



## Testimony 1142/1160

AI to: lcs.ga

03/14/2023 11:23 PM

History:

This message has been replied to.

2021jv61  
Case Hearing March 24.2023

To senate committee  
Bill 1142  
1160 March 14.2023

I respect the fact that I only had 3 minutes to speak. I thank you all for listening to my testimony.  
My name is Alicia Leal and I am speaking on behalf of my 6 year old ,family and friends in Northern California.  
I live in Southwest Colorado.

My case was opened during covid 2021 in Delta County the 7th jurisdiction .  
With 5 or 6 forensic interviews of my child done by the dhs without informing my attorney or family in California. These were performed in Montrose , also Ouray county & Grand Junction, Colorado .  
I am providing my cell number  
(970)318-6685 if you have questions please feel free to contact me.

I also have a court hearing March 24 2023. I invite all to attend it is in Delta county court house.

Joel Watt of integrated diagnosed me with munchausens bi proxy and paranoid personality disorder.

I voluntarily complied, just In case I had any unresolved issues . I am unaware of That way I may address them.  
And would do anything to get my child back.

I had two mental health evaluations.  
All done by reputable and well respected psychologist.  
I was told I was missing my child and having separation anxiety. I did not have munchausens bi proxy or paranoid personality disorders.  
Dr. Brenda Holland Ph.D  
Dr. Susie Coykendall

Dr. Good of Montrose Colorado.

My child was removed from my care. Sept 2021 by intake-worker  
Melissa Zunich.  
Who told me my child doesn't ask for me or cry for me.  
Told to her by Leslie Woerner 80 yr old grand mother.

Placed with the perpetrators  
she was 5 yr old . My daughter has always showed up to our visits crying, afraid and longing for her mother. Me . I nursed her from birth until 2  
We have Loving healthy bond. Slowly I noticed her decline.  
She went from begging and crying to stay with me. To just asking can I come home. To being stoic and wishing I was a friend going to school with her so we could play forever.

I will go into detail if asked but this now triggers me in to a deep depression we're my uterus contracts and is very painful. Also my adrenals . After all this time I'm frustrated , angry at the system and the decline of my child.

And the our case been mishandled.

We Had casa visits Delta Colorado where my child and I both were scrutinized and our visits unnatural.

For months.

Our visits were only once to twice a week for 1 hour to 2 supervised.

I was told to show no emotions to not cry. Or ask her about how she's being treated .

I was blamed for coaching her.

Again not true!

2022/23

2 supervised visits 1 over nights to it all being taken away by Lies that had no facts By county attorneys

My child was also diagnosed by Joel watt incorrectly. With a form of PTSD Abigail Corless the caseworker spoke to my councilor and told her that my child a habitual liar. Ever time she spoke of occurring incidents.

I feel because of her false statements & documentation and interning for Joel watts organization at the same time being our caseworker.

Had greatly contributed to my child's ill placement and mental decline at 5,6 years old and now she will be 7 years in April 2023.

Caseworkers

Melissa Zunich

Abigail Corless

Megan?

Stephanie Sandoval

Annie Gallegos

Jodi Berhmann vested interest removed county attorney.

Jason new county attorney

And many others with in the Delta county DHS department.

I am requesting my daughter be returned to my care full sole custody For reasons that my child's rights and mine have been greatly violated. From the beginning

That my case be brought to Denver Colorado.

If you want details from from California

Sister-Kathy Leal (408) 393-6718

Mary Leal (408) 891-6321

Childhood best friend-

Elizabeth Francis (408)595-6995

Brother-Ben Leal (408) 309-2458

Colorado ombudsman

Derek Cooley &

Claire Hooker, MA (she/her)

Senior Client Services Analyst

Desk: (720) 625-8642

Dr. Coykendall

scoykendall@western.edu

Visit supervisor Maryjo Mills  
familytiessa@yahoo.com

Michael Vaughn  
(970) 874-6900

Please feel free to contact me for further information.

No advice has been given by caseworkers I have not heard from my current  
caseworker Haley Clarin  
no resolutions all very concerning.

My ex husbands family is well known in Colorado , Montana , Florida and  
Alabama. Georgia and other states.

Sent from my iPhone

**House Public & Behavioral Health & Human Services**  
**03/14/2023 01:30 PM**  
**HB23-1160 Colorado TRAILS System Requirements**  
**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Donald Lovejoy For themselves	<p>I was placed on their (state DHS) list after I was arrested and while I was in jail. I was not given the opportunity for a trial to defend myself, provided discovery, nor told who I needed to get a hold of to address their child abuse list. When I was released from jail after taking a plea deal under duress (I was given the choice of either another 6-10 years in jail waiting for trial or to take their plea offer, this was by my court appointed attorney) I tried to appeal their decision to place me on their list. The plea deal dropped all of the original charges with stipulations of no harm in any way. They set a date more than 2 years out, which I asked for the discovery and never received the discovery. They never told me how I can file motions with them, yet placed a motion to dismiss and dismissed the case without allowing me my constitutional rights to defend myself from their accusations.</p> <p>I have been fighting to regain custody of my son, which every time they have me see one of their systems-trained providers, they tell them what my original charges were and their opinion of guilt which gives a false opinion of me to their chosen providers.</p> <p>These people operate with no over site for their actions, and it is extremely hard to defend yourself from this agency and their actions. This bill is a start in the right direction, but there is more to be done to ensure that the laws are followed and that there is over site to protect the people and hold them accountable for their actions.</p>

March 14, 2023

## Committee Testimony HB23-1160 TRAILS

### Members of the Committee

Please support this Bill, as it would provide proper Due Process to parents that are challenging information caseworkers intend on imputing into the Colorado TRAILS System, of which can have damming consequences for parents as well as children.

A Petition to Dependency and Neglect is not seen as founded until adjudication takes place. It would only make sense that parents should not be entered into the TRAILS system prior to the adjudication and substantiation of the Petition.

In my case, the TRAILS information that was entered in by the caseworker directly effected my visitation rights with my child. The Judge informed me that he could see the TRAILS system and reports and that these reports can directly influence his decision regarding visitation. That was how I learned about TRAILS, it was not by caseworkers, not by any verbal or written notice given to me by the Department. I had no way to challenge this information. By the time I learned about TRAILS, it was too late for me to challenge anything. There was a plethora of misinformation within my case that I was unaware of due to not being fully educated in the process of TRAILS and the impact that TRAILS truly have on parents.

I do not, however, agree to the authorization for the state department, county department of human and social services (county departments) and law enforcement entities to retain information concerning unsubstantiated reports of child abuse and neglect in casework files to assist in future risk and safety assessments. As if the caseworker does not fully review the case files, in detail, regardless of page count, can lead to explicit and implicit biasness. Such as what occurred in my case, a caseworker having only 24 total hours of training, informed the court that I had over eight cases with the department in an attempt to secure an order to investigate. The caseworker misleads the court, by leaving out the pertinent information that the past cases she referenced were all unfounded or denied by the Department. The order to investigate was an ex parte action that I was not even aware took place, so I had no way to defend against the misinformation that the caseworker presented to the court.

I also would like to note that this new Bill allows the state department to enter the substantiated finding against the person into the system for a "period of time" proportionate to the severity of the findings. But does not provide any period of time, which allows too much governance to ideation of what one would deem as a proportionate period of time would be. As the law stands currently, and as I mentioned above, my cases still affect me, cases that go back past 2005, only one founded, over eight unfounded, still have an effect over my current case.

I feel that it is critical that parents are afforded information in how to obtain, at no cost to the parent, a complete copy of the record that will be added to the automated child welfare system. Most often parents are low income, and cannot afford to pay any fees associated with obtaining their own records, which leads to the disability of a proper defense. Just as parents receive in forma pauperis from the court, this bill recognizes the monetary restraints parents are challenged with when attempting to obtain their records from the Department.

Accompanied with the fact this Bill would allow parents to present witnesses, cross-examine the state department's witnesses, object to evidence introduced by the state department, and make an opening statement as well as a closing argument, all of which is in direct alignment with our Constitutional guarantee to Due Process of the law.

I feel that it is imperative that there is precise and informed instruction for parents to obtain information to challenge the information intended to be submitted into the TRAILS system, as well as how to access information on the county department of human or social services dispute resolution process, information detailing the right of the person to request a state level appeal as well as providing a blank copy of the state departments approved appeal form. I can tell you from direct experience with caseworkers with the Department, they will and do not supply parents with ANY of this information!

Finally, in regards to the injurious environment by the state department administrative law judge as not conclusive evidence to support an order for summary judgment. I want to say that the Department uses a tactic against parents that gets the parent to admit, through no fault of their own, to an injurious environment, which is what the Department would need for the parent to admit to in order to sustain their Petition. This is done routinely and on a daily basis in family courts. Parent's are bamboozled into an admission of guilt, by way of thinking it was "no fault of their own".

Thank you for your time in reviewing my letter in support of this Bill.

Warm Regards,  
*Leah Dyer*  
Leah Dyer

HEALTH & HUMAN SERVICES COMMITTEE HEARING - 3/15/2023  
Public Testimony for **HB1160 TRAILS**

Thank you Representative Gabe Evans, for bringing this bill to the table!

My name is Rosemary Van Gorder, a citizen advocate for parents involved with the child welfare system, observing family court cases for over 20 years now. **I am FOR this bill**, though it doesn't go far enough to ensure accountability and transparency for the accused. I have two issues for your consideration.

**1. A PREPONDERANCE OF THE (CREDIBLE?) EVIDENCE STANDARD**

**Who** is making these “quasi-judicial” findings? (Red Teams? Child Protection Teams? Supervisors? A caseworker/supervisor team?) Names are absent from the Notice. The self-described “quality of state-trained, certified professionals” begs for clarification and scrutiny. Caseworkers are **not** professionals, licensed and accountable to an external state board. They will threaten, coerce and intimidate parents to comply with “their orders”.

**What?** The Notice of Finding is vague and non-specific as to what action or inaction was founded. Only if challenged in the appeal process will you see what was actually used to put you on the registry. It may or may not match what the Court receives when a case is opened. Factual basis is subjective to these people. This is not, as you were told by other witnesses today, a “highly effective and transparent process”.

**2. WHAT ACTUALLY HAPPENS WHEN CONTESTED?**

I can tell you most parents have no idea what the vague findings letter is about. “*State registry of abusers*” doesn't appear. The letter is set aside while CPS makes demands on your time - meetings and hearings, and disruption of your family. Appointed RPC attorneys won't advise – it's not their responsibility. (Should be.) If incarcerated, (even pre-trial detainment), you may not receive the notice. You miss deadlines. Many parents say they never saw it.

One mother did everything possible and right to challenge the finding. Her 15 y/o daughter had falsely accused her of abuse, with the intent of moving to Denver with an older sibling. This was her path to “independence”. Lacking a shred of evidence, rather than support the parent, the Court (and dept.) validated her rebellion. Off she went to Denver, to work at Shotgun Willy’s. She never came home again.

At great personal expense, mom travelled to Denver, her other, disabled daughter in tow, for the Administrative Review Hearing before a judge. The judge asked for mediation, to which the County Attorney, after an entire year of anguish, stress, and trauma, decided to simply dismiss (?) the case. That was it, whatever “it” was. No remedies, no apologies, no admissions from the County Attorney for the department. She is now a sitting Court Magistrate over CPS cases.

The child welfare system is SO broken! Due process protections are a façade. People who work in it don’t care about the trauma caused by their interference and intrusion. They blame all trauma on the parents.

God bless you for, thank you for your time.

*Rosemary Van Gorder*

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