference and moving for social change for women and children. Many, many mothers have thanked me from the deepest part of their hearts for my book, writings, speaking publicly where they are silenced and have no voice. Listening to the cry's of a mother's gut wrenching pain telling details of their case and being able to give sound advice. Speaking at the Battered Mothers Conference looking at their eyes and knowing you are giving them hope that they can be strong and get through this tragedy of injustice. My daughter survived and we have maintained our strong loving bond gives these women hope. Speaking before a group of people who are enlightened by my

story and the thousands of cases that are going on right now. When a mother has read my book and now they have a case study before them on how the system is working against them and are not blindsided. Every time I hear a child's cry I am alerted to the pain and suffering. Every day I am approached by another case and if I can help the moms I am also helping to save the children. Lastly seeing my beautiful daughter survive and knowing we are going to make a difference.

Jing Tesoriero
18391 E Hawaii Place
Aurora, CO 80017

4/5/2021

To whom it may concern,

My name is Jing Tesoriero. I would like to voice my opinions regarding the HOUSE BILL 21-1228.

First of all, I would like to introduce myself. I was a victim of a domestic violence. My son Ty Tesoriero was murdered by his father, our perpetrator, in 2019 after years of court battles between D&N and DR courts in Douglas County.

Based on the current version of the bill, I do not believe that the tragedy of my son Ty could have been prevented if these listed items were in place.

Pg 6, Line 23, Section 3. In my case, our CFI was threatened by an unknown party (to harm him and his family if there were unsatisfied report). The CFI was also not willing to investigate other families and friends without extensive amount of payments. Being a DV victim, I was broke, trying to deescalate the conflicts between me and my perpetrator, so my son Ty would not be harmed in his care (D&N court gave us 50/50 and my parenting time was restricted at the time against the court order by my ex-husband). My CFI filed motion to withdraw from the case, after I had paid and he had spent thousands for the work he already supposedly did. On the other hand, Ty and our abuser, Anthony, both had Dr. Lon Kopit as their therapist. He was recommended by DHS, approved by the court. He is very well known in the community and has been a CFI, PRE, and expert witness for a long time. He has surpassed experience based on paper. Yet, he was a main reason that Ty's abuse was not discovered, and contributed to his death, because he lacked the knowledge of DV and psychological abuse in my case.

Page 7, Line 9. What are the steps for complaint against court appointed investigator?

Pg 7, Line 13. As I had described previous, court appointed CFI/PRE based on qualifications on paper is not sufficient.

Pg 8, 3. Interviewing a child under domestic violence would not work, unless the child is guaranteed not to return to the abuser for a substantial amount of time. In my case, my ex-husband was not identified as an abuser during many interviews because he was charged, not

convicted. Ty was interviewed, but he finally stopped telling the truth about his father, instead, he would say negative things about me, because that was his father coached him to do. He knew he had to return to his father, and the system was not helping him. It was safer for him to follow the commands of his abuser.

Pg 11, line 24 (b). Please read above for “qualified mental health professional” may not be as qualified as they should be.

Pg 12, line 5 (c). Please read above for why a child may not be safety tell the truth if the abuser already has court ordered parenting time with the child.

Sincerely,

A handwritten signature in black ink, appearing to read "Jing Tesoriero". The signature is written in a cursive style with a large initial "J" and "T".

Jing Tesoriero

To: Public & Behavioral Health & Human Services

From: Shannon Tyson-Poletti, M.D.

April 6, 2021

Chairwoman Michaelson Jenet and members of the committees.

Thank you for reading my testimony today in favor of HB 21-1228.

I am a mother and a psychiatrist who has personal and professional experience of the significant problems faced by parents in Family Court.

In the Colorado Family Court system, I have witnessed the suspension of science, logic, and constitutional rights. This has not only been my experience but the experience of dozens of women I have spoken with over the years.

In June 2009, I noticed bruising in the form of fingers on my 11-year-old son's arm. He told me his father had yanked him out of the pool by his arm. I came to learn that while "teaching our son how to swim," my ex-husband yanked him out of the pool by his arm several times, punched him in the stomach multiple times, pushed him against the side of the pool twice and held his head underwater repeatedly, and while holding his head under water, told our son he was going to drown him. Our son later told me he thought he was going to die that day. This incident was witnessed by other people.

As a psychiatrist, I was mandated to report this incident of abuse to Colorado Department of Human Services Division (DHS). DHS founded this case of child abuse.

In my psychiatric training I was never taught about Parental Alienation nor did most of my colleagues know about this theory that apparently only exists in family court. This theory is not recognized by the American Psychiatric or American Psychological Associations. I learned that Parental Alienation is the predominant theory in Family Court. The primary factor in making custody determinations is often the promotion of the relationship with the other parent; and alarmingly, this factor is given a higher priority than a child physical safety. In Family Court, a parent alienating a child from the other parent is often considered a worse offense than sexually or physically abusing a child or exposing a child to domestic violence. This notion is nonsensical. And yet, studies have shown that when a protective parent reports child abuse in family court and the other parent counter claims the protective parent is alienating the child, the abusive parent is most often granted unsupervised partial or full custody.

The Family Court personnel I dealt with did not know the literature on the effects of Adverse Childhood Experiences on physical and mental health. They did not know the literature on the neurobiology of childhood trauma and how it can cause permanent changes to a child's brain. They did not know that 1/3 of children involved in the juvenile justice system have been maltreated. They did not know that removing a child from this abusive environment improves a child's resiliency. They were not up to date on the domestic violence literature.

Both the PRE and CFI minimized the child abuse in their reports. Our CFI recommended I have 70% parenting time and our PRE recommended 50/50 parenting time. Our PRE believed she could predict the future and that angels and aliens gave her messages through other people. If someone expressed these

beliefs in my clinical practice, I would consider them to be delusional and assess the person for psychosis. Our PRE performed psychological tests on my ex-husband and me, even though this was beyond her scope of practice as a Licensed Marriage and Family Therapist. She misrepresented the testing results in her report to pathologize my normal findings and minimized my ex-husband's pathology. There are no studies showing any correlation between the outcome of general psychological testing and parenting skills. Not being properly trained, the CFI and PRE were unable to recognize the significant manipulation of our children by my ex-husband.

Trained Child Forensic Interviewers go through extensive training and supervision to learn to evaluate child abuse. CFI's and PRE's are not trained in child forensic interviewing. PRE's are not required to have any specific training on child abuse and domestic violence, they only are required to have a license to practice in any area of Mental Health in Colorado.

Additionally, my judge did not follow the rules of evidence. The first thing the judge said was he had reviewed all the reports and therefore we were not allowed to discuss the child abuse in this hearing on child custody. He later called my ex and I in front of him and stated, "If the two of you don't settle this I will." Then I recalled him looking at me and stating, "and you won't like it." I took this threat seriously thinking that I risked losing full custody if I did not settle and stipulated to 50/50 custody.

My best parenting 50% of the time could not overcome the abuse during the other 50% of their lives. My children became statistics. They have suffered profound consequences of child abuse including depression, anxiety, legal involvement, drug use, and involvement in abusive relationships. At one point or another they have all been suicidal.

Children's safety must be the first priority in Family Court. My children should have been spared these consequences. They would have been spared these consequences if Family Court personnel had been properly trained, the judge had followed the rules of evidence, and I had a way to report my concerns about the PRE. I urge you to vote to protect children. I urge to vote in favor of HB 21-1228.

Thank you for your careful attention of this matter.

Sincerely,

Shannon Tyson-Poletti, M.D.



TO: The Honorable Dafna Michaelson Jenet, Chair, The Honorable Emily Sirota, Vice Chair, and Honorable Members of the Committee on Public & Behavioral Health & Human Services

FROM: Marci Hamilton, CEO & Legal Director, CHILD USA; Robert A. Fox Professor of Practice, University of Pennsylvania and Kathryn Robb, Executive Director, CHILD USA Advocacy

RE: HB 1228, requiring domestic violence and child abuse training for family court personnel

DATE: April 6, 2021

Dear Chairwoman Jenet, Vice Chairman Sirota, and Members of the Committee on Public & Behavioral Health & Human Services,

Thank you for allowing us, Professor Marci Hamilton of CHILD USA and Kathryn Robb of CHILD USA Advocacy, to submit testimony regarding HB 1228, which would require domestic violence and child abuse training for court personnel who are regularly involved in cases related to domestic matters in Colorado. If passed, this legislation will better equip Colorado's family courts to protect children from domestic violence.

By way of introduction, Professor Marci Hamilton is the Founder and CEO of CHILD USA, a national, interdisciplinary think tank dedicated to the prevention of child abuse and neglect at the University of Pennsylvania, where she is the Fels Institute of Government Professor of Practice. She is the author of *Justice Denied: What America Must Do to Protect Its Children* (Cambridge University Press 2008, 2012), which makes the case for statute of limitations (SOL) reform in the child sex abuse arena, and the leading expert on the history and constitutionality of SOL reform. Maralee McLean is an ambassador for CHILD USA's Family Court Reform Initiative and serves as the Executive Director for Moms Fight Back.¹

Kathryn Robb is the Executive Director of CHILD USA Advocacy, a 501(c)(4) advocacy organization dedicated to protecting children's civil liberties and keeping children safe from abuse and neglect. CHILD USA Advocacy draws on the combined expertise of the nation's leading experts and child advocates, specifically its sister organization, CHILD USA. Kathryn is also a survivor of child sexual abuse.

We commend you and the Committee for taking up HB 1228, which will require necessary training for family court personnel. If passed, this law would enable judges, investigators, and children's legal representatives to make more informed evaluations and decisions when determining how to best protect Colorado's children in custody litigation.

¹ <https://www.momsfightback.org/>



I. Child Abuse by a Parent/Caregiver Is a National and State Problem

Family violence is alleged in most contested custody cases (75%), and this legislation will better prepare court personnel to protect children at risk of being subject to ongoing family violence.² The goal of custody decisions is to ensure that the best interests of the child are protected, while maintaining safety. Often, contested custody cases focus on parents' rights, which can subjugate the child's rights to the litigating parents' demands.³ Research shows approximately 58,000 children in the US annually are court-ordered into the care of an abusing parent by our family courts.⁴ Family courts strive to award some form of shared or equal custody to both parents often above all else, even when safety risks are present.⁵ One of the reasons for these unfortunate decisions is that family court personnel are often untrained on the most important facts regarding trauma and the indicators of childhood sexual abuse.

Child abuse and neglect occurs more frequently within the family than in any other context, and, therefore, family court personnel need evidence-based training to ensure they can fully understand what is before them. This is particularly true with respect to fatalities: "80% of child fatalities due to abuse or neglect occur within the first 3 years of life and almost always at the hands of an adult responsible for their care."⁶ Family violence is often carried out behind closed doors, and thus without outside witnesses to provide corroboration. Due to the concealed nature of family violence, it is essential that those charged with identifying family dynamics and determining how to best serve a child's interests are extensively trained to identify signs of abuse and domestic violence. HB 1228 would require this training, rendering Colorado's family court system a safer place for children enmeshed in the custody system.

II. Family Violence Is Present in the Majority of Contested Custody Cases

This training is particularly needed for family court personnel, because they see a disproportionate number of divorce cases that implicate family violence. The overwhelming majority of custody agreements (90%) are decided privately between parents with no court intervention or decision making.⁷ Most divorcing/separating families do not have a family

² See generally, Jaffe, Zerwer & Poisson, *Access Denied: The Barriers of Violence & Poverty for Abused Women and their Children After Separation* (citing four studies, all of which found 70-75% of cases in litigation involved allegations of domestic violence).

³ Dickson & Meier, Mapping Gender: Shedding Empirical Light 011 Family Courts' Treatment of Cases Involving Abuse and Alienation, 35 *Law and Inequality: A Journal of Theory and Practice* 311, 313 (2017).

⁴ The Leadership Council on Child Abuse and Interpersonal Violence, *How Many Children Are Court -Ordered Into Unsupervised Contact With an Abusive Parent After Divorce?* (September 2008).

<http://www.leadershipcouncil.org/l/med/PR3.html>

⁵ Dickson & Meier, *supra* note 2. This national study found that fathers accused of abuse who counter-accused the mother of "alienation" took custody from the protective mother at a greater rate (72%) than fathers who were not accused of abuse (67%). **Being accused of child sexual abuse by the mother increased fathers' win rate to 81 %, despite the fact that fabricated child sex abuse (CSA) allegations are empirically confirmed to be very rare (2%-6%).** (Everson & Boat, False A/legations of Sexual Abuse by Children and Adolescents, 28 *Journal of the American Academy of Child & Adolescent Psychiatry* 230-235 (1989)). Mothers accused of alienation lost custody in approximately half of all cases, regardless of whether or not they had accused the father of abuse.

⁶ Report of the Attorney General's National Task Force on Children Exposed to Domestic Violence (2012). <https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>

⁷ Ollendick, White & White, *The Oxford Handbook of Clinical Child and Adolescent Psychology*, 499 (2018).

violence component; however, the majority of those who do litigate custody involve family violence. Numerous studies show that 75% of contested custody litigants report a history of domestic violence.⁸ Only 10% of the total number of divorcing/separating parents litigate custody, and those are the families who will be better served by this law.

Training of family court personnel is an important step toward creating a safer future for the children involved in custody disputes, particularly where there is an element of family violence involved. We know that "children exposed to intimate partner violence (IPV) often experience a sense of terror and dread that they will lose an essential caregiver through permanent injury or death,"⁹ and that the individual impact for children abused themselves is disastrous.¹⁰ Passing HB 1228 and arming those tasked with evaluating children's best interests with education regarding domestic violence is an important means to diminish these risks.

Please do not hesitate to reach out if either of us can provide any further helpful information, data, or research on this or other child protection topics.

Sincerely,



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⁸ Jaffe, Zerwer & Poisson, *Access Denied: The Barriers of Violence & Poverty for Abused Women and their Children After Separation*.

⁹ Report of the Attorney General's National Task Force on Children Exposed to Domestic Violence (2012).
<https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>

¹⁰ Felitti et al., *Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study*, 56 *American Journal of Preventive Medicine* 774-786 (2019) (finding that people abused in childhood are more likely to develop potentially deadly conditions such as heart disease and cancer).

Nate Munro Testimony

My name is Nate Munro, I have worked with engineers and architects for 30 years, and have been a teacher at Metro State College. I lost my arm in 2017 to criminal neglect conducted by Jefferson Co CSS, who at the time were called CSE, and for the past two years been conducting an in-depth report and analysis as an independent journalist of the Narcissistic Groupthink running rampant within CDHS management.

As a disabled person I request by Title II of the ADA:

1. Additional time be granted for amendments to be made to HB21-1228 and determine if there was any wrongdoing by either filing it before the next available time, or if it was involved with the illegal behavior surrounding HB 21-1220 (exhibit below).
2. Open the amendments discussion up to the public in a town hall style forum with a transparent discussion of the pros and cons so the public can make an educated decision. The public should get at least a two week notice of the discussion for such an important matter that concerns so many people.
3. Conduct a scientific study to validate Dr. Harman's data vs the study being questioned and debunked from the APA. Until that study is concluded there is no way for the state to know the correct determination, so I ask that any decisions based on that data be delayed until the answer is known for the best possible public health outcomes.
4. I ask that you make any decisions based solely on the safety and welfare of the general public, and err on the side of caution whenever children are concerned.

My life and family have been completely ruined by a malicious parent alienating me, made possible legally through incorrect decisions made by several CFIs based on false assumptions. I lost my arm and my son to Parental Alienation, so I'm deeply offended that anyone would even think to debate it's existence. It's irresponsible and completely short sighted to ignore all the damage that these policies have caused in CO. Just the damage done in Jefferson Co is enough to warrant state-wide reforms.

This system actually emulates a Narcissistic Parenting Style (e.g AntiSocial Personality Disorder), by creating a Golden Child/Scapegoat Dynamic between the parents by designating them CP & NCP. The state needs Friendly Parenting legislation with an assumption of equal parenting, and this proposed bill is a step in the wrong direction by not fixing the problem while making it even harder for parents to defend themselves in court with situations of Parental Alienation. Without a Citizens Review Panel for oversight, this will be manipulated against the healthy parents, as the malicious parents will do anything to get their way, like lie or cheat and healthy parents are then forced to bend to avoid hurting the kids.

This bill is also seemingly tied to the HB 21-1220 bill which was submitted a few weeks prior to this bill, however I was informed by Larry Desbien, the Dir of CSS for the State that the CO CS Commission can only make recommendations every few years and since the other bill was already submitted, this bill shouldn't be an option until 2023, when they can submit again. This of course could be another lie, as CDHS has serious issues with the mgmt habitually lying about almost everything as seen in my exhibit (below).

Further both Larry and Jeffrey Ball covertly worked together to rush the filing of HB 21-1220 bill so it was prior to Dr. Harman's presentation to the CS Commission. I also witnessed a member within the Commission try to slander and devalue Dr Harman and her work, for what ended up to be completely erroneous reasons.

The entire mgmt at CDHS acts lawlessly, without any accountability, so there is no way these measures can help when the mgmt collectively acts like it has an ASPD. The idea that one parent isn't necessary or disposable is a completely narcissistic premise, that matches the antisocial culture within CDHS.

I seriously question this panel's integrity and motives if the clinical study conducted by the Meier et al. (2019) paper cannot be replicated by other scientific bodies. If that's the case, it isn't actually objective, and therefore definitively isn't scientific. Anecdotal evidence found by just one study, even if published by a large medical body like the APA, is still just anecdotal unless it can be consistently replicated by other members of the scientific community which this has failed to do. Dr. Harman who is the nation's leading expert on PA, has challenged that fact and testifies the Meier et al. (2019) study fails to be replicable, which means it may not be truly considered "scientific" without some other independent confirmation, which I've requested.

Although I personally can vouch for [Dr. Harman's position](#) by every experience I've ever had with CS and all the families I've ever worked with in the support groups, this psychological debate has proponents on both sides, who I'm sure have their reasons regardless of what I think, however, beyond the debate around the permanent psychological damage done to the families, the Long-Term Toxic Stress created by separating kids from either parent also constitutes a major physical health threat for the general public that has been unleashed on them indiscriminately, and without families being made aware of the physical health risks when they sign up, so they aren't able to be informed consumers.

Dr Nadine Burke Harris is an independent pediatrician, who is not associated with the courts, gave a very concise [TED Talk](#) on the link between the Toxic Stress generated by PA, and many of the most prevalent life-threatening physical conditions in the US today, like cancer, diabetes, hypertension which is the prime risk factor for heart disease, and a 12 times greater risk of suicide. She also noted that the stress from family separation, by whatever name or means, causes a 20 yr drop in overall life expectancy.

Dr Harris is part of the medical community who was sick and tired of seeing this physical damage being inflicted on her patients, as she states "you only have to see so many cases before you go back to the well". She is not a special interest group with a national PR campaign like Moms Fight Back, she's just a pediatrician concerned about all the kids suffering from advanced age type illnesses and completely unacceptable suicide rates.

I was introduced to that TED Talk in 2016 while my arm was still badly mutilated before my amputation, at a Jefferson Co Fatherhood Support group put on by CSS. So this is actually your own data I'm just reading back to you. It looks like this type of lobbying by Moms Fight Back has caused you to ignore and exacerbate the health crisis that CDHS is very much aware that they're the

source of, and is not only causing wide-spread permanent damage to the public, but a compounding generational trauma that has been obviously making our society worse for the 50 yrs these dangerous policies have already been in effect.

I have personally lost my arm, my career, my son, and the damage done to me by CDHS now actually defines me as a handicapped person, or less than whole. My friend Manny Flores killed himself after he graduated the FSG and was helping as an alumni to mentor the other dads. These policies are not working because at the service-level within the counties, they are doing absolutely inhumane things to families, like they did to mine and Manny's. I know a long list of dads destroyed by these type of policies, and most start with false DV charges which this bill will only exacerbate.

Understand that I'm not devaluing DV in any way, I'm making the point that it's still DV to the families and kids, regardless if it's state-sponsored or done privately. The difference is state-sponsored abuse affects 100% of the customers, including all the kids, whereas DV done by private individuals is nowhere near that rate, so normalizing state-sponsored DV through PA is about the most irresponsible and reckless thing you can do for public safety as legislators. In my recent presentations to CSS and the CO CS Commission, I've established the point that the Toxic Stress this service generates in it's customers is actually 3x's as lethal as smoking.

Not one of you would give all these kids cigarettes, but you'll do something that's more than 3x's as deadly, just because a special interest with Moms in the name told you so? Take a moment to realize what side of history you'll be on if you go directly against the public's welfare. This is just like big tobacco trying to prove that smoking doesn't kill people. The study Moms Fight Back has cited is completely in dispute and when it comes to public safety, especially when kids are concerned, the state needs to always err on the side of caution, just like they've learned to do with smoking.

With the proven history and reputation of long term negative health outcomes CDHS has already slandered itself with, these PA policies are far too dangerous to chance, given they have no better chance of being effective than the prior flawed policies which have already been proven to be dangerous to the public. This bill just makes all the public safety issues CDHS has now, worse.

The second link documents several clear cover ups, including one where CDHS just tried to force the HB21-1220 bill through last month without allowing Dr Harman a chance to speak there either. Almost exactly like this bill, and the sponsors are the same too, **Frohlich and Fields** so they are overwhelmingly likely to be the source of the corruption by the special interest(s), and should be immediately investigated and should be removed from any committee positions or not be allowed to submit new bills until these matters have been settled, especially if they were also conspirators, participated in the crimes and/or CORA violations. The HB21-1220 cover up by CDHS is fully documented with supporting exhibits in the [Pathological Lying](#) doc and I'll be happy to answer questions.

Thank you,
Nate Munro
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720-422-6881 (leave msg or text)

Judge Roberto Ramirez

Judge Ramirez continuously bullied me by finding fault with the ambiguous court order that he issued for drug tests, which I submitted according to the order, to continue making me do multiple drug tests. He ordered 3 hair follicle drug tests, 42 hair panels, within a 3-month period, when I have never had any history of alcohol, substance abuse or criminal background. He sided with opposing counsel's false allegations about drug abuse to drag out the case to keep my kids from me. He also violated and deprived me of my ADA rights by misconstruing ADHD diagnosis as substance abuse.

Judge Ramirez also signed off on an illegal document, notarized by ex-husband's girlfriend, Stipulation to Modify Permanent Orders, without holding a hearing, which left me and my children homeless.

Judge Ramirez also refused to address numerous fraudulent financial issues, that I presented, that were committed by my ex-husband, Bobby Jr. and his father, Bobby Sr., during the divorce proceedings. He excused my witness, Custodian of Records for Vectra Bank of Colorado, without any explanation, that would have testified regarding the company finances and ownership. He accepted perjured testimony as true, regarding Company ownership. Judge Ramirez continuously sabotaged my efforts to have a fair hearing by gaslighting my facts. Judge Ramirez chose to engage in the removal of my children without meeting any standards of law, but through the wrongful use of actual and threatened force under Color Of Law.

Judge Ramirez ordered that I seek employment of 40 hrs. a week, without considering the fact I was a stay home mom for 12 years, taking care of the children, specifically, one child with a complexity of disabilities, who required around the clock care.

Judge Caryn Datz

Judge Datz concluded that I had not demonstrated sobriety to the Court, even after three (3) documented negative hair follicle tests. A clear-cut case of abuse of discretion and harassment, and yet, ordered an additional, fourth 12-panel drug test. She stated that based on evidence, mother knew, or reasonably should have known, that her actions and defense were substantially vexatious. The court finds that mother repeatedly failed to comply with procedures and court rules, and that her actions were interposed for delay and harassment. She then ordered me to comply with Abduction Prevention, to include completion of an educational program regarding the harmful effects of abduction on children, even though the abduction allegations were false, as me and the children were at a domestic violence shelter, which she, as well as James Hoysick, CFI, were well aware of. As no such program can be found, it was impossible for me to fulfill that order. I filed a Motion to the Court to grant and appoint an Independent MD; or other Certified Specialist to read both MRO and Raw Test Drug Results. She denied the motion. It is obvious that the Court made it impossible for me to defend myself regarding the false allegations of substance abuse. Judge Datz found by a preponderance of the evidence that Father committed domestic violence against Mother. However, Judge Datz

downplayed all domestic violence by proxy and spousal abuse in her final orders regarding my case. Judge Datz only supported testimony, by so-called credible witnesses, that were friends, or in some way connected with my ex-husband. I provided evidence that clearly showed that the Court's findings were totally inaccurate. Judge Datz overlooked the fact that James Hoysick, CFI, failed to interview or contact any of the witness contacts that I provided him. Judge Datz only based her conclusions on the so-called, credible witnesses that were provided by Defendant Sisneros.

Judge Datz concurred with the CFI that mother's behaviors are suggestive of an underlying and undiagnosed mental health or substance abuse problem. The Court is aware that Defendant Hoysick, CFI, is not qualified to make such a damaging statement, as he does not hold MD or PHD degrees.

Judge Datz found that Mother's unemployment is not the result of legitimate care of a disabled child, as the evidence does not support David is in fact disabled. These findings contradict Judge Quick's findings, who presided over the Permanent Custody hearing, where qualified expert witnesses, testified to validate David's medical condition and disabilities, as well as documented statements from the State of Colorado doctors which I do have.

Judge Datz found, additionally, that given the established concerns for substance abuse and mental illness, the Court is not persuaded that Mother could immediately obtain gainful employment as a dental assistant. Judge Datz is again disparaging me as substance abuser, with mental illness concerns that were never proven or established. Belittling me is another instance abuse of discretion.

James Hoysick, CFI

In his CFI Report, James Hoysick presented extremely biased analysis and recommendations to the Adams County District Court. James Hoysick, CFI, presented some of the facts that were in fact false while he presented other facts in an extremely favorable light to my ex-husband, Bobby Sisneros, in an obviously biased fashion. Some of this conduct includes, but is not limited to the following:

During a hearing in the Adams County District Court regarding the CFI report, James Hoysick appeared as a witness. He falsely asserted to the Adams County District Court that I exhibited indications that I had a substance abuse problem, particularly with Methamphetamine. The evidence that James Hoysick relied upon to make this assertion was an erroneous interpretation of a hair follicle test that neglected to consider my prescriptions. James Hoysick intentionally and/or recklessly made this inaccurate representation to the Adams County District Court.

James Hoysick stated: "In contrast to Mr. Sisneros, Ms. Trujillo completed none of the undersigned's requests and had no documentation prepared." This statement was

patently false. I completed all of the paperwork James Hoysick directed me to complete and I also offered additional documentation.

James Hoysick intentionally and/or recklessly falsely reported that Children had 70 tardies/absences from school while in my physical custody. This fact was false in that the Children's actual missed days totaled 8.

James Hoysick stated that my ex-husband, Bobby Sisneros ceased my son David Sisneros' administration of Adderall and Clonazepam which, according to Bobby Sisneros, created a significant improvement in my son, David Sisneros' mood in behavior. James Hoysick recklessly and improperly made this assertion without contacting David Sisneros' doctor who wrote said prescriptions, which Defendant Hoysick was required to do, but never did.

James Hoysick failed to include a statement of my ex-husband, Bobby Sisneros to my daughter, Leah Sisneros, where Bobby Sisneros told Leah Sisneros "to commit suicide as I didn't raise quitters," or words to that effect. Leah Sisneros subsequently attempted suicide. This omission shows James Hoysick's actual and implied bias against myself.

James Hoysick deliberately downplayed my ex-husband's domestic violence conviction. James Hoysick's failure to address the intoxication aspect of the domestic violence contradicts James Hoysick's reported statement of Defendant Sisneros stating, "Tomorrow I will have six years of sobriety from alcohol." especially in light of the fact that the domestic violence incidents occurred within that six-year time period. James Hoysick failed to include in his report, a charge of child abuse against Bobby Sisneros' Sr., my ex-husband's father, where he ultimately entered a plea bargain on a different charge.

James Hoysick failed to include in his report, my ex-husband's CBI report which included numerous charges including the following: Resisting Arrest, Obstruct Police Interference, Public Peace, Assault Threats, Driving Under the Influence (DWA), and Assault 3rd Degree DV.

James Hoysick also failed to report an Erie Police Report dated January 15, 2019, wherein Defendant Sisneros was stalking Plaintiff. James Hoysick also failed to report an incident where Children's Hospital reported neglect of David Sisneros while David Sisneros was in father's custody.

In his CFI Report, James Hoysick stated during his summary of his observations of myself, "Although inattention is a major feature of ADHD and may present in individuals as difficulty remaining focused during a conversation, Ms. Trujillo demonstrated some behavior far more pervasive than difficulty concentrating and the undersigned as able to identify the pattern of behavior observed from experience working intensive services. Individuals with acute stimulant intoxication may present with rambling speech, transient ideas of reference, and paranoid ideation. Additionally, the undersigned immediately noticed pupillary dilation and psychomotor agitation when Ms. Trujillo entered the office but the undersigned originally attributed these features to anxiety. Furthermore, there was

an element of grandiosity, particularly when discussion of her advocacy in the family court system though it was veiled being some tactic which the undersigned suspects Ms. Trujillo uses to seek validation such as by apologizing when there is no need to apologize. In this statement, James Hoysick is stating expert opinions for which he does not possess the requisite certification. Additionally, this statement shows James Hoysick's actual and implied bias against Plaintiff.

James Hoysick, CFI, states: "All credible sources of information report a significant change in Ms. Trujillo's personality and rapid deterioration of her mental health." In this statement, James Hoysick is stating expert opinions for which he does not possess the requisite certification. Again, this statement shows Defendant Hoysick's actual and implied bias against me.

James Hoysick states: "Severe parental alienation, questionable use of psychiatric medicine, over-stating David's level of dysfunction and seeking more serious diagnoses, and introducing a dangerous third party with a history of imposing his own interests over the well-being of other are among the top concerns in this case that appear to stem from Ms. Trujillo's mental instability and raise the question as to whether Ms. Trujillo is interested in the best interests of the children or if her interest is at least on an unconscious level actively trying to ensure that some terrible tragedy befalls on or both of her children." In this statement, James Hoysick is stating expert opinions for which he does not possess the requisite certification. Additionally, this statement shows James Hoysick's actual and implied bias against me.

James Hoysick stated during his summary of Leah Sisneros' interview: "Although she claimed to overhear her father talk about the case, she used the same language as her mother, even repeating allegations stated in her mother's pleading filed with the Court. She even opines about the judges aligned with her mother's opinions." This statement shows James Hoysick's actual and implied bias against me.

In his CFI Report, James Hoysick stated the following regarding Dr. Markland, my son's doctor, "Mr. Sisneros's resentment towards Dr. Markland is likely misdirected as he is likely just doing his job and trying to be helpful, but Ms. Trujillo is providing false information." In this statement, James Hoysick is providing facts that are not discovered in his investigation and demonstrating actual and implied bias against myself.

James Hoysick, CFI, falsely asserted to the Adams County District Court that I was cohabitating with a convicted sexual offender, which was patently false. James Hoysick also stated to the court that I, was attempting to create a tragedy in my family's lives to gain recognition, a statement that was patently false and/or made with reckless disregard to its falsity. The above-captioned individuals conduct was known by the above-captioned individuals to clearly violate established statutory or Constitutional rights of myself which a reasonable person would have known. All the above-captioned individuals deprived me of my civil right to familial association without due process of law by intentionally and/or deliberately and/or maliciously engaging in conduct that deprived me of my Constitutional right to familial association by depriving Children from my physical custody.

Some of this conduct involved, but is not limited to, all or some of the above-captioned individuals engaging, and/or conspiring to engage, in conduct which involved presenting and/or offering and/or testifying and/or asserting facts that were patently false and were known by the above-captioned individuals to be so false and/or made with reckless disregard to the Adams County District Court of Colorado. As a direct, immediate, and proximate result of the above-captioned individual's conduct, I lost my familial association with my Children. The actions of the above-captioned individuals described herein, while acting under color of state law, conspired to intentionally deprive me of the securities, rights, privileges, liberties, and immunities secured by the Constitution of the United States of America, including, but not limited to, deprivation of familial association without due process of law, as guaranteed by the Fourteenth Amendment of the Constitution of the United States of America. All the above-captioned individuals agreed in some manner with one another to do an act that deprived me of my familial association without due process of law. All or some of the above-captioned individuals deprived me of my civil right to familial association without due process of law by intentionally and/or deliberately and/or maliciously engaging in conduct that deprived me of my Constitutional right to familial association by depriving my Children from my physical custody.

Some of this conduct involved, but is not limited to, all or some of the above-captioned individuals engaging, and/or conspiring to engage, in conduct which involved presenting and/or offering and/or testifying and/or asserting facts that were patently false and were known by the above-captioned individuals to be so false and/or made with reckless disregard to the Adams County District Court of Colorado.

Judge Ramirez & Judge Datz have demonstrated their inability to uphold the law, to the extreme of allowing misrepresenting false statement of facts, fraud, identity theft, tax evasion, and financial crimes committed not only against me, but against multiple government agencies, including Adams County and the IRS.

When you abuse the powers that you are given, in order to offend the very object which affords you your powers, you become an enemy of that object and its wrath is unavoidable. Extortion, fraud, conspiracy, obstruction of justice... are all criminal acts and criminals should not be sitting in judgment of other criminals. If you want to represent the law, you must hold yourself to a higher standard, you cannot break the law to enforce the law.

Due to the lack of competency by the CFI to do the report he is not qualified to do, and judges who ignored evidence of abuse, my children and me have suffered injustice at the highest level and will be living the trauma for a lifetime.

Based on the prolonged cruel and unjust treatment, especially through the exercise of authority, my case for Constitutional Civil Rights violations by multiple government officials is being reviewed by the Federal Court.

HB2-1228

I would like to begin by saying I had no idea that I would ever be testifying about such serious matters. I had no idea that my going through the system for a divorce from an abusive man would put me in some horrific situations. All I wanted was to finally get free from being abused for years. I wanted to receive some justice and safety for my daughter and myself. We NEVER have to this day. Instead we were abused by the court system. I have been to just about every place in the state and I have even gone outside the state. I am still waiting for some help. It is very difficult to write your life down in such a small amount of space.

I would like to remain anonymous, because I am deathly afraid of my ex and will always be. I believe very much that more appropriate updated training and education is very important. It needs to be consistent training. It would have been very helpful in our case. My first attorney did absolutely nothing, because he was NOT trained in domestic violence whatsoever, in fact I had a restraining order against my spouse and he revealed in court where I was living. The first judge in this case also had zero training or she would have stopped the attorney from revealing such information. She did not! Also, after she heard of two separate incidents involving abuse on my toddler daughter by her father and saw photos of bruises on her, she said my daughter was not in imminent danger and beginning that coming weekend she would order that my daughter would have all weekends with her abuser unsupervised until further notice. On the fourth weekend with her abuser my little girl was severely burned.

The second judge on this case was clearly not trained and uneducated in domestic abuse. He heard a lot of evidence, but did not listen to it. I was denied my right to testify, so the judge assumed a lot of things that I have proof of. He did not have control over the courtroom at any of our hearings. He allowed outbursts from the other side, intimidation, and things thrown. The judge stated that he did not know the family dynamics, because he rarely asked questions. He was back and forth about what to do for my daughter. He saw the medical report about my daughters burns, which clearly states my daughter was in the care of her father when the burns happened. He had evidence of a domestic violence conviction my spouse had with another woman. He had evidence of some of the abuses on me, but had the audacity to tell us to learn how to get a long with each other. I am supposed to get along with someone who has repeatedly tried to kill me and has repeatedly threatened my life and who is now abusing our daughter. Sounds logical.

My second and third attorneys were also not trained in child abuse and spousal abuse. The second attorney was waiting to reveal more of the abuses I had sustained at a later time in the divorce proceedings. It needed to be talked about consistently. This attorney was in the dark about the investigations and when I asked if I could be involved in the investigations to find out what was being done I was threatened that he would drop my case if I did. The third attorney was unprepared with my case and she did not subpoena important witnesses.

The judge ordered a CFI on this case. At the last hearing the judge doted over her and was really listening to this woman. Unbeknownst to the judge the CFI took \$1,600.00 from the state on my behalf and did absolutely nothing on my side. I had one meeting with her while my attorney was present and in the meeting she was not asking questions about the abuses. I had asked her if she had any domestic violence training, her answer was some. Her last training was 25 years ago. She told me she would be talking with people on my side of the family and I told her great, she NEVER did. This is someone the judge really listened to.

After all of this and so much more that I have gone through to seek protection for my daughter and myself. The judge granted full custody to my ex. He does not know that my ex committed perjury numerous times and I have documented proof of this. My daughter and I have been torn apart from each other for 3 years now. My dangerous abusive ex has full custody and I have no contact with my little girl.

Some serious training and education for all court personnel is desperately needed. It is at least a first step.

Chairwoman Michaelson Janet and members of the committee. Thank you for the opportunity to speak to you today. I am Beth Metsch Goldman in support HB 21-1228.

The 1st time my son disclosed abuse I called the child abuse hotline, he received no help. I called Children's Hospital, who advised me to see the pediatrician, who referred me to the Kempe Center. After the Kempe Doctor interviewed my son, he sent a detailed report to The Colorado Department of Human Services Division (DHS). Again, no help. I went to the police and the police sent me back to DHS. The system designed to protect children was running me in circles. Teachers, doctors and therapists reported abuse, yet DHS chose to investigate me, treat the abuser as victim, and ignore the children.

For 10 painful yrs. I fought to protect my boys from an abusing parent and grandparent.

No 7yr. old should be able to describe how he shut his eyes and pretended to sleep, while his father raped his brother in the next bed, praying that he would not be next. Had the abuser not been a parent, this case would not have been considered a family issue but a **crime**.

DHS told the pediatrician to not accept reports of abuse. DHS categorically rejected the Kempe Center findings. Accepting only defensive excuses of the accused abusers, DHS chose to treat the children and I as the criminals and defend the accused. After doctors reported new disclosures of abuse, the boys were court ordered to live with their abusers. I was charged with Medium/Intra Familial Emotional Abuse because the boys would not stop telling court appointees of their abuse. Only before I was set to go to court did DHS drop the charges due to their insufficient evidence.

Prompted by more reports, I insisted DHS audio tape the 4th forensic interview. The contents of that recording could not be denied. Because of audio evidence, their father was finally ordered to take a psychosexual evaluation, for which he subsequently failed **twice**.

Many years and hundreds of thousands of dollars were spent, as punishment for simply trying to protect my 2 boys from sexual abuse and incest. Parents should not have to risk bankruptcy, humiliation and systematic abuse to simply do what is ethically and constitutionally right. DHS and family court appointees used stereotypes and biases to conduct an incompetent investigation that caused irreparable damage to our family

- Imagine the financial & psychological damage families and children could be spared if judges, magistrates and court appointees had standardized evidence-based training in domestic abuse, child abuse & coercive control.
- Imagine how recorded interviews can ensure the accuracy and integrity of data, necessary to perform fair and reliable investigations.
- Imagine an equitable family court system if they accepted the Rules of Evidence.

Please vote yes for HB 21-1228.

Chairwoman Michaelson Janet and members of the committee. Thank you for the opportunity write to you. I am here to support House Bill 21-1228

My name is Aydan Metsch (I have chosen to no longer use my father's family name). I am currently a high school senior, and I am one of the lucky ones. I made it through a childhood full of abuse and maltreatment, not just by family members, but by those who were supposed to protect me. They didn't protect me. At no point did I ever feel like investigators had my best interest in mind.

I was a child, too young to understand the situation around me. I was abused by my father and grandfather from an incredibly young age. When my brother and I told my mom about what had happened to us, she was horrified, as any good parent should be. She went to get help, help never came. From that time forward my life was full of social workers and evaluators eating dinner at my house and pulling me out of class during school. They would interview me, and I would tell them the same things every time: I am being abused, I am being molested, and I want it to stop. And nothing would change. It would just happen over and over and over. Not just the social workers, the abuse would continue, and every time I talked to a new person, I had a new story to tell about what my dad did to me.

I was a little kid; I had no idea that those people talking to me were supposed to protect me. In fact, I felt like every time I talked to them, I was trying to prove to them that I was telling the truth. One day during school, I was pulled out of class to talk to a woman. My mom didn't tell us about this, I didn't know she was coming. The woman sat me down in my elementary school, and tried to convince me that the abuse I was enduring was normal. That the cream my father would rub on me, was just him moisturizing me. That the baths my grandfather would watch me take, was just him making sure that his 9-year-old grandson didn't drown. She wasn't there to protect me, she told me to my face that I was a liar, and that nothing bad happened to me.

A few months later, my younger brother and I were taken away from my Mom and forced to live with my abusive grandparents for the summer. They took me away from my Mom, the only person who had been fighting to keep us safe, and they put me in the custody of the very people she was trying to protect me from. I was abused non-stop for months. My grandparents screamed at us, hit us. They forced me to sit on the stairs for hours and if I started to fall asleep they would beat me. I was a kid; I was supposed to be going on playdates and playing with toys. Instead, I spent every waking moment wishing I was dead, every night before I went to bed praying to God that I wouldn't wake up. I was 9. When you have a suicidal 4th grader on your hands, you don't tell them that their life is fine, that nothing bad has ever happened to them. You listen to them and get them the help they need. Children don't have ulterior motives, they don't understand the complexity of the situation they're in, all they know is that they want to be happy.

I am one of the lucky few who made it out of this broken system. I am on the executive board of my High School Student Government; I have won multiple national and international awards for movies that I have made. I am attending film school next fall at a top university. I've succeeded despite the broken system, but do not let yourself think that I have anything to thank the system for. I still think about it every day, I still deal with the consequences every waking moment. No child should have to go through what I went through. We need change and we need it now. Children deserve better, I deserved better.

I am submitting written testimony on behalf of myself and my son and Moms Fight Back. I ask you to vote yes in support of HB1228.

My son is 11 years old and I have not seen him since 2016. I have been denied all communication with my son for over four years. He was six years old when I lost him. I had been his primary caretaker 24/7 for the first five years of his life and had primary custody thereafter. My son went from that arrangement to full custody to a man with a history of abuse and assault.

I was involved with my ex husband since I was 18 years old until our separation 6 years ago. The relationship became dysfunctional and abusive, escalating significantly once I became pregnant with our son. When I knew we needed to leave, I could not due to lack of resources, support, and threats. My ex-husband threatened that if we divorced he would leave me with nothing and take our son. I stayed for another grueling five years. My ex-husband was never strongly attached or interested in our child. He was mostly absent, or cruel, verbally abusive or violent when he was around.

Our child witnessed his father abusing me on numerous occasions, it traumatized my son. At two years old, he threw his toys at his father to get him to stop, sometimes breaking down and crying in a way I've never seen a child break down. He was terrified. Eventually, the physical abuse against our child began.

I watched my ex husband suffocate our son to the point our son's face turned deep red, his tiny hands trying to break his father's hands off his face leaving his own fingernail scratches and indentations on his own face to try to get air. He twisted our son's legs so severely he couldn't walk on it for two and a half days. There were multiple incidents, repeatedly, consistently, without apology or remorse.

My ex husband admitted to suffocating our child in testimony, justified his actions, and watered it down. Many attorneys advised me not to speak up about the abuse and there was not space to appropriately address concerns with his abusive and controlling behavior, especially as a pro se litigant. At another hearing, a witness testified to watching my ex-husband drag our child down to the pavement in public, in anger. This witness was found credible by the judge. In one Court order, the Court acknowledged that the ex-husband admitted to pushing and shoving my son down. In spite of all of this, the Court did not require a full history of domestic violence.

After one of the first temporary hearings, I was awarded primary custody, with my ex husband given weekends and an awkward Wednesday evening to early morning, even after admitting to suffocating our child. My ex husband and his attorney then filed emergency orders a number of times, raising false allegations against me, that because my son and I went camping, in the Summer, he was dirty and that I was not an adequate mother. I provided hard evidence to refute

the allegations. They provided not one shred of evidence at that final hearing resulting in the loss of my little child.

Without finances, I represented myself in Court *pro se*, and had to cross-examine, ill equipped to do so, the man that physical assaulted and abused myself and our child spanning over a decade, defending against a possessive sole custody position, while in deep trauma, terrified of losing my child, not knowing what I was doing, and inefficient to represent my own case comprehensively. I was put on the defensive first, a majority of my concerns left unheard, and despite this did not ask for sole custody. I remained as peaceful, amicable, and cooperative as possible. After the 2 day trial, *pro se*, with most of the time dominated by my ex husband and his attorney, going as far as falsifying photos, unable to clarify against their allegations, it was ordered for me to remain primary provider for our child with new orders forthcoming. Eventually after increased legal aggression, my ex husband, took complete custody without evidence to support his allegations, in spite of the prior trial with the judge stating that there was not safety or endangerment concern in any way with my child in my care, that we would not be having an emergency hearing. Days after this emergency hearing motion rejection they increased their false claims and went to a different judge, who took my child without a hearing. When the hearing was finally scheduled despite my hard evidence and lack of on their part, I still lost my child. These false claims did not reach to safety and endangerment status. The Summer camping was distorted and it was alleged our child was dirty while camping. My child has always felt safe and secure in my care. He has shown a preference to be in my care. I have never been accused of abuse, neglect or child endangerment. I have no history of mental illness or addiction. I have no criminal record and lost complete custody.

In the permanent orders there is not only recognition of my ex spouse's abuse, but also notice he cannot take responsibility. He was ordered a psychological evaluation and treatment. was with the Court not knowing the full extent or history of the abuse and violence. Additionally, when my ex was in therapy two times a week, he was still physically violent with both our child and myself. If Court personnel had been trained, they would have made this a priority before making any custody decisions.

The last day I had my son he climbed in my lap for extra time. Upon that last custody exchange he ran back to me hanging on my legs like a little monkey. "See you tomorrow," he said. Tomorrow never came. Right after my ex put him in the vehicle, I was served papers at that same moment with the false allegations in order to remove my son from my care. Despite my evidence the emergency hearing held about a week later did not result in the return of my son.

After nearly three years of no contact with my child, denying phone calls and even letters, there was a reunification therapy attempt court-ordered to be paid for by my ex spouse. This was an unsuccessful attempt due to manipulation tactics ensued by the alienating parent and lack of appropriate training with this professional. Since the new reunification therapy order obtained in November of 2019 still has not occurred, and it has been another 2 years without my son.

The few professionals involved, hired and paid for by my ex husband have not been sufficiently trained in domestic violence, abuse, coercive control, alienation, trauma, and most importantly

adverse effects to children exposed to abuse, subjected to abuse, including the more sophisticated covert forms such as depriving a child the love and nurture of their Mother, utilizing the legal system.

This last professional caused great harm and damage to my child, myself and this case. This same professional has a history of disregarding domestic violence and abuse in other cases. Due to her reports other mothers who used her also lost custody of their children.

While I feared my ex and his threats, I never imagined that I would lose sole custody of my little boy, with no contact, denying phone calls, letters, or therapy sessions together, and to a man with a history of abuse and assault against my son directly.

The very root of an abusive personality is control, and where taking sole custody can occur during a custody dispute, when the abuser is losing control. Control and abuse are predominantly at the root of custody battles.

I have reasonable evidence to support my statements here within this testimony.

Requiring court professionals to have additional training in coercive control, abuse and domestic violence dynamics is one small step forward, in facilitating better informed decision making when it comes to the care, well-being, protection, and appropriate custody placement of our children. If the judges, therapists and other personnel involved in my case had been trained, my son would not have been placed with an individual who has a long standing history of abuse without change, remorse or ability to take responsibility for his actions. I would be able to be a mother to my child in person. My son has unnecessary been robbed a sense of safety, security, and baring the loss of his living Mother since the tender age of 6 years old. This is a heavy grief to force a child to have. Please vote yes on HB21-1228. Thank you.

Hi, my name is Andrea, and I am the mother of two children, one of whom has special needs. I recently spoke to the state task force for DV and abuse. My story is as follows.

The original report came to DHS from my marriage counselor, where my former spouse hit our special needs child in the face and drew blood. Pertinent to this story is that my EX has a psychiatric diagnosis (from a psychiatric medical doctor) of bipolar and ADHD. Our most recent marriage counselor said he had a narcissistic stream that at times was so bizarre it was almost psychotic, and he told me that I needed to get as far away from him as fast as possible.

Early in his life, my son had cancer, and currently has a diagnosis on EEG from epilepsy, failure to thrive with feeding tube, and hypoxia (which requires oxygen at times), global developmental delays, and autism. My son requires a private-duty nurse at school and has various CNA's including myself at home.

My EX has caused my son a concussion and severe facial lacerations and did not take him to the hospital. On another occasion, he broke my sons finger which required 2 casts and a splint shutting his hand in the car and did not go to the hospital. On another weekend with my EX, my son sprained both of his ankles which required him to be in a wheelchair for 2-3 weeks, and my EX did not take him to the hospital when he couldn't walk. Another time, my son broke his arm with a compound fracture that had bone piercing through the muscle and required 3 pins and a cast. My EX took my son to the mountains without bringing along any life-saving oxygen that just 6 weeks prior was required at a special needs camp in Grandby. We were both notified daily of his oxygen saturation levels and seizures by the therapist or by the registered nurse at the camp, which is at 7900 ft. altitude.

The biggest issue has been post separation abuse. Because my EX had been reported so many times by the various health professionals that are mandatory reporters that there was finally a case against him. At that point my EX told the social worker that he believed I had Munchausen's by Proxy. According to court-ordered text messages and emails, the social worker told my EX that her

supervisor had suggested that I might have it on the first and only home visit with my EX the social worker ever conducted.

The issue I had was oxygen. Against the private duty nurse's and my advise he took them to Aspen without supplemental oxygen for my son. My EX said my son didn't need oxygen, and that I had made it up. I had evidence from nurses and therapists where I was not even involved in his care. So my EX set up testing (unbeknownst to me as I had a doctor's order that was incorrectly written by the physician for 6500 ft.) The first testing at 6500 feet or so did not show he needed O². So he said, "See, she's made it up." I responded that there is no way I would make anything up about my kids' health concerns. I requested further testing at the 7900 feet (the altitude in Grandby) and my son desaturated 40 times for over 3 minutes. That means his oxygen was less 88% and was sometimes in the 70's, which means my EX let him have difficulty breathing in the night at altitude. The doctor's order for testing was to put oxygen on him if he dropped below 88%, but my EX never put oxygen on him. The social worker did not acknowledge this failing or that this put my son at great risk. After the testing, the social worker said, "Unfounded. Dad now knows about oxygen, now." In fact, he already did. I was forced to prove that my son needed oxygen (which was already a known issue and for which he had a prescription and had been hospitalized on it on at least 6 occasions), and yet the investigation continued about to focus on the possibility of me having MBP. All of my son's physicians at Children's Hospital and his pediatrician were involved. They found for no medical abuse.

The social worker at DHS had no medical background. When I told the social worker that my EX allowed my then 11-year-old daughter to draw up medications for my son's gastronomy tube, and that she was allowed to flush the gtube, the social worker noted in the file that my daughter "flushed the gtube down the toilet. " Flushing means to flush medications through the g-tube with water to keep it from clogging or becoming infected. Also, in the record it never mentions in the entire 256 or so pages that I was routinely physically abused. No mention in the record of the pornography belonging to my EX found on my daughter and son's iPad by a caregiver. The record does reflect the audio recording of my daughter where she tells our caregiver that daddy put money down her shirt and she didn't have a bra on. Yet nothing ever came of it.

The social worker from DHS wrote in the file that my EX and I would have a behavioral plan at Children's as the outcome of the MBP meeting. This was not true, and was never true. I have spoken to the risk department and to the social worker at Children's, whose report did not match the social worker's report from DHS. I have a copy. My son's pediatrician stated she did not say the things that were said in the social worker's report. My nutritionist said that the report that DHS wrote did not match the facts of what happened. After meeting with the DHS social worker my EX went to at least 6 of my son's physicians and told them I had MBP. He tried to have my son's feeding tube removed by 3 different providers at 4 or 5 different times. He even had an appointment (again, unbeknownst to me at the time) in Colorado Springs with a GI medical doctor. My X has a history of denial of Alexander's medical conditions.

He was allowed a court order for all my emails, both work and personal, as well as my text messages for the good of the children. Well, because of that, I, in turn, received his electronic communications. There were emails about him using MBP in a way to discredit me to try to get full custody and Medical Decision Making for the children. He said in his message that this was his strategy. He never cared for the children while in the home.

We asked that the court order a parental responsibilities evaluator who was a psychologist with experience with special needs children and high conflict divorce. My EX's attorney recommended the evaluator and we agreed.

My EX had seven visits and I had six with the evaluator and the report was 31 pages long and entirely in my favor that my EX was in denial of his son's medical conditions and that I, in fact, did NOT have Munchausen's by Proxy and that I should have all decision making and primary custody. There were psychological tests given that confirmed this.

My Ex claimed to everyone that I had a severe mental illness and was hurting my son. He told this fable to over 50 people. I thank God I had physicians on my son's side. He said like the oxygen, my son did not need a feeding tube and that we got it for me. He wrote a 7 page typed document to the PRE that outlined how I had MBP.

Because my son's care monopolized most of my time, I was unable to work for anyone else for a few years after my son was finished with cancer treatment.

During this time, I experienced financial abuse with my EX. Once he was clear of cancer, I became a CNA and a paid caregiver through a home health agency. I knew if I left that I was going to need to live with my children in the Ronald McDonald House, and he would likely fight me for custody and not give me any support.

I decided to start my own agency while I was in training. Before my marriage and children I made a very good living. I was able to open my agency and my son was our first patient and many others followed by word of mouth. The agency is successful and the care is good. It is Medicare and Medicaid accredited.

As the negative and abusive behavior of my EX during my marriage progressed, his compulsivity increased as well. He racked up \$38K in credit card debt to support his expensive lifestyle, and owes \$1 Mil or more to the state of CO and to the IRS for years of non-payment of taxes as a self-employed person. Prior to our divorce case, he agreed to a financial agreement allowing me to have my business and him his, thinking that he was going to benefit and that the IRS or any creditor wouldn't be able to come after his wife's money or the home. It was 17 pages where we signed or initialed next to the name of the document on each page in front of a notary. He lost fighting the financial agreement in court to try to take half of my business. He spends all his money and never pays taxes.

He signed a parenting agreement that I gave that was more generous than that of the parental responsibilities evaluator, and then within 24 hours made a motion to strike with the court for the parenting agreement he the himself chose to sign in the presence of his attorney.

We had to have a hearing, and subsequent to the time the DHS social worker wrote the documents, she was no longer in the employ of the department, thus she couldn't be subpoenaed – but her work was the testimony. She was terminated around the time I filed a complaint with the department. Nothing, absolutely nothing, came out of the complaint. I provided the parental responsible report to the investigator at DHS. The evidence I provided showing the obvious untruths documented in the DHS report from Children's records and testimony of the medical providers did nothing. The oxygen report that showed desaturation did not matter. No one cared about this special needs child who,

when he is away from me, has been continually neglected and abused. My son is not able to speak much for himself. His disposition is always happy so it could appear to an outsider that he's not neglected.

In the court proceeding, my EX told the court that he did not believe I had Munchausen's by Proxy but it had to be investigated since the DHS social worker brought it to his attention. However, we had proof in the medical record that he, in fact, was the one who had told providers. This affects my business and my personal reputation in our community, as he has told some of the patient families, as well that are with my company. They knew there was something wrong with him in their dealings with him.

My son has had his GI doctor for 6 years, and at the time of the hearing, the GI Doctor came to court for my son and said that he had known my son needed the feeding tube for most of those 6 years, and that I did everything I could to help my son learn to self-feed with hospital and with in-home therapy, which ultimately proved inadequate. The doctor, not I, was the one who insisted my son get a feeding tube. I thank God that I have been able to have the same medical providers for many years.

Also, ultimately, the judge agreed with the parenting agreement, and I was awarded attorneys fees for his vexatious litigation.

Since the court order, he continues the post-separation abuse. My EX calls me names, threatens to try to get custody again, has been visibly seen turning off the cameras at my home. The day after he turned off the cameras, the neighbors were robbed.

He told the judge at our last hearing that he was going to appeal the financial agreement. He has not stopped with his threats of the court. After he recently required shoulder surgery, my EX had my daughter take care of him post-surgery. She also shouldered the sometime burdensome care of her special needs brother. My EX is the parent, but gets what he has himself referred to as "cheap labor" from our daughter.

He was in Washington, D.C. on January 6, 2021 in order to attend the Trump rally, and he recently purchased an AR-15 that my daughter can reach in his closet. He is not a hunter (not that real hunters need to use automatic weapons).

There seems to be a trend in difficult divorces for special needs mothers to be accused of MPB. I currently have a friend that has also been accused of this by her abuser. This should be a red flag for the department. MBP is a very rare condition but abuse is not.

Thank you for your time.

I am submitting written testimony on behalf of myself and my son and Moms Fight Back. I ask you to vote yes in support of HB1228.

My son is 11 years old and I have not seen him since 2016. I have been denied all communication with my son for over four years. He was six years old when I lost him. I had been his primary caretaker 24/7 for the first five years of his life and had primary custody thereafter. My son went from that arrangement to full custody to a man with a history of abuse and assault.

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the allegations. They provided not one shred of evidence at that final hearing resulting in the loss of my little child.

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Requiring court professionals to have additional training in coercive control, abuse and domestic violence dynamics is one small step forward, in facilitating better informed decision making when it comes to the care, well-being, protection, and appropriate custody placement of our children. If the judges, therapists and other personnel involved in my case had been trained, my son would not have been placed with an individual who has a long standing history of abuse without change, remorse or ability to take responsibility for his actions. I would be able to be a mother to my child in person. My son has unnecessary been robbed a sense of safety, security, and baring the loss of his living Mother since the tender age of 6 years old. This is a heavy grief to force a child to have. Please vote yes on HB21-1228. Thank you.



NATIONAL FAMILY VIOLENCE • LAW CENTER •

THE GEORGE WASHINGTON UNIVERSITY

Testimony in SUPPORT of House Bill 1228 “Julie’s Law”

To: Colorado Senate Health and Human Services Committee

Esteemed Chairwoman Fields, Vice Chairwoman Ginal, Committee Members, and Sponsors Senator Smallwood, Senator Winter, and Representative Froelich

From:

*Joan Meier, Founding Director and Professor of Clinical Law
Danielle Pollack, Policy Manager*

National Family Violence Law Center at GWⁱ

Date: April 6, 2021

*An abused child named Julie was taken by court order from her protective mother, Maralee, and forced by court order to live with her sexual abuser for ten years. On behalf of the many children and youth who have experienced this life-altering trauma, HB1228 has been named **Julie’s Law**.*

HB1228 adopts Congressional guidance for custody courts’ decision-making processes in order to prioritize child safety; increases domestic violence and child abuse training requirements for court personnel who are regularly involved in cases related to domestic matters; and closes a loophole in oversight.

We support HB1228.

Adopting Congressional Guidance for Child Safety

Section 1 of HB1228 would bring Colorado into alignment with guidance from the unanimously adopted [House Concurrent Resolution 72](#), *Expressing the sense of Congress that child safety is the first priority of custody and visitation adjudications, and that State courts should improve adjudications of custody where family violence is alleged*. This critical guidance from Congress responds to problems widely identified in family courts and urges state courts to address them; we are pleased to see Colorado be a leading state to adopt this important language into its statute books. The Congressional Resolution was formally supported by the National Coalition Against Domestic Violence (NCADV); National Domestic Violence Hotline; National Network to End Domestic Violence (NNEDV); Domestic Violence Legal Empowerment and Appeals Project (DV LEAP); National Organization for Men Against Sexism (NOMAS); National Partnership to End

Interpersonal Violence (NPEIV); and National Task Force to End Sexual and Domestic Violence Against Women, and many other leaders in the field. This adoption will provide critical guidance to Colorado courts and will help keep Colorado children safe and with safe parents.

Of particular import for subsequent sections of HB1228, Sections 1 (2)(g) and (3)(d)(e) embody Congress' guidance regarding reliance on third-party professionals: *In cases involving allegations of domestic violence, child abuse, and child sexual abuse, courts should rely on the assistance of third-party professionals only when the professionals possess the proper experience or expertise for assessing domestic violence, child abuse, child sexual abuse, and trauma, and when the professionals apply scientifically sound and evidence-based theories.* This is essential because many third-party professionals lack the necessary understanding of family abuse resulting in unsafe recommendations and outcomes.

Essential Training for Intimate Partner Violence (IPV), Child Custody, and Child Safety

Sections 2 through 5 of HB1228 outline training requirements and clarify the roles and protocols of third-party professionals: child and family investigators, parenting responsibility evaluators, and legal representatives of children. Training for all personnel must include both an initial training requirement as well as an ongoing annual continuing education requirement as follows:

- Six initial hours of training on domestic violence and its traumatic effects on children, adults, and families.
- Six initial hours of training on child abuse, including child sexual abuse, and its traumatic effects; and
- Four subsequent hours of training every 2 years on domestic violence and child abuse, including child sexual abuse, and the traumatic effects on children, adults, and families.

Evidence-Based Training Matters

Many people who are inadequately trained in intimate partner violence (IPV) and child maltreatment - including some who work in family law - view contested custody cases principally as two angry parents fighting for control, not a matter of child safety and risk of abuse. The fact is that in approximately 70% of contested custody cases, of those which come before a judge, there is an abuse component – either IPV or adult on child violence or a combination of these. Multiple studies confirm this.ⁱⁱ

Our laws addressing family violence have historically developed in ways which attempt to address adult domestic violence and child abuse largely as two separate, siloed problems, and this has created a gap in child safety. This gap appears most crucially in private custody litigation.

Insufficient training on the facts of family abuse as well as personal biases of family court investigators, evaluators, and legal representatives of children can contribute to adverse outcomes for at-risk children in custody litigation. Survivors of domestic violence litigating child

custody are often either not believed or are misunderstood as being alienating rather than protective of their children.ⁱⁱⁱ

A national study of family court professionals (465 evaluators, 200 judges, 131 legal aid attorneys, 119 private attorneys) found that family courts and especially evaluators prioritize “fathers’ rights” over children’s need for continued parental attachment, stability and emotional and physical security.^{iv} This study focused on core beliefs of family court professionals in several key areas, including ideas about false abuse allegations, whether exposure of children to domestic violence is relevant to custody decisions, and whether the reluctance or resistance of battered women to co-parent will hurt children. It found in cases where one parent was clearly the perpetrator of abuse, 40% of custody evaluators reported a practice of always or “half of the time” making a recommendation for *joint* legal and physical custody to be awarded to victims and perpetrators. This finding is concerning and reflects a deficiency in evaluators’ understanding of family violence dynamics: Joint custody enables abusers to continue to exert control over their former partners and children, as well as to restrict needed counseling, medical, and other important services.

Another important 2019 National Institute of Justice-funded empirical study which looked at all contested custody cases involving abuse allegations nationwide over a ten-year period found that the presence of a court-appointed evaluator or Guardian ad Litem in contested custody cases *increases* both courts disbelief of mothers’ abuse allegations and their reversals of custody from the mother to the alleged abusers.^v

Custody courts too often miss the mark, with damaging impacts on children. It is worth noting that, conservatively, in the past decade over 100 children in the U.S. have been murdered by a dangerous parent after a custody court awarded access over the safe parent’s pleas to protect the children.^{vi} This figure does not account for the countless children court-ordered every year into the care of an allegedly abusing parent for prolonged periods, sometimes for entire childhoods. One estimate suggests that approximately 58,000 U.S. children may be ordered into partial or full custody of their reported physical or sexual abusers by family courts each year.^{vii}

Investing in Colorado’s Professionals to Protect At-Risk Children

In Colorado there is currently great variance in individual training and preparation of child and family investigators (CFI), parenting responsibility evaluators (PRE), and legal representatives of children on intimate partner violence (IPV) and child abuse (CA), including child sexual abuse (CSA). Furthermore, there are no required safety and risk screening tools for use by these family court professionals who regularly make assessments which impact at-risk children’s and protectors’ lives. Despite inconsistencies in preparation and a dearth of IPV/CA/CSA training for most of these professionals, it was found in 2020 research by a Director at Colorado Department of Human Services in the Child Welfare Division, that approximately 85% percent of the time Colorado judges and magistrates directly adopt evaluator recommendations regarding allocation of parental responsibilities and parenting time.^{viii}

Child and Family Investigators (“CFIs”) are the most common type of evaluator in Colorado child custody cases, including those involving IPV and child abuse allegations. Current law permits anyone to perform this role so long as an individual court believes they have had “acceptable training,” not necessarily even including training on IPV/CA/CSA. Most CFIs are mental health professionals and (sometimes retired) attorneys. They cannot conduct substance use or mental health evaluations. They are court-funded if the parent is indignant, with fees capped at \$2750.

There are at least 164 CFIs in Colorado. While they are required to complete a minimum of 40 hours of training there is no requirement to be trained on family abuse or validated safety and risk screening tools, even though they are assessing IPV in many of these cases. In contrast, Texas requires a minimum of 8 hours training in IPV for their evaluators.

Appropriate evidence-based training is essential for any evaluator’s ability to draw accurate conclusions when family violence is present. Such preparation is especially important when assessing counter-intuitive and often subtle behaviors of a perpetrator or protector, such as coercive control which manifests in numerous daily “minor” ways, or protective measures a parent may take which may not make sense on the surface to an untrained observer. For untrained evaluators, there is also an increased likelihood they may be manipulated by a perpetrator who is adept at using common tactics such as DARVO (Deny, Attack, Reverse Victim and Offender roles)^x or they may inadequately appreciate how some abusers engage in litigation abuse to torment their victims. Without appropriate statewide training and standards, it is challenging to minimize potential for evaluators’ personal biases, unwitting victim-blaming or other dynamics which routinely arise in cases where children’s safety is at stake.

Lastly, a PRE is a Parental Responsibility Evaluator and, unlike a CFI, must be a licensed mental health professional. PREs can also be appointed as CFIs. They can conduct substance use or mental health evaluations and assess IPV. Parents self-pay and both parties have to agree to a PRE being involved in the case. PRE fees are not capped, and costs can range from \$8,000 to \$12,000. No public list is available for who has been qualified to be a PRE. HB1228 clarifies how complaints related to duties of a custody evaluator who is also a licensed medical professional should be addressed in accordance with provisions in Chief Justice directives in Sections 3 and 5.

To better protect Colorado’s children, we urge your support of HB1228, Julie’s Law. Should you have questions, we are happy to answer them. We thank you for your time and thoughtful consideration.

Sincerely,



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ⁱ This testimony is provided in our individual capacity, and not on behalf of George Washington University.

ⁱⁱ See generally, Peter Jaffe, Zerwer & Poisson, *Access Denied: The Barriers of Violence & Poverty for Abused Women and their Children After Separation* (citing four studies, all of which found 70-75% of cases in litigation involved allegations of domestic violence).

ⁱⁱⁱ Joan S. Meier and Sean Dickson, *Mapping Gender: Shedding Empirical Light on Family Courts' Treatment of Cases Involving Abuse and Alienation*, 35 LAW & INEQ. 311, 332 (2017).

^{iv} Daniel G. Saunders, Ph.D., Kathleen C. Faller, Ph.D., Richard M. Tolman, Ph.D. *National Institute of Justice, U.S. Department of Justice Final Technical Report on Child Custody Evaluators' Beliefs About Domestic Abuse Allegations: Their Relationship to Evaluator Demographics, Background, Domestic Violence Knowledge and Custody-Visitation Recommendations*, (2011), available at <http://ssw.umich.edu/about/profiles/saunddan/Custody-Evaluators-Beliefs-About-Domestic-Abuse-Allegations-Final-Tech-Report-to-NIJ-10-31-11.pdf>

^v Joan S. Meier, Sean Dickson, Chris O'Sullivan, Leora Rosen, Jeffrey Hayes, *Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations* (2019). GWU Law School Public Law Research Paper No. 2019-56, GWU Legal Studies Research Paper No. 2019-56, available at SSRN: <https://ssrn.com/abstract=3448062> or <http://dx.doi.org/10.2139/ssrn.3448062>

^{vi} Center for Judicial Excellence, last visited April 2021, available at <https://centerforjudicialexcellence.org/>

^{vii} The Leadership Council on Child Abuse & Interpersonal Violence, *How Many Children are Court-Ordered into Unsupervised Contact with an Abusive Parent After Divorce?*, available at <http://www.leadershipcouncil.org/1/med/PR3.html>. <http://leadershipcouncil.org/1/med/PR3.html#3>

^{viii} Yolanda Arredondo, et al. *Colorado Child Custody Evaluators Professional Background and Practices of Intimate Partner Violence*. Presented as a Brown Bag Webinar for Violence Free Colorado on October 13, 2020, available at <https://www.youtube.com/watch?v=Pzx7N8gPs6s>

^{ix} Alexis A. Adams-Clark, Jennifer J. Freyd. (2020) *Questioning Beliefs About Sexual Violence*. *Journal of Trauma & Dissociation* 21:5, pages 505-512, available at <https://www.tandfonline.com/doi/full/10.1080/10926771.2020.1774695>

