

Colorado HB26-1309 UNFAVORABLE

To the Honorable members of the Colorado Judiciary Committee:

My name is Yaakov Aichenbaum and I represent the Professional Alliance for Child Centered Safety (PACCS), <https://www.paccs.global/about-paccs>. PACCS is a group of professionals dedicated to protecting the emotional, psychological, and physical well-being of children by addressing harmful practices, promoting family healing, and guiding reform through lived experience and evidence-based standards grounded in integrity, science, and child-first principles to family court practices. My particular area of interest is exposing misinformation and science denial campaigns concerning family court reform.

My most recent project is a peer-reviewed paper concerning the Project Justice Colorado Survey with which you are no doubt acquainted with. This survey and the advocates behind it have been a driving force behind Colorado legislation to reform family courts. Unfortunately, we found gross inaccuracies and other problems in the Project Justice Survey. The attached white paper provides a general overview of the issues and the full paper provides a comprehensive analysis (<https://bit.ly/family-court-reform>).

One striking example of the misrepresentation that is rampant in Project Justice is that Project Justice reports that the most common income of fathers in their survey (which supposedly represents a representative sample of family court litigants) is over \$175,000. However, the median income for males in Colorado in 2023 was \$75,257! Likewise, we found that their policy recommendations are not supported by their data (see <https://osf.io/vehrn/files/bqtwm> for an analysis of Project Justice's recommendations).

In consideration of the misrepresentations of Project Justice and other similar minded advocates, we are deeply concerned about HB26-1309. The motivation for this bill is based upon the inaccuracies that are present in the Project Justice Report or by those advocates who support the report's conclusions. This is a cause for alarm. We see this bill as an attempt to treat all allegations as true and make it extremely difficult to disprove claims. We envision that many parents will unnecessarily lose contact with their children due to false allegations because of this bill. This is not in the best interests of children.

We urge you to take a look at our research. You will be appalled at the lack of scientific rigor of Project Justice. We therefore request that you give HB26-1309 an unfavorable report.

Yours,

Yaakov Aichenbaum

Professional Alliance for Child Centered Safety (PACCS), Founding Member of the Board of Directors

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House Judiciary

03/31/2026

HB26-1309 Abuse in Cases of Separation

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Derek Skellchock Against themselves	<p>Chair and members of the committee,</p> <p>My name is Derek Skellchock. I am a Colorado parent and a 13-year Honorable discharged combat veteran, and I respectfully oppose HB26-1309.</p> <p>Protecting victims of real abuse is critical. However, this bill does not solve existing problems in family court—it expands them!</p> <p>My son and myself are living that reality.</p> <p>In my case, repeated allegations have resulted in findings of domestic violence under a preponderance of the evidence standard—even where I have provided direct communications that contradict those claims. This reflects a system where interpretation and narrative can outweigh objective, verifiable evidence.</p> <p>There have been situations involving high volumes of communication from the mother to me —dozens of messages and repeated contact in a short period—that were still characterized in a way that resulted in me being labeled the abusive party.</p> <p>At the same time, agreements made by mother, involving our child, including equal parenting time, have been presented, implemented, and then withdrawn, with new allegations following when disagreements arise. The result is instability—not just for me, but for my son.</p>

	<p>My son has shared with me he feels he has to hide communication with me because he is afraid of how his mother will react. No child should be placed in that positionâ€”feeling like they must choose sides or conceal a relationship with a parent.</p> <p>That is not protection. That is a child caught in the middle.</p> <p>HB26-1309 expands subjective categories of abuse, such as coercive control, economic abuse, and technological abuse, while maintaining a low evidentiary standard and adding presumptions against a parent.</p> <p>This creates a structure where allegations can carry significant legal weight before being rigorously tested.</p> <p>In high-conflict custody cases, that risks shifting the focus away from evidence and toward competing narratives. When that happens, children can be overlooked.</p> <p>Children need stability. They need to feel safe loving both parents. They should not feel pressure to hide communication or manage adult conflict.</p> <p>We can protect victims while still requiring clear evidence and balanced decision-making. This bill does not strike that balance.</p> <p>For these reasons, I respectfully ask you to vote no on HB26-1309.</p> <p>Thank you.</p>
<p>Leah Alvarado For themselves</p>	<p>My name is Leah. I am a mother of two children and here to testify in support of HB26 1309.</p> <p>I am in the middle of a divorce after many years in an abusive marriage. The abuse escalated dramatically when I tried to leave, and when I left in January of this year, the abuse did not stopâ€”it changed form. My soon-to-be ex-husband has used post-separation abuse to maintain power and control through cutting off financial support, limiting</p>

	<p>communication only going through lawyers, and maintaining control over essential resources while I care for our children alone, without any meaningful support from him.</p> <p>I understand that custody and decision-making are supposed to be based on the child's best interests. But those interests are not truly protected when the abuse continues during separation and is not fully recognized by the court. Survivors should not have to beg the court to see the pattern of abuse or to put even basic safety measures in place. My children deserve a court process that recognizes the danger they have lived with and prioritizes their safety over the appearance of equal parental rights.</p> <p>Without clear legal recognition of abuse in cases of separation, survivors like me are forced to prove the danger over and over again in different systems—family court, child protection services, and law enforcement—each looking at only a small slice of a much larger pattern. This has been exhausting and retraumatizing.</p> <p>No one should have to choose between their own safety and their children’s safety and stability. This bill will not erase what my children and I have already endured, but it can prevent other families from being trapped in the same cycle of post-separation abuse.</p> <p>I urge you to pass this bill and give courts the tools and direction they need to recognize and respond to domestic violence before making decisions about parental responsibilities.</p> <p>Thank you for your time and consideration.</p>
<p>Linda Kracht Against themselves</p>	<p>Thank you for taking my written testimony in regards to HB 1309 "Abuse in Cases of Separation". I am sending in written testimony as I am unavailable for Zoom at this time.</p> <p>We all want to protect children from abuse; however, I object to Section 2 Defining Domestic abuse as including Health related abuse, specifically the words "INTERFERING WITH OR CONTROLLING OR PREVENTING ACCESS TO REPRODUCTIVE HEALTH CARE OR REPRODUCTIVE HEALTH- CARE INFORMATION, OR CONTROLLING OR ATTEMPTING TO CONTROL PREGNANCY OUTCOME.</p>

	<p>From the writing of this Bill's Declaration, the intent is to protect children during a family court proceeding, determining if a child will be safe under the care of one of his/her parents until a decision has been made. The above wording in regards to pregnancy goes too far and could cause great mental harm to a spouse/partner who only disagrees with a current pregnancy decision of the other parent. Disagreeing over what to do about a pregnancy is not abuse. This situation could also harm the living children, as they could be separated from a loving parent, simply because the pregnant mother wants an abortion and the father does not. This is a very serious decision for the parents to make, between themselves, but certainly does NOT constitute abuse. Disagreeing about a moral decision cannot be compared to the other physical abuses that could actually put a child's life in danger... which is apparently why this bill is being considered. And dealing with an unexpected pregnancy is not something that needs to be treated with a mental health professional before a parent can be with their children.</p> <p>If you TRULY want to protect children and families, please remove section III under c.2 health related abuse</p> <p>Thank you. Linda</p>
<p>Stephanie Harrison For herself</p>	<p>Dear Members of the Judiciary Committee,</p> <p>My name is Stephanie Harrison, and I am a mother of six children writing to request reform in how family courts handle cases involving abuse and trauma. I have likely, previously contacted you about my experience with our broken family court system.</p> <p>My soon to be exhusband subjected our family to severe physical, emotional, psychological, financial, and spiritual abuse. His control was so extreme that I could not work or afford to leave until he was incarcerated in federal prison.</p> <p>My children have been diagnosed with PTSD and anxiety disorders. Their trauma manifests through night terrors, bedwetting, severe teeth grinding, and episodes resembling seizures. These symptoms worsen with contact with their father.</p> <p>Despite medical documentation and professional recommendations, a magistrate ordered four weekly phone calls and in-person prison visits across the country. This decision was made without ever speaking to my children.</p> <p>Their therapists advised prioritizing safety, stability, and allowing the children agency after years of coercive control. I was told to limit contact to avoid retraumatization. When I followed this guidance and allowed my children to decline calls, the court ruled I was interfering with parenting time and ordered contact to resume.</p>

	<p>During six months without contact, my children made measurable progress in therapy. When contact resumed, their symptoms worsened and their academic performance declined.</p> <p>Their father had minimal involvement before prison, lost access to older children due to abuse allegations, and continues controlling behaviors—having me followed, locating our home and schools despite my participation in a confidentiality program, and making threats.</p> <p>I am required to request permission to travel, which exposes my location and compromises our safety.</p> <p>The court prioritized the rights of an abuser over the safety and mental health of my children. Their voices were not heard, and professional recommendations were disregarded.</p> <p>I respectfully ask for reforms that require trauma-informed decision-making, give weight to mental health professionals, protect children from forced contact with abusive parents, and ensure confidentiality protections are not undermined.</p> <p>No parent should have to choose between complying with a court order and protecting their children.</p>
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House Judiciary

03/31/2026 Upon Adjournment

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	<p>If you TRULY want to protect children and families, please remove section III under c.2 health related abuse</p> <p>Thank you. Linda</p>
<p>Derek Skellchock</p> <p>Against himself</p>	<p>Chair and members of the committee,</p> <p>My name is Derek Skellchock. I am a Colorado parent and a 13-year Honorable discharged combat veteran, and I respectfully oppose HB26-1309.</p> <p>Protecting victims of real abuse is critical. However, this bill does not solve existing problems in family court—it expands them!</p> <p>My son and myself are living that reality.</p> <p>In my case, repeated allegations have resulted in findings of domestic violence under a preponderance of the evidence standard—even where I have provided direct communications that contradict those claims. This reflects a system where interpretation and narrative can outweigh objective, verifiable evidence.</p> <p>There have been situations involving high volumes of communication from the mother to me —dozens of messages and repeated contact in a short period—that were still characterized in a way that resulted in me being labeled the abusive party.</p> <p>At the same time, agreements made by mother, involving our child, including equal parenting time, have been presented, implemented, and then withdrawn, with new allegations following when disagreements arise. The result is instability—not just for me, but for my son.</p>

	<p>My son has shared with me he feels he has to hide communication with me because he is afraid of how his mother will react. No child should be placed in that positionâ€”feeling like they must choose sides or conceal a relationship with a parent.</p> <p>That is not protection. That is a child caught in the middle.</p> <p>HB26-1309 expands subjective categories of abuse, such as coercive control, economic abuse, and technological abuse, while maintaining a low evidentiary standard and adding presumptions against a parent.</p> <p>This creates a structure where allegations can carry significant legal weight before being rigorously tested.</p> <p>In high-conflict custody cases, that risks shifting the focus away from evidence and toward competing narratives. When that happens, children can be overlooked.</p> <p>Children need stability. They need to feel safe loving both parents. They should not feel pressure to hide communication or manage adult conflict.</p> <p>We can protect victims while still requiring clear evidence and balanced decision-making. This bill does not strike that balance.</p> <p>For these reasons, I respectfully ask you to vote no on HB26-1309.</p> <p>Thank you.</p>
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<p>Stephanie Harrison</p> <p>For themselves</p>	<p>Dear Members of the Judiciary Committee,</p> <p>My name is Stephanie Harrison, and I am a mother of six children writing to request reform in how family courts handle cases involving abuse and trauma. I have likely, previously contacted you about my experience with our broken family court system.</p> <p>My soon to be exhusband subjected our family to severe physical, emotional, psychological, financial, and spiritual abuse. His control was so extreme that I could not work or afford to leave until he was incarcerated in federal prison.</p> <p>My children have been diagnosed with PTSD and anxiety disorders. Their trauma manifests through night terrors, bedwetting, severe teeth grinding, and episodes resembling seizures. These symptoms worsen with contact with their father.</p> <p>Despite medical documentation and professional recommendations, a magistrate ordered four weekly phone calls and in-person prison visits across the country. This decision was made without ever speaking to my children.</p> <p>Their therapists advised prioritizing safety, stability, and allowing the children agency after years of coercive control. I was told to limit contact to avoid retraumatization. When I followed this guidance and allowed my children to decline calls, the court ruled I was interfering with parenting time and ordered contact to resume.</p> <p>During six months without contact, my children made measurable progress in therapy. When contact resumed, their symptoms worsened and their academic performance declined.</p> <p>Their father had minimal involvement before prison, lost access to older children due to abuse allegations, and continues controlling behaviors—having me followed, locating our home and schools despite my participation in a confidentiality program, and making threats.</p> <p>I am required to request permission to travel, which exposes my location and compromises our safety.</p>
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	<p>The court prioritized the rights of an abuser over the safety and mental health of my children. Their voices were not heard, and professional recommendations were disregarded.</p> <p>I respectfully ask for reforms that require trauma-informed decision-making, give weight to mental health professionals, protect children from forced contact with abusive parents, and ensure confidentiality protections are not undermined.</p> <p>No parent should have to choose between complying with a court order and protecting their children.</p>
<p>Lydia Waligorski For themselves</p>	<p>Hello members of the House Judiciary Committee, thank you for the opportunity to submit testimony. My name is Lydia Waligorski, and I have worked in Colorado’s domestic violence and child safety systems for more than twenty-five years. I am here to support House Bill 26’s 1309.</p> <p>Judiciary committees understand better than anyone that the quality of a court’s decision depends on the quality of the information it receives and the time it has to evaluate it. HB 1309 strengthens that process by requiring courts to make an affirmative determination about domestic violence before allocating parental responsibilities. This is not a presumption, it is a directive to conduct a meaningful inquiry.</p> <p>We know from Colorado’s Domestic Violence Fatality Review Board that several recent homicides occurred in the context of domestic relations cases. In many of those cases, the abuse was not documented through police reports or convictions. That is not unusual. Most domestic violence especially coercive control, threats, stalking, and digital surveillance does not produce clean documentation. But the absence of documentation does not mean the absence of danger.</p> <p>HB 1309 ensures that courts consider all relevant and admissible evidence, including patterns of behavior that may not show up in criminal records. It also requires written findings that explain how the court’s order protects the child’s safety when domestic violence is present. That level of transparency strengthens judicial decision-making and supports appellate review.</p>

	<p>But to fully realize the intent of this bill, we must acknowledge a long-standing need in our judicial system: judges need more time, more training, and more capacity to evaluate these complex cases. Domestic violence is not a single incident, it is a pattern. Understanding that pattern requires education on coercive control, post-separation escalation, and litigation abuse. And it requires dockets that allow judges the time to assess evidence that is often nuanced and contextual.</p> <p>HB 1309 moves Colorado toward a safer, more consistent, and more evidence-informed approach to parental responsibility decisions. It gives courts clearer standards, survivors a fairer process, and children a better chance at safety and stability.</p> <p>I urge the committee to continue investing in the judicial resources that make these protections meaningful.</p> <p>Thank you for your time.</p>
<p>Katherine Moseley Against themselves</p>	<p>The Family Court is already giving full custody and decision-making to abusers after a parent reports abuse. Kayden's Law made it worse. This is even worse yet. The courts look at hard evidence of child abuse and protect criminal child abusers' psychological, emotional, sexual, and physical abusers. We don't need more vague laws to be exploited by the truly abusive parent. We need Family Court judicial officials held accountable for causing ACES as a business model. I testify to not only shut down this bill based on the failure of Kayden's Law to protect mothers and children from abuse, but to express the need for Family Court to disclose it is an ADR court and not intended to handle criminal child abuse or domestic violence. Mandated reporters are misinformed in their training, and attorneys misinform people about divorce, and domestic violence justice centers/ shelters do not warn victims of how this ADR court is misused. Bring back FAULT divorce and adjudication of child abuse and domestic violence to criminal investigation and not "welfare" which hides all actual abuse, and creates fictitious "findings" to frame the safe parent. End</p>

	<p>the misuse of “supervised parenting” when there is no crime, and assess all judicial officials and social workers for their access point in their genetic line of the family system, their beliefs and education around attachment, assessment of their childhood raising” both attachment, ACES, discipline, health beliefs, and mental health philosophy. Then assess whether or not they are qualified to make healed family line decisions. Every parent claiming abuse needs to be screened, as do judicial officers and social workers and a standard set for THEM before they think they are qualified to make decisions for children. In actuality, at bare minimum they need to have gone through the right of passage of being a biological parent themselves.</p>
<p>Carmen Ottero For themselves</p>	<p>Dear Members of the Committee,</p> <p>I am writing in strong support of HB26’s 1309. I am a mother in an ongoing domestic relations case in Denver County. My case illustrates how abusers can weaponize the court process and co-parenting systems after separation, especially when coercive control and substance abuse are involved.</p> <p>After I ended the relationship due to escalating emotional abuse, threats, and a serious relapse into methamphetamine use, the other parent quickly filed for emergency custody. Since then, he has repeatedly used emergency and other high-conflict filings to overwhelm me, drain my limited resources, and keep control over our lives. These filings have not increased safety for our child; they have increased fear, instability, and legal chaos.</p> <p>He has also used access to services and information as tools of control: interfering with early intervention and mental health services, attempting to block or condition medically recommended activities, and unilaterally changing contact information in medical portals so that I miss critical updates. Each of these actions appears minor in isolation, but together they form a pattern of post-separation abuse that our current system struggles to recognize and stop.</p> <p>HB26’s 1309 is vital because it explicitly acknowledges abuse in the context of separation and gives courts clearer guidance to identify coercive control, patterns of litigation abuse, and the</p>

	<p>misuse of parental decision-making. Children are not protected when the legal system treats these behaviors as “normal conflict” instead of as extensions of domestic violence.</p> <p>I urge you to pass HB26’s 1309 so that Colorado courts can better distinguish between a protective parent and an abusive one who is using the system as another weapon. Families like mine need the law to see the whole pattern—not just isolated incidents.</p> <p>Thank you for your consideration and for your work on this critical issue.</p> <p>Respectfully,</p> <p>Carmen O.</p> <p>Arvada, Colorado</p>
<p>Autumn Stephens For themselves</p>	<p>My ex husband. Has almost killed me in front of our children and spank the kids with a belt. But because he showed pictures of old bruises from kids being kids and called Dhs and the cops both find no evidence but the judge still ruled with him and said all my evidence is old and couldn’t stand . He has taken our children away against false accusations and the judge has allowed him. All because I asked for my boyfriend to meet the children. Even though he is in court for criminal charges and facing possible jail time for his charges he still has the kids full time. How is that allowed Colorado</p>
<p>Leah Dyer Against themselves</p>	<p>I am writing in opposition to HB 26-1309.</p> <p>This bill raises significant constitutional concerns regarding parental rights, due process, and free speech.</p> <p>The United States Supreme Court in Troxel v. Granville recognized that a parent’s right to direct the upbringing of their child is a fundamental liberty interest. As such, any state interference must satisfy strict scrutiny—requiring a compelling interest and narrow tailoring. HB 1309 does not meet that standard.</p>

	<p>The bill’s definitions of “coercive control” and “health-related abuse” rely on vague, subjective terms such as “sense of self,” “bodily integrity,” and “monitoring access to services.” These are not objective legal standards. In practice, they create a framework that invites inconsistent interpretation and discretionary enforcement.</p> <p>As someone with direct experience navigating state intervention in a family context, I have seen how broad statutory language is applied in real-world proceedings. When definitions lack precision, they do not remain limited—they expand. Once that expansion occurs, it is not easily corrected through the system.</p> <p>Under HB 1309, ordinary parenting could be recharacterized as abuse, including monitoring a child’s safety, limiting access to harmful influences, guiding financial behavior, or exercising caution in medical decision-making. These are not indicators of abuse—they are core parental responsibilities.</p> <p>The bill further permits findings of domestic violence even where allegations are dismissed, unfounded, or inconclusive. That departure from evidentiary standards raises serious due process concerns.</p> <p>Additionally, the structure of this bill creates foreseeable exposure under 42 U.S.C. § 1983 by enabling violations of fundamental rights through vague and overbroad enforcement mechanisms.</p>
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	<p>This is not a theoretical concern. It is a predictable outcome when statutory language lacks clear limiting principles.</p> <p>Laws that depend on subjective interpretation rather than objective standards do not stay contained to their intended purpose. They expand to the outer limits of their language. This bill is written broadly enough to reach far beyond actual abuse”and once applied, those consequences are not easily undone.</p> <p>I respectfully urge a NO vote on HB 26-1309.</p>
<p>Sarah Jacobs Against themselves</p>	<p>I oppose this bill. This is a dangerous bill that violates parental rights and U.S. Supreme Court precedent. HB 1309 is so expansive that it will target fit parents engaged in normal parenting behaviors, exposing them to the possibility of losing custody without the traditional safeguards that have long protected parental rights. Please vote no.</p>
<p>Leah Alvarado For themselves</p>	<p>My name is Leah. I am a mother of two children and here to testify in support of HB26 1309.</p> <p>I am in the middle of a divorce after many years in an abusive marriage. The abuse escalated dramatically when I tried to leave, and when I left in January of this year, the abuse did not stop”it changed form. My soon-to-be ex-husband has used post-separation abuse to maintain power and control through cutting off financial support, limiting communication only going through lawyers, and maintaining control over essential resources while I care for our children alone, without any meaningful support from him.</p> <p>I understand that custody and decision-making are supposed to be based on the child's best interests. But those interests are not truly protected when the abuse continues during separation and is not fully recognized by the court. Survivors should not have to beg the court to see the pattern of abuse or to put even basic</p>

	<p>safety measures in place. My children deserve a court process that recognizes the danger they have lived with and prioritizes their safety over the appearance of equal parental rights.</p> <p>Without clear legal recognition of abuse in cases of separation, survivors like me are forced to prove the danger over and over again in different systems—family court, child protection services, and law enforcement—each looking at only a small slice of a much larger pattern. This has been exhausting and retraumatizing.</p> <p>No one should have to choose between their own safety and their children’s safety and stability. This bill will not erase what my children and I have already endured, but it can prevent other families from being trapped in the same cycle of post-separation abuse.</p> <p>I urge you to pass this bill and give courts the tools and direction they need to recognize and respond to domestic violence before making decisions about parental responsibilities.</p> <p>Thank you for your time and consideration.</p>
<p>Megan Dougherty For themselves</p>	<p>I am currently in a Domestic Violence situation with my 2.5 year olds daughters father who is a very high earner and has made it explicit he would "make my life hell if I were to detonate the atom bomb" (come forward and cooperate with the police/detectives). I have heard from other mothers in situations like mine in family court it is usually the person with the most money who wins, not what is best for the child. I have chosen to not speak up yet due to the fact that the legal system does not protect mothers and children and the unequivocally important attachment bond between mother and child that is paramount during the first 5-7 years, yet instead will likely award custody to the predatory/abusive parent, sometimes even if they are a convicted felon. In the words of Christine M. Cocchiola: “Coercive</p>

	<p>control is not a private matter. It is state-enabled child abuse when institutions dismiss or deny its existence and mislabel it as “high-conflict parenting.” Every day that systems look the other way, children are forced into survival strategies that fracture their attachment to their protective parent. This is institutional betrayal. Our children cannot afford silence. They deserve protection by the very systems meant to safeguard them. And mothers who refuse to be erased are not being “difficult.” They are often the only line of defense standing between the child and the predatory parent.”</p> <p>” Christine M. Cocchiola, DSW, LCSW</p>
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Public Written Testimony – March 31, 2026

Re: Colorado House Bill 26-1309

Submitted by: Galia Spychalska, RN, MS, FNP

Concern Summary

- The bill should explicitly incorporate clear statutory thresholds for intent, medical necessity, and harm, alongside enforceable standards that can be consistently applied across medical, legal, and child welfare systems.
 - The statutory framework should clearly require a pattern of intentional conduct resulting in the denial of medically necessary care and a substantial risk of harm, establishing a consistent and enforceable legal standard.
 - **The definition of “health-related abuse” does not establish clear, uniform standards for intent, medical necessity, or demonstrated harm and, absent sufficient safeguards, creates a significant risk of inconsistent interpretation and decision-making, with potential misapplication across systems and disproportionate impact on families with children with disabilities.**
 - Families of children with autism have higher divorce rates (~23.5% vs. ~13.8%), with increasing disability complexity driving greater long-term strain. Without clear safeguards, this bill’s vague language risks disproportionate misapplication across medical, legal, and child welfare systems.
 - **“Interference,” “prevention,” and “denial of access” are overly broad and lack clear medical or legal thresholds. Without clarification, these actions may be mischaracterized as “interference” rather than appropriate parental advocacy.**
 - As written, it could allow disagreement with a diagnosis or treatment plan to be interpreted as “interference,” and risks capturing routine parental decision-making, medical advocacy, and good-faith disagreements as potential “abuse,” particularly in complex family or disability-related situations.
 - **In practice, this creates risk of misinterpretation, particularly in:**
 1. **high-conflict custody cases**
 2. **disability-related care**
 3. **behavioral health decision-making**
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Expanded Legislative Concern

The intent of Colorado House Bill 26-1309 to address coercive control in access to medical and mental health care is important and necessary, particularly in cases involving true denial of essential treatment; however, the current definition of “health-related abuse,” including language such as “interference with or controlling or preventing access,” is broad, subjective, and not clearly tied to medical necessity thresholds. This creates a significant risk of misinterpretation in high-conflict custody matters and in cases involving children with disabilities, where care is often complex, multi-provider, and subject to reasonable disagreement.

The phrasing in Colorado House Bill 26-1309 stating that “health-related abuse means the commission of one of the following by a parent against the other parent or another person, including a child” is concerning because it lacks sufficient clarity regarding intent, threshold, and scope. As written, it risks capturing routine parental decision-making, medical advocacy, and good-faith disagreements as potential “abuse,” particularly in complex family or disability-related situations.

The use of terms such as “interference,” “prevention,” and “denial of access” further increases the risk of subjective interpretation, especially in cases involving children with disabilities, behavioral health care, and multi-provider treatment environments where reasonable disagreement is common. Without clear standards tied to medical

necessity, intent, and demonstrated harm, these terms may be applied to routine parental advocacy, informed consent, care coordination, or requests for second opinions, rather than true obstruction of care.

Additionally, the current language does not clearly identify the legal context in which it applies. It should be specifically defined as a standard used only in allocation of parenting responsibilities proceedings to prevent inconsistent or overly broad application across systems. As written, there is a risk that a medical or behavioral health provider could assert that a parent's disagreement with a diagnosis or treatment constitutes "interference," absent clear requirements for medical necessity, intent, and demonstrated harm, thereby risking misapplication against parents acting in good faith.

Current Statutory Language (Excerpt)

(c.2) "HEALTH-RELATED ABUSE" MEANS THE COMMISSION OF ONE OF THE FOLLOWING BY A PARENT AGAINST THE OTHER PARENT OR ANOTHER PERSON, INCLUDING A CHILD, THROUGH AN ACT OR THREATENED ACT OF PHYSICAL HARM, INTIMIDATION, OR COERCIVE CONTROL:

- (I) INTERFERENCE WITH OR CONTROLLING OR PREVENTING ACCESS TO MEDICAL CARE, MEDICINE, MEDICAL DEVICES, HEALTH-RELATED SERVICES, OR PUBLIC OR PRIVATE HEALTH-CARE COVERAGE;
- (II) INTERFERENCE WITH OR CONTROLLING OR PREVENTING ACCESS TO MENTAL OR BEHAVIORAL HEALTH CARE OR MEDICINE; OR
- (III) INTERFERENCE WITH OR CONTROLLING OR PREVENTING ACCESS TO REPRODUCTIVE HEALTH CARE, INCLUDING CONTRACEPTIVE USE OR REPRODUCTIVE HEALTH-CARE INFORMATION

Proposed Clarification (Definition)

"Health-related abuse" means a pattern of intentional conduct by a parent that:

- (a) denies access to medically necessary care, as determined by generally accepted medical standards;
- (b) is not based on good-faith parental decision-making or reasonable medical judgment; and
- (c) results in or poses a substantial risk of harm to the child.

Proposed Rewritten Language (Amendment Format)

- (I) A pattern of intentional conduct that denies access to medically necessary care, including medical care, health-related services, and public or private health-care coverage, and that results in or poses a substantial risk of harm;
- (II) A pattern of intentional conduct that denies access to medically necessary mental or behavioral health care or medicine, and that results in or poses a substantial risk of harm; or
- (III) A pattern of intentional conduct that denies access to medically necessary reproductive health care, including contraceptive use or reproductive health-care information, and that results in or poses a substantial risk of harm.

Required Clarification

For purposes of this section, “denial of access” means intentional and unjustified conduct that prevents a child from receiving medically necessary care, as determined by generally accepted medical standards, and that results in or creates a substantial risk of harm.

A finding under this section shall require evidence of a pattern of intentional conduct demonstrating coercive control and resulting impact on access to medically necessary care. A single disagreement or isolated incident shall not constitute a violation.

This section shall not include:

- good-faith parental advocacy
- informed consent decisions
- requests for clarification or second opinions
- selection of alternative providers
- reasonable disagreement with a diagnosis or treatment plan

A disagreement between a parent and a medical or behavioral health provider, standing alone, shall not constitute interference, prevention, or denial of access under this section.

This definition shall apply solely within proceedings involving allocation of parenting responsibilities and shall not be applied to routine medical, educational, or care coordination decisions absent the required statutory thresholds.

A determination under this section shall not be based solely on the opinion of a single provider when the care at issue involves multiple disciplines or providers.

Public Comment Submission

Thank you for the opportunity to provide public comment on Colorado House Bill 26-1309. Clear, precise statutory language is essential to ensure this legislation effectively addresses true coercive denial of care while avoiding unintended consequences. As currently written, the lack of specificity creates risk of misapplication that could inadvertently restrict parental rights or mischaracterize appropriate medical advocacy—particularly for children with complex or disability-related needs. **The proposed amendments preserve the bill’s intent while ensuring it is applied as intended through clear, enforceable standards that can be consistently applied across medical, legal, and child welfare systems.**

I respectfully request that the committee consider the proposed clarifications and revisions to ensure the statute is applied as intended, with appropriate safeguards, clear standards for medical necessity, and protections for good-faith parental decision-making.

Thank you for your time and consideration.

Galia Spychalska, RN, MS, FNP
303-919-6790
galiaspychalska@me.com

Dear Members of the House Judiciary Committee,

I am a Colorado mother currently involved in prolonged family court litigation with my 3 children. I am submitting this testimony in strong support of HB26-1309.

My case reflects a systemic issue this bill directly addresses: when courts fail to make clear, early findings regarding domestic violence and coercive control, the entire case proceeds on a distorted foundation. Abuse is minimized or reframed as “conflict,” and decisions are made under C.R.S. § 14-10-124 without fully accounting for the safety implications that statute is meant to prioritize.

Colorado law already requires courts to consider domestic violence as a primary factor in determining the best interests of a child. See C.R.S. § 14-10-124(1.5)(a)(VII). However, in practice, courts often bypass making explicit findings as to whether abuse occurred before proceeding to allocate parental responsibilities. This creates a legal vacuum where documented patterns of coercion, control, intimidation, and harm are treated as competing narratives rather than threshold safety concerns.

The result is not theoretical, it is measurable harm:

- Children are placed in environments where they feel unsafe but are expected to comply.
- Their resistance is reframed as behavioral issues rather than protective responses to coercive control.
- Protective parents are forced into years of repeat litigation to correct decisions made without proper findings.
- Courts become overburdened with ongoing disputes that stem from an initial failure to identify and address abuse.

HB26-1309 corrects this structural failure by requiring courts to determine whether domestic violence occurred before engaging in a best-interest analysis. This is not a radical change, it is a logical sequencing requirement that aligns judicial decision-making with the intent of existing Colorado statutes.

Additionally, the rebuttable presumption created when domestic violence is found is consistent with the principle that child safety must take precedence over unfettered parental access. Constitutional rights are not absolute where there is evidence of harm to a child.

I anticipate opposition will argue this bill risks overreach or false allegations. However, the requirement is not to assume abuse, it is to make findings based on evidence before proceeding. That is fundamental due process, not a departure from it.

From a practical standpoint, this bill will also reduce prolonged litigation. When courts properly identify and address domestic violence at the outset, fewer cases cycle through repeated motions, enforcement actions, and modifications. This conserves judicial resources while protecting children.

In my experience, the absence of early, clear findings allowed harmful dynamics to persist and escalate. What should have been a safety-centered process became years of reactive litigation. 8 years of abuse I escaped, only to be trapped in 7+ years of extreme Post Separation Abuse, and 9 more years to go. Our bodies, minds and souls do not deserve this.

HB26-1309 provides courts with the structure necessary to do what the law already intends: protect children first.

I respectfully urge you to vote YES on HB26-1309.

Sincerely,
Leanne Maruhn

Boulder County Case #19DR604



Psychological Abuse

Recognition, Patterns & Remedies

PAS-Intervention

**A Comprehensive Analysis of
Psychological Abuse
as the Foundational Element in
Most Forms
of Maltreatment**

The Hidden Foundation

Psychological abuse is not secondary — it is the structural foundation of most abusive systems.



Present in Nearly All Cases

Physical and sexual abuse almost always involve psychological manipulation, intimidation, or coercive control.



Often Precedes Violence

Psychological abuse frequently appears first, establishing the conditions for escalation to physical harm.



Creates Dependency

Targets autonomy, identity, and emotional stability — undermining a victim's ability to seek help or leave.

Defining Psychological Abuse

● Coercive Control

Patterns of domination, isolation, and fear that restrict autonomy

● Manipulation

Distortion of reality and exploitation of trust and emotions

● Gaslighting

Undermining a person's perception, memory, and sanity

● Isolation

Cutting off support networks and access to resources

● Threats & Intimidation

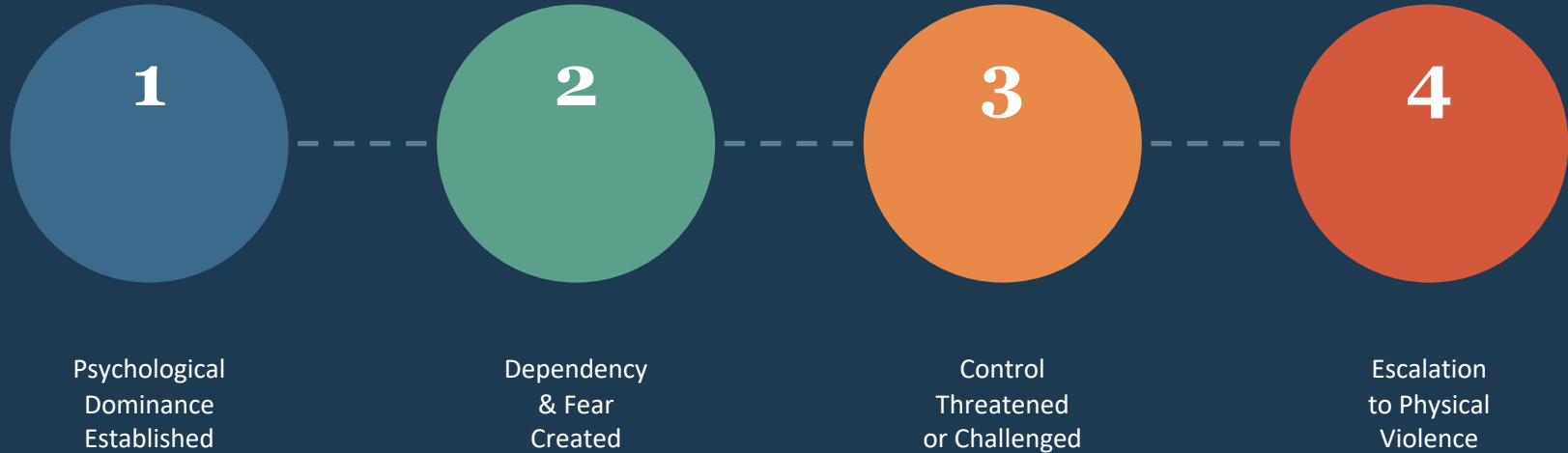
Creating an atmosphere of constant fear and compliance

● Degradation

Systematic humiliation that erodes self-worth and identity

The Escalation Path

When psychological control is threatened, the risk of physical violence rises sharply.



"When an abusive individual feels they are losing psychological control, the likelihood of more severe violence — including lethal violence — rises."

92.5%

Symptom Overlap

37 of 40 symptoms appear identically across all five categories of psychological abuse.

The Breakthrough Finding

An analysis of 40 symptoms across five categories of psychological abuse reveals a remarkable conclusion:

40

Total Symptoms Analyzed

37

Common Across All 5 Categories

197

Total Symptom Occurrences

3

Symptoms Show Any Variation

These forms of abuse are manifestations of a single underlying construct — not distinct phenomena.



Five Faces, One Pattern

Five categories studied — nearly identical symptom profiles.



**Parental
Alienation**

100%

symptom match



**Brain-
washing**

95%

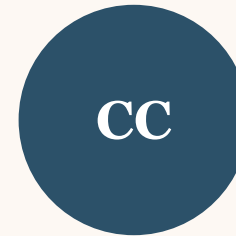
symptom match



**Child Psych.
Abuse**

100%

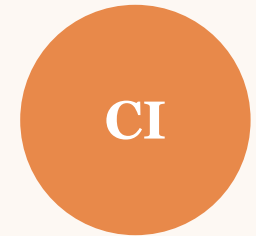
symptom match



**Coercive
Control**

97.5%

symptom match



**Custodial
Interference**

100%

symptom match

Key Insight: Recognizing any one pattern should trigger evaluation for all related forms of psychological abuse.



The Three-Factor Model

A conceptual structure emerges from the symptom patterns.

 12 symptoms

Cognitive & Psychological Maladaptation

Black-and-white thinking, critical thinking impairment, gaslighting, thought incongruency, guilt manipulation, shame induction

 14 symptoms

Emotional & Behavioral Impact

Anxiety, depression, mood swings, self-esteem issues, sleep disturbance, somatic responses, school and concentration issues

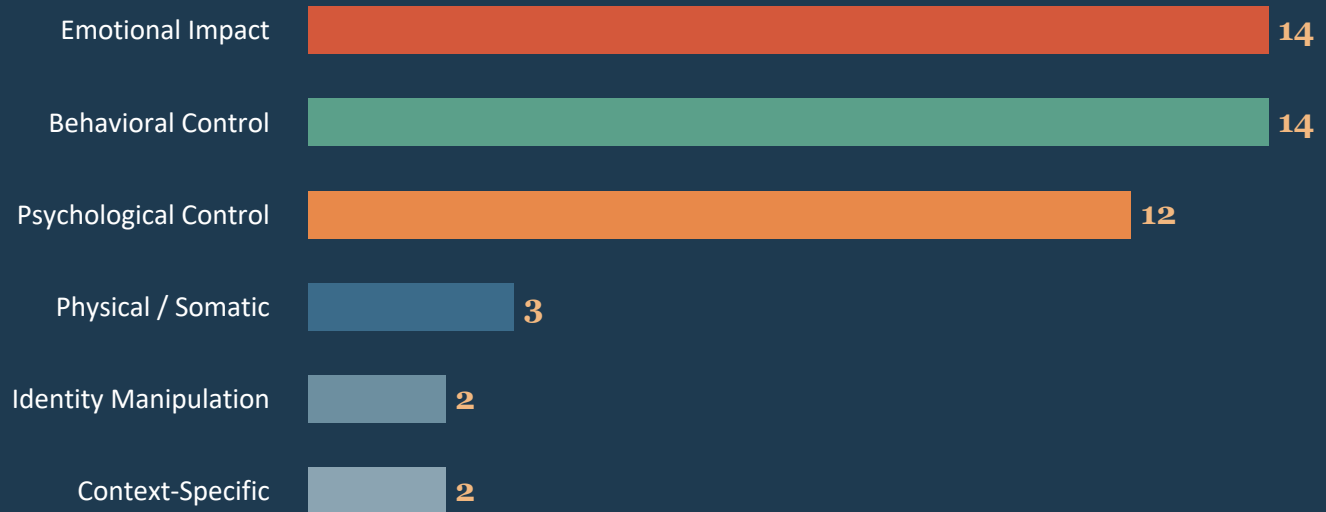
 14 symptoms

Control & Manipulation Tactics

Isolation, contact manipulation, financial exploitation, threats, punishment, court manipulation, triangulation

Clinical Domains

Symptoms organized into six domains for practical clinical application.



Assessment should evaluate all six domains. Physical symptoms often serve as the first visible indicators of underlying psychological abuse.

Assessment Guidelines



Clinicians should evaluate patterns — not isolated incidents.

- 1 Pattern Recognition** Look for recurring patterns of control and manipulation, not single events in isolation.
- 2 Power Dynamics** Assess the balance of power between parties — who holds control over decision-making, finances, and daily life.
- 3 Autonomy Barriers** Identify what prevents the individual from exercising independence — fear, financial control, isolation.
- 4 Emotional & Cognitive Impact** Evaluate anxiety, depression, confusion, self-blame, and impaired decision-making as indicators.
- 5 Survivor Self-Report** Take subtle disclosures seriously. Survivors may minimize or normalize their experience.



Intervention Strategies

Validate the Experience

Acknowledge the reality and seriousness of psychological abuse as a primary harm.

Support Autonomy

Rebuild decision-making capacity and self-determination that abuse has eroded.

Prioritize Safety Planning

Address psychological dominance and coercive control dynamics in all safety plans.

Multidisciplinary Teams

Coordinate across legal, clinical, and social services for comprehensive support.

Address Trauma Responses

Recognize and treat anxiety, hypervigilance, dissociation, and cognitive distortions.

Early Intervention

Act on psychological abuse before escalation to physical or sexual violence.

Policy & Legal Implications

Recognize Psychological Abuse as Primary

Policy must treat psychological abuse as a primary risk factor — not a lesser form of harm. It is the driving force behind escalation.

Unified Framework Needed

The 92.5% symptom overlap demonstrates that parental alienation, coercive control, brainwashing, and related patterns require a unified legal and clinical response.

Cross-Category Evaluation

Recognizing any pattern of psychological abuse should trigger evaluation for all related forms. The boundaries between categories are more conceptual than clinical.

Intervene Before Escalation

Effective policy intervenes at the psychological abuse stage — before the pattern escalates to physical violence or lethal harm.





Early Recognition Is Essential

*Psychological abuse is the warning sign we cannot afford to ignore.
When control breaks down, violence often escalates.*

Recognize psychological abuse
as a primary harm

Evaluate all related forms
when any one is detected

Intervene early to prevent
escalation to violence

HB26-1309: A Codification of Psychological Abuse Tactics

Colorado House Judiciary Committee | PAS-Intervention Opposition Analysis

92.5%

symptom overlap between PA, coercive control, and identity manipulation — they are the **SAME** abuse construct (Kloth-Zanard analysis)

The Bill's Identity Recognition Mandate Mirrors Known Abuse Tactics

Our research documents 40 symptoms across 5 psychological abuse categories. Among those: ISOLATION, CONTACT MANIPULATION, IDENTITY MANIPULATION, and MEMORY IMPLANTATION — are IDENTICAL across PA, coercive control, and child psychological abuse. **HB26-1309's "recognition" factor grants legal cover to one of these exact abuse tactics when used by an alienating parent.**

Identity Manipulation

Altering a child's core self-perception is a documented PA tactic — now potentially state-sanctioned

Isolation via Courts

Uses the "recognition" test to cut a child off from a non-compliant parent — textbook isolation tactic

Court Manipulation

Creates a legally-enforced triangulation between alienating parent, child, and court — a coercive control hallmark

Sources: Kloth-Zanard (PAS-Intervention factor analysis, 92.5% symptom overlap); Harman, Kruk & Hines (2018) Psychological Bulletin; CO HB26-1309 (leg.colorado.gov)

The Three-Factor Model Proves Why HB26-1309 Harms Children

Our Three-Factor Model of psychological abuse predicts exactly how HB26-1309 will be misused as a child harm vector

Factor 1

Control & Manipulation Tactics

HB26-1309 adds “recognition” as a custody lever — a mechanism perfectly aligned with the isolation, contact manipulation, and court-triangulation tactics our research identifies as core control behaviors. The bill hands alienating parents a new statutory bludgeon.

14 control symptoms documented; this bill enables at least 5.

Factor 2

Cognitive & Psychological Maladaptation

Children coerced to adopt or perform an identity in order to satisfy custody proceedings suffer from black-and-white thinking, thought incongruency, and guilt manipulation — all 12 cognitive maladaptation symptoms our research documents.

This bill does not protect children. It creates new vectors for their psychological harm.

Factor 3

Emotional & Behavioral Impact

Children weaponized in custody proceedings suffer anxiety, depression, mood instability, sleep disturbance, and somatic symptoms — 14 emotional/behavioral symptoms documented. The loss of a loving parent amplifies all 14.

ACEs research: parental loss from any cause generates intergenerational trauma.

Policy Recommendations: Oppose HB26-1309 as Written

Effective policy intervenes at the psychological abuse stage — before escalation to physical harm or lethal outcomes

01 — Mandate PA Training First

No new “best interests” factor should be codified until Colorado judges receive evidence-based PA identification training

02 — Require False-Allegation Screening

Courts must screen for coercive coaching before restricting any parent’s time based on identity-recognition grounds

03 — Adopt Unified Abuse Framework

Recognizing PA, coercive control, and identity manipulation as the same construct requires a unified legal and clinical response — not new piecemeal factors

04 — Protect Children from Both Parents

Any identity-recognition standard must be symmetrically applied and verified by neutral professionals — not simply asserted by one party

PAS-Intervention Urges Colorado House Judiciary:

VOTE NO on HB26-1309

Effective policy intervenes at the psychological abuse stage — before escalation. This bill escalates it.

Suicide, Self-Harm & Parental Alienation

A Global Perspective on Gender Differences and Coercive Control

International Research from 30+ Countries

PRESENTED BY Joan Kloth-Zanard, MFT, ADA

Based on research by Harman (USA), Matthewson (Australia), Hine (UK), Kruk (Canada), Korosi (Australia), Kloth-Zanard & Steinberg, and researchers worldwide

A Global Public Health Crisis

717,000

suicide deaths globally each year (WHO, 2021)

Suicide rates are 2-8× higher for men than women across all OECD countries

Systematic review of 75 studies from 30 countries with data on 106+ million men confirms relationship breakdown is a universal risk factor for suicide.

Europe

2× higher suicide risk in non-married vs married (multi-country study)

Japan

45% of divorced experience severe mental distress; 228/100k suicide rate in divorced men age 40-59

Australia

3:1 male-to-female suicide ratio overall; 4:1 in family relationship rupture (Z63.5). ~1 man/day, ~1 woman/4-5 days (ABS 2023)

Pacific Rim

Divorced groups more vulnerable to suicide in East Asian populations than Western (5-country study)

What is Parental Alienation?

Parental alienation occurs when a child allies with one parent and rejects the other without legitimate justification, as a result of the alienating parent's behaviors. Research documents over 500 references across 30+ countries.

Key Characteristics:

- A form of coercive control and family violence
- Uses psychological tactics to control child's thoughts, feelings, and memories
- Isolates child from targeted parent
- Causes long-term psychological harm

Global Prevalence

USA: 22M adults, 4M children affected

Canada: 32% of parents report being alienated

UK: 39-59% of separated parents report PABs

Norway: Confirmed public health impact

Australia: ~1 man/day, ~1 woman/4-5 days die by suicide in Z63.5 (ABS 2023)

Parental Alienation as Coercive Control

"Parental alienating behaviors are the same behaviors domestic violence researchers call coercive control."

— Harman, Kruk & Hines, 2018; Harman & Matthewson, 2020

Recognized as Domestic Violence

Coercive control is recognized as domestic violence in UK, Ireland, Scotland, France, and other nations

Psychological Abuse

Includes isolation and psychological manipulation of children—recognized across legal systems globally

Control Through Children

Uses children as weapons to harm and control targeted parent—documented in court systems worldwide

Memory Manipulation

Involves implanting false memories and altering child's perceptions—consistent findings across cultures

Research Validation of Parental Alienation

Landmark ABA Research

Clawar, S.S. & Rivlin, B.V. (1991/2013). Children Held Hostage: Dealing with Programmed and Brainwashed Children. American Bar Association.

- 12-year study of 700+ divorce families
- Updated 2013 with 1,000+ families
- Documented "brainwashing" and "programming" strategies
- Passes Daubert & Frye legal standards

False Allegations in Custody Disputes

Trocmé, N. & Bala, N. (2005). False allegations of abuse and neglect when parents separate. Child Abuse & Neglect, 29(12), 1333-1345. <https://doi.org/10.1016/j.chiabu.2004.06.016>

- 4× higher false allegation rate in custody disputes (12% vs 3%)
- National sample: 7,672 child maltreatment investigations
- Non-custodial parents most likely to make false reports

Scientific Validation

Warshak, R.A. (2001). Current controversies regarding parental alienation syndrome. American Journal of Forensic Psychology, 19(3), 29-59.

- "Considerable scientific research validates key facets of PAS"
- 1,000+ publications in 35 countries
- 98% of AFCC professionals acknowledge PA exists (2010 poll)
- **“Pseudo science” claims fail: attachment theory and gendered violence are equally contestable**

Divorce & Suicide Risk

Kposowa, A.J. (2000). Marital status and suicide in the National Longitudinal Mortality Study. J Epidemiol Community Health, 54(4), 254-261. <https://doi.org/10.1136/jech.54.4.254>

- Divorced men 2.38× higher suicide risk than married men
- National sample: 1979-1989 follow-up
- Effect significant only among men, not women

False Allegations & Parental Alienation

Research links false abuse allegations to parental alienation dynamics and increased suicide risk

Sources: CEDV (2021); Johnston et al. (2005); Harman & Lorandos (2021); Suk (2006); Kposowa (2000)

Prevalence of False Accusations

- 8% of Americans falsely accused of abuse (Center for Prosecutor Integrity, 2020)
- By sex: 11% of men vs. 6% of women falsely accused
- 55% of custody disputes involve abuse allegations (Johnston et al., 2005)
- 59% of those allegations could not be substantiated

Link to Parental Alienation

- Alienating parents may falsely accuse target parent of child abuse to cover up PA (Harman & Lorandos, 2021)
- False allegations affect judicial custody outcomes
- DV system = "state-imposed de facto divorce" (Suk, 2006, Yale Law Journal)

Psychological Impact on Non-Custodial Parents

Non-custodial parents experience "a range of emotional and psychological problems, ranging from a sense of displacement and loss, depression, and even suicide" (CEDV, 2021)

- Divorce/separation linked to higher suicide risk, especially for men (Kposowa, 2000)
- 34% of American children live away from their biological father (National Fatherhood Initiative)

Source: Coalition to End Domestic Violence (CEDV). "How False Allegations of Domestic Violence Harm Families and Children." Special Report, 2021.

The Global Gender Paradox in Suicide

Global pattern: Women attempt suicide more often, but men die by suicide at significantly higher rates. This pattern holds across virtually all countries and cultures.

MEN

2-8×

higher suicide death rate than women across all OECD countries (Latvia/Poland: 7×; Japan: 2×)

WOMEN

2-4×

more likely to attempt suicide than men (except China where women's completion rates are higher)

Contributing Factors Identified Globally:

- Men use more lethal methods (consistent across countries)
- Cultural masculinity norms discourage help-seeking (documented in Europe, Americas, Asia, Australia)
- Women maintain stronger social support networks after relationship loss
- In Japan and Korea, cultural factors around divorce shame amplify risk

Gender Differences: Suicide Methods & Treatment

Men: More Lethal Methods

- Firearms: ~60% of male suicides (vs ~30% female)
- Hanging: 20.3% male vs 6.8% female
- Firearm attempts: ~90% fatality rate
- Men's suicidal acts 3.4× more lethal than women's
- <50% of men who die by suicide have prior attempts

Women: Less Immediately Lethal

- Drug overdose: 72.8% female vs 51.4% male
- Self-poisoning and exsanguination preferred
- Drug overdose: <10% fatality rate
- Women 1.5× more likely to attempt suicide
- >50% of women who die have prior attempts

Treatment Disparities: The Critical Gap

Men face systemic barriers:

- 41-58% contact mental health services vs 72-89% women
- Women 13-21% more likely to receive psychiatric diagnosis
- Diagnostic tools not designed for male symptom presentation
- Provider bias: men told to “man up” (AAMC, 2024)
- 60%+ of men who die by suicide accessed care in prior year

Policy gaps:

- US HHS & AFSP do not recognize separate needs by gender
- UK: 2002 campaign targeted young men, prisoners
- CALM charity (UK) advocates for male-focused prevention
- Gender-sensitive services needed (Springer, 2023)
- Men's depression underdiagnosed despite higher suicide rate

Men's Elevated Risk After Separation: Global Evidence

Separated men: 4.8× higher suicide risk

Divorced men: 2.8× higher suicide risk vs married men

Systematic review: 75 studies, 30 countries, 106+ million men (2025)

UK

3×

Divorced men more likely to die by suicide than average male

ONS 2015

USA

1 in 5

male suicides occur in context of relationship breakdown

2003-2020 data

Japan

228

per 100k suicide rate in divorced men age 40-59

Pacific Rim study

Europe

2.5×

higher suicide mortality in males vs females (multi-country)

European study

Suicide & Self-Harm in Parental Alienation

47%

of moderately to severely alienated parents have contemplated suicide within the past year
(International studies: USA, Canada, UK, Australia)

Self-Harm (Cutting)

*Cutting is a result of feeling like one does not exist.
When one sees the blood, then one feels like they exist.*

- 15% of adults alienated in childhood report self-harm (international sample)
- Result of psychological abuse
- Children feel they 'don't exist'

Suicidal Ideation

Suicidal ideation in PA may involve more than a desire not to exist—motivations are complex and may differ by gender. Attempts often signal unbearable distress to others.

- 23% of targeted parents report suicide attempts (international study)
- 288x increased risk over general population (Canada)
- 30% of adults alienated in childhood report suicidal ideation

Critical: We cannot remediate a parent-child relationship if the parent is dead. Research must focus equally on suicidal parents and family members, not only children.

Sources: Harman et al., 2019; Lee-Maturana et al., 2020; PMC international study 2022; PACFR Canada; Parents Beyond Breakup (AU)

Gender Differences in Alienating Behaviors

International research confirms: mothers and fathers almost equally engage in and are targets of parental alienating behaviors. Gender does not determine victimization.

Mothers

19.61%

use nearly equal amounts of both direct and indirect aggression

Primarily use INDIRECT strategies:

- Badmouthing targeted parent
- Making false allegations
- Manipulating school/medical records

Fathers

13.79%

use nearly equal amounts of both direct and indirect aggression

Use similar levels of BOTH strategies:

- Direct and indirect tactics equally
- Higher vulnerability as non-custodial
- Face stereotypes about fatherhood

Why Fathers Are More Vulnerable: Cross-Cultural Factors

Research from UK, USA, Australia, Japan, and Nordic countries identifies consistent gendered vulnerabilities of men to parental alienation

Higher Likelihood of Being Non-Custodial

Globally, fathers more often become the non-residential parent after separation, losing daily contact with children

Cultural Stereotypes About Fatherhood

Cross-cultural research shows father-child relationships are undervalued; fathers face bias in family courts worldwide

Lower Help-Seeking Behavior

Men globally are less likely to seek therapy or support; masculinity norms discourage vulnerability (documented across cultures)

"Suicide is the leading cause of death for men under 50" — Multiple national health agencies globally

Mothers' Vulnerability to Suicide

4.46×

higher suicide risk for mothers who lose custody of children compared to their biological sisters (Canadian national study)

International Research Findings:

- Mothers losing custody experience it as a "living death" — consistent across cultures
- Loss triggers profound feelings of guilt, shame, and loss of self-worth globally
- Mental health conditions develop or worsen after custody loss (multinational data)
- Being a mother is protective against suicide—but losing children removes that protection

Both mothers and fathers suffer significantly — parental alienation is not a gendered perpetration issue

Case Study: Australian National Data

Australian Bureau of Statistics data (2023): suicides from "disruptions to family relationships by separation or divorce" (ICD-10 code Z63.5). Overall suicide ratio 3:1 male-to-female; 4:1 in this category.

MEN

~365

suicide deaths per year in Z63.5 category

≈ 1 man every day

WOMEN

~80

suicide deaths per year in Z63.5 category

≈ 1 woman every 4-5 days

This is a poorly differentiated ICD-10 category, not sufficiently granular to identify the role of parental alienating behaviours. No specific PA subcategory exists globally.

Documented Cases: International Examples

Fathers4Justice (UK): Reports 3-4 father suicide notifications per month

Over 100 fathers believed to have died by suicide due to Child Support Agency (UK) demands alone

Documented Cases from Multiple Countries:

Christopher Mackney (45)

USA (Virginia), 2013

54 court hearings, jailed 4 times; case documented in book 'Bullied to Death'

Mark Edward Dexel (42)

Canada, 2003

Took his life after being banned from seeing his son by family courts

Kenneth Taylor (40)

USA (Nebraska), 1999

Died while jailed for felony child support

James A. Poore (33)

USA (Tennessee), 1999

Died on work release after custody arrest

Note: No comprehensive international registry exists for suicides specifically attributed to parental alienation — researchers worldwide call for systematic tracking

Additional Documented Father Cases

International research documents widespread father suicides linked to custody/PA

Sources: Fathers4Justice UK; McElroy (2002); Wikipedia; fathers4kids.com; news reports

Documented Cases from Multiple Countries:

Lee McGregor (31)

Scotland, 2016

Oil worker; denied contact with children Alicia (12) and Logan (9); found dead Sept 1, 2016

Atul Subhash (34)

India (Bengaluru), 2024

120+ court hearings; left 24-page note and 81-min video; wife charged with abetment

Derrick K. Miller (43)

USA (San Diego, CA), 2002

Shot himself at courthouse entrance holding divorce papers; said "You did this to me"

Trevor Goddard (37)

USA (North Hollywood, CA), 2003

Actor (JAG, Mortal Kombat); found dead June 7, 2003 during divorce from wife Ruthann

Carl Tarzwell Jr. (37)

USA, 2001

Hanged himself within hours of being jailed for child support

Randy Orville Brouse (33)

USA (Illinois), 2003

Died in jail for child support

Reinaldo Rivera (25)

USA (New Jersey), 2003

Hanged himself with sheet after one week in jail for child support

Documented Mother Cases: International

Wall et al. (2018): Mothers with children in care are 4.46× more likely to die by suicide

Sources: BBC investigation; Univ. of Manchester (Dalgarno, 2024); CBC; Women's eNews; The Quint

Documented Cases from Multiple Countries:

Catherine Kassenoff (54)

USA (Westchester, NY), 2023

Former federal prosecutor; lost custody of 3 daughters; assisted suicide in Switzerland

Priyadarshini Patil (40)

India/Australia, 2023

NRI engineer; lost custody of 2 children to NSW child services; suicide in India

"Tara" (32)

Canada (Manitoba), 2023

Indigenous mother of 4; 2 children taken by CFS; posted live video before suicide

UK Mother #1 (protected)

United Kingdom, 2020s

BBC investigation: 3 mothers died during family court proceedings involving PA claims

UK Mother #2 (protected)

United Kingdom, 2020s

Univ. of Manchester study (Dalgarno): suicide linked to custody loss and PA claims

UK Mother #3 (protected)

United Kingdom, 2020s

Third BBC/Manchester case: death after prolonged court battle with PA allegations

Australian Mother (protected)

Australia, 2020s

Cited in Australian custody/filicide studies; death after prolonged custody battle

Impact on Children: ACEs & Long-Term Effects

The Adverse Childhood Experiences Study (ACEs) and international replications document lifelong effects. Research from Germany, Scandinavia, and worldwide confirms increased suicide risk in children of divorce.

Depression & Anxiety

Multi-country data

Aggression & Behavior Disorders

McLaughlin et al.

Increased Suicide Risk

Germany, Scandinavia

Personality Disorders

Ajifi et al.

Substance Abuse

International studies

Intergenerational Transmission

PMC 2022

German research: Increased suicide attempts in patients who experienced parental loss in childhood—mainly attributed to loss of the father. Scandinavian studies confirm higher adult suicide risk following childhood parental divorce.

Treatment Approaches by Severity

Mild to Moderate

- Help child question false claims
- Weekly therapy with PA-trained therapist
- Teach critical thinking skills
- Family therapy for alienator

Moderate to Severe

- Weekly reunification therapy
- Court-ordered protocols
- Specialized PA-trained professional
- May require custody evaluation

Severe Alienation

- Intensive Reunification Therapy
- Professional properly trained in PA
- Most successful for severe cases
- May require custody transfer

Critical: Professionals must be trained to differentiate true abuse from PA. Untrained professionals can cause more harm. International training standards are needed.

International Policy Response & Public Opinion

Ipsos 30-Country Survey (2025)

Majority of men under 60 agree: "We have gone so far in promoting women's equality that we are discriminating against men"

- **Gen X men: 51%**
- **Millennials: 56%**
- **Gen Z men: 57%**

Spain: Congressional Hearing (2025)

Congress of Deputies convened hearing:

"Grandmothers Silenced by Feminism"

March 4, 2025 — Focus on false allegations arising from Spanish domestic violence law

Argentina: Government Response

Vice President Victoria Villarruel (2025):

"[False allegations are] breaking the principle of equality before the law, of innocence and defense; destroying the ties of thousands of families, and mainly many parents who can't see their children."

DAVIA International Coalition

Domestic Abuse and Violence International Alliance

- **182 member organizations**
- **38 countries across 6 continents**

Mission: Science-based, family-affirming, gender-inclusive DV policies

Sources: Ipsos International Women's Day Survey 2025; DAVIA Press Release, March 31, 2025

Key Takeaways

- Parental alienation is a global form of family violence through coercive control
- Men face 2.8-4.8× higher suicide risk after separation/divorce (30-country data)
- 47% of alienated parents contemplate suicide; 23% have attempted
- Mothers who lose custody face 4.5× higher suicide risk than their sisters
- Children suffer intergenerational harm (confirmed across continents)
- We cannot remediate a parent-child relationship if the parent is dead—equal focus on suicidal parents and children is essential

International Crisis Resources

USA/Canada: 988 | UK: 116 123 (Samaritans) | Australia: 13 11 14 (Lifeline)
EU: 112 | International: findahelpline.com | befrienders.org | iasp.info/resources

Key International Research & Citations

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OPPOSE Colorado HB26-1309: A New Weapon for Alienating Parents

What HB26-1309 Does

Amends C.R.S. 14-10-124 (Best Interests of Child):

- Adds custody factor: whether parties “RECOGNIZE the child’s identity as it relates to a protected class” (Sec. 24-34-601)
- Applies to both parenting time AND decision-making responsibility allocations
- Suppresses court records for minor name changes — eliminating transparency in custody-linked proceedings
- Zero safeguard against use of this factor as a PA tactic

Passed Senate 20-11 (Feb 24, 2026); now before House Judiciary

How It Enables Parental Alienation

The 4-Step PA Weaponization Playbook This Bill Creates:

- Step 1: Alienating parent coaches child to adopt a gender or other protected-class identity mid-litigation
- Step 2: Targeted parent’s concern or therapeutic caution is reframed as “non-recognition” in court
- Step 3: Court uses HB26-1309 factor to restrict targeted parent’s parenting time
- Step 4: A new, nearly unfalsifiable false allegation — courts without PA training cannot detect the manipulation

Research: 55% of custody disputes involve abuse allegations; 59% unsubstantiated (Johnston et al., 2005)

Sources: CO HB26-1309 text (leg.colorado.gov, 2026); Johnston et al. (2005) Family Court Review; Harman & Lorandos (2021) Psychology, Public Policy & Law

HB26-1309 Will Worsen the Suicide Crisis

Research demonstrates this bill directly amplifies the #1 driver of targeted-parent suicide

47%

of alienated parents contemplate suicide
(Hine et al., 2024)

23%

have already attempted suicide (Hine et al., UK 2024)

4.8x

higher suicide risk for separated men vs. married (75-study review, 30 countries, 2025)

The Direct Harm Pathway: How HB26-1309 Triggers Suicide Risk

- Loss of parenting time is the #1 documented trigger of targeted-parent suicidality (Hine et al., 2024; CEDV, 2021)
- HB26-1309 creates a new legal mechanism to strip parenting time from a targeted parent based on an unverifiable “recognition” allegation
- Men face 2.38x higher suicide risk after divorce (Kposowa, 2000); this bill escalates that risk by weaponizing custody proceedings
- **Colorado legislators: We cannot remediate a parent-child relationship if the parent is dead.**

Sources: Hine et al. (2024) Univ. of West London; Kposowa (2000) J. Epidemiology & Community Health; AIBM Systematic Review (2025, 75 studies, 30 countries); CEDV (2021)

Legislative Action: Tell Colorado House Judiciary to VOTE NO

Constitutional Violations

The bill's own language includes "subject to constitutional limitations" — a concession that the law will face First Amendment (parental speech/belief) and Equal Protection challenges. Courts will be required to evaluate parental belief systems — a direct violation of religious freedom.

Ignores PA Science

1,000+ peer-reviewed publications across 35 countries confirm parental alienation. PA uses isolation and identity manipulation to control children. This bill provides a statutory mechanism for exactly that tactic — with no anti-PA screening requirement for judges.

Gender-Disparate Impact

Non-custodial fathers are already 2.38–4.8x more likely to die by suicide. Men are also more likely (11% vs. 6%) to face false allegations. **HB26-1309** creates a new, gender-asymmetric false allegation pathway that will disproportionately harm fathers.

Demand Instead: Evidence-Based Reforms

- Mandate PA training for all CO family court judges before applying any new best-interests factor
- Require false-allegation screening before restricting parenting time
- Protect children from identity-based manipulation by either parent
- **VOTE NO on HB26-1309 as written**

Support Testimony for HB26-1309

My name is Erica Bethel. I am a survivor of domestic violence.

My daughters, Cameron and Audrey, are not. They are forever 6 and 8.

I am in support of HB26-1309 because it prioritizes what matters most: protecting children.

I began fighting for my daughters' safety in court when they were 1 and 3. Like many survivors, the abuse did not begin with physical violence. It followed a well-documented pattern: control, isolation, coercion, surveillance, and escalating threats.

The moment I knew we were no longer safe was when he chased us more than 600 miles down the highway while making threats. He was enraged. He had guns.

I presented that incident, along with many others, to the court. I submitted recordings, photographs of destroyed property, witness statements, and documented coercive control, including harming our dog, stalking, and homicidal and suicidal threats.

My daughters' pediatrician and therapists reported his behavior to CPS and the court multiple times. Still, it was not enough to prove abuse—nor that the danger was real.

This is a systemic failure.

In these cases, we are not asking the court to punish our abusers—we are asking the court to protect our children.

I was not trying to put my abuser in jail. I was trying to keep my daughters safe.

There should be a lower threshold for protecting children in family court, because the goal is not punishment—it is safety and prevention.

Our abuser fought for custody not to be a healthy parent, but to maintain power and control. My daughters became pawns, and the courtroom became the arena for continued abuse.

There is an evidence-based lethality risk tool called the Danger Assessment. At the time I separated, my score would have been 29—well above the threshold for extreme risk of lethality. Yet the court still found there was not enough evidence to establish domestic violence.

Despite everything presented, the judge determined my daughters would be safe.

The court ordered me to send my daughters to their father. During his court-ordered, unsupervised parenting time, he brutally murdered them.

Unfortunately- My case is not a one-off. It is a real example of escalating abuse patterns being missed and minimized, where access to parenting time is prioritized over child safety.

Children's lives are at stake.

I followed the process of the court to a T. Hired 3 PREs was represented by attorneys every step of the way and still the courts failed my daughters Cameron(8) and Audrey(6).

It is not only my children I am speaking for the other children who have also lost their lives after their safe parents fought for them in our Colorado Courts.

Sisters: Summer and Jessie ages 3 and 7

Siblings: Aden and Ellie ages 7 and 9

Liam age 5

Sophia age 5

Meadow age 16

Please protect children. If it is not passing this bill, then create and pass a different bill that will protect children. I fought to protect my children for years through Colorado's current process and lost - gravely. Please do not let any other mothers live in the nightmare where I currently exist. Thank you.

To the Colorado General Assembly,

My name is Tonya Helmig. I am writing in support of HB26-1309.

My experience with domestic violence began in April of 2006 when I married my now ex husband. For 18 years I, and the children of our marriage, endured physical, emotional, financial, and, myself only, sexual abuse at his hands. I sought relief from our church, by reaching out to family, by attending 8 different therapists in that time period. I also began to call the El Paso County Sherrif department whenever he was raging and hurting people in our home. It took 9 calls before he was removed. Yes, I contacted local advocacy groups for help leaving long before then. Due to having teen sons over the age of 14, we were disqualified from safe houses unless I wanted to leave my sons with their abuser. I could not simply abandon them to get the rest away; I could not make any of children the sacrificial lamb for the safety of their siblings and I. So I endured and planned, I followed advice from advocates to document as much as I safely could.

Less than a full year postpartum with twins, we hosted Thanksgiving. I was expected to cook everything except the turkey while tending the children. When I was 20 minutes late getting out of the shower, he corned me in our closet and demanded to know what made me think it was acceptable to make his family wait on my “worthless, dumb ass” to be served their meal. I cowered, naked and freezing on the floor while he screamed and me and threw clothes from hangers on me demanding I get my “lazy ass” dressed and come “do [me] your job). We had been married less than 2 years.

The abuse happened to everyone. At 8 years old, he made our eldest son who fell and broke his arm wait to go to the ER until after he drove to two different fast food places before I was able to use the car for the ER trip.

At 12, after our daughter spent a week in patient psychiatric care for suicidal thoughts due the abuse, he told her 24 hours after her return home that she should have gone ahead and killed herself and “saved the fucking money”. We had Medicaid, there was no money to save.

When our 2nd son was 7, he reached across Dad’s plate at the table. His fist slammed into the child’s arm, leaving him with pain for days.

At 14 our eldest accidently kneed Dad in the groin during wrestle play. Dad grabbed him by the throat with both hands and threated to kill him if he “ever did that shit again”, I pulled him off only to be pushed out of the room and have the door slammed in my face.

The list goes on and on and on. Our Hell was his normal.

In the summer of 2024, my ex husband was screaming at our 16 year old daughter, pinning her body against the kitchen sink while calling her a “spoiled, entitled little bitch” because she asked if she needed to work full time over the summer to pay for her car insurance. After begging him to stop, I started recording. I needed proof he was unsafe. When he realized he was being recorded, he left her alone and turned on me. Ripping my phone from my hands and holding it up to delete the evidence. As I reached for it, I am 5’4”, 175lbs, he is 6’0” 300lbs, he brought his arm down around my neck, closing it tightly as he shoved my head into the seat of a chair, crushing my chest against the wooden arm. This wasn’t the first time he used his size to dominate me. To dominate the kids. When I finally retrieved my phone hours later, he had threatened to destroy the engine in my car, close our joint account, and kick me out of our marital home if I called for help. All familiar threats, and all ones he had acted on in various ways in the past.

We went on. He worked out of town all week, I cared for all 5 of our children. He came home on the weekends. The children hid in their bedrooms, left the house to simply walk for hours around our neighborhood. I tried to keep the peace, tried to make sure he never had a reason to be angry: he always had a reason.

October 14th 2024. He accidentally accidentally paid our daughters’ insurance online. When he realized his error, he became infuriated. She begged to pay him back when she got paid from her weekend job two days later. It was not acceptable to him. Again, I begged him to stop. He had just removed his pay from our marital account that week, without my knowledge. I was a stay at home mom with a part time job as a preschool teacher’s aid, I had no resources. So, he was furious about the money, as our daughter continued to beg to wait til she got paid, he grabbed her by the shoulders, and pushed with all his might. Her 5’3’ 115 pound frame slammed against the pantry door with a thud. I called the El Paso County Sheriff again. This time, they heard recordings and saw the video from the summer. They saw the photos of the bruising on my chest. He was arrested.

He was charged with assault on my daughter and myself, with domestic violence enhancers on each charge. He was able to plea to two counts of assault. 24 months probation, no additional jail time. Our divorce was finalized in October of 2025.

He agreed that I could have full physical custody and full decision making as long as he never had to pay anything more than minimum child support for our three children who are under 18. He was given 8 hours of unsupervised visitation with our 9 and 6 year olds every weekend unless the children are ill. Our 14 year old refuses to speak to him and has told me he will run away if he has to go.

Our children go to every visit save two when they both had influenza B and strep.

Our 6 year old has come saying he will use Daddys' gun to shoot Mommy and Big Sissy (the sister dad pled guilty to assaulting). He hits me, bites me, kicks me when he's home. Our therapist says children act out with their safe parent. I understand why; he's confused. Dad says mommy and sister made him go to jail when he was arrested.

Our 9 year old cries constantly. She says she hates everything now. She screams at me "why do the big kids (19,19,14) get to say 'no' and I can't". She gets dragged to the park with an injured ankle because dad said he was bored. She won't tell him no to anything. She sleeps with me, she won't sleep in her own bed because "if I can feel you mom, I know I'm safe." She has come home with bruising that triggered a CPS report by her pediatrician, she won't speak when asked what happened.

The court is well aware of his history. I turned in every police case number from the sheriffs' office, I recounted the full history, it took more than 20 pages, my pedestrian testified about her concerns and the reports she filed for 16 years.

He has threatened to not return the children unless I agree to meet away from court ordered police stations, he threatens to withhold child support, he has filed contempt charges because the children missed two visits while ill even though I have followed court orders to offer make up time.

I feel like I will never be safe, I will never be free, the kids cry and beg not to go to visits. They come home dehydrated, exhausted, hungry.

But, the court demands that their father has a right to them. He, an abuser who terrified all of us. A man who would grab his handgun and carry it loaded in his hand while screaming at myself and our children over things like 4 pizza rolls left on a plate. This man is given more consideration than our children now I've left. I still have to speak to him multiple times per week. I still have to live in fear of making him angry and what the punishment will be from him. The children are still subject to his temper; but now, with no one to even try to intervene if he becomes "scary, bad mad again" as our 6 year old describes it.

Members of the committee, I beg of you, for the sake of my children and every other child who has lived through this. For the sake of every survivor, child or adult, please provide greater protection and remove the standard that provides continued access to abusers.

Thank you for your time,

Tonya Helmig

Policy Brief: The Danger of Unscientific Surveys Swaying Public Policy; A *methodological review of the Project Justice USA Family Court Reform Report*

This white paper summarizes findings from a peer-reviewed manuscript accepted for publication (Aichenbaum & Marsden, in press).

Yaakov Aichenbaum (Independent Researcher), Joshua Marsden (Department of Psychology, Colorado State University)

Why This Matters

Advocacy groups increasingly use online, unscientific surveys to influence legislation. When these surveys lack methodological rigor, they can mislead policymakers, misrepresent public needs, and distort legislative priorities. Despite fundamental scientific flaws, the Project Justice USA Family Court Reform survey has been presented to lawmakers and the public as evidence of systemic failure specifically in Colorado family courts and in the USA in general.

Poor-quality data can:

- Lead to misinformed policy decisions
- Exaggerate or misrepresent the scope of problems
- Waste legislative resources
- Harm public trust in both institutions and reform efforts

Key Findings: Critical Flaws in the Project Justice Survey

Flaw	Policy Risk
<p>1. Recruitment Bias</p> <ul style="list-style-type: none"> • 90.5% of social media recruitment posts targeted dissatisfied litigants (e.g., “Share your story of injustice”). • Appeals focused on “survivors,” “those harmed,” or “abusers,” guaranteeing a skewed sample. • No effort was made to recruit individuals with neutral or positive experiences. 	<p>Conclusions reflect grievances of a narrow, self-selected subgroup—not the broader population.</p>
<p>2. Lack of Demographic Transparency</p> <ul style="list-style-type: none"> • The Colorado survey reports no demographic information (gender, income, case type, etc.). • External data indicate respondents were likely overwhelmingly female (inferred from extreme income disparities). 	<p>Findings cannot be evaluated for representativeness or generalizability.</p>
<p>3. Non-Representative Sampling</p> <ul style="list-style-type: none"> • Respondents were recruited from advocacy networks such as One Mom’s Battle. • Posts encouraged “state competitions” and used bandwagon cues (“Join thousands”). • The Colorado sample (≈73–188 respondents) is far below the ≈360 needed for a standard 5% margin of error. 	<p>Results do <i>not</i> represent all family court litigants.</p>
<p>4. Biased and Leading Question Design Survey items:</p> <ul style="list-style-type: none"> • Assumed abuse allegations as fact (“Were you forced to maintain contact with your abuser?”) • Implied causation (“Has family court caused trauma or PTSD?”) • Lacked operational definitions (“Did the judge ignore evidence?”) 	<p>Data reflects the <i>framing</i> of the questions more than the reality of court outcomes.</p>
<p>5. Statistical and Reporting Problems</p> <ul style="list-style-type: none"> • Inconsistent decimal precision (e.g., 55%, 65.2%, 55.49%) — a hallmark of false precision. • No reporting of sample size, analytic methods, or confidence intervals. • No peer review or public access to raw data. 	<p>Policymakers cannot verify or trust the statistical claims being made.</p>

Why This Survey Cannot Support Legislative Reform

The Project Justice report conflates:

- Allegations with proven facts
- Correlation with causation
- Emotionally driven narratives with empirical evidence

Its conclusions extend far beyond what its data can support. Using this survey as a basis for policy would be scientifically unsound and potentially harmful.

Recommendations for Policymakers

Do not rely on survey findings that lack:

- Transparent methodology
- Representative sampling
- Demographic reporting
- Validated instruments
- Independent review

Do require that advocacy surveys meet minimum scientific standards before influencing state policy.

Bottom Line

Advocacy and lived experience matter—but **policy requires evidence**. Unscientific surveys risk amplifying misinformation and undermining meaningful reform. To protect the integrity of Colorado's family court system and legislative process, only rigorous, transparent, and methodologically sound data should guide decision-making.

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My name is Doniecha Million Mullen, and I am here today to speak on behalf of myself and my daughter, Aunnamarie, who is 3 years old. For over two years, I have navigated this court system while simultaneously trying to protect my child and myself from a man who has demonstrated a consistent and documented pattern of violence, intimidation, and control. I am asking this court to truly hear me today — not just the paperwork, but the reality of what my daughter and I have lived through.

A Pattern of Violence the Court Has Witnessed But Not Acted Upon

I want to be clear about what I have presented to this court over the past two years. I have submitted:

- Text messages containing death threats
- Video evidence of threatening and volatile behavior
- Police reports documenting incidents
- Testimony from my licensed professional therapist
- Over 26 DHS records related to abuse involving my child and other children in his care

Despite all of this, I was told by this court that I exhibited no domestic violence. I ask this court to explain how that conclusion was reached, because the evidence tells a very different story.

- Fabricating lies with my ex husband to put me in jail which was later dismissed by the DA and my daughters fathers way to try and gain custody.

The Night I Was Eight Months Pregnant

I was eight months pregnant. The father of my child forced his way into my home uninvited. During that incident, he pushed me — a pregnant woman — hard enough to bruise my stomach. He cut my foot. He screamed at me and refused to leave my home.

I called the police for help. The responding officer told me I was being pregnant and dramatic and instructed me to go to sleep. No one followed up. No one came to check on me or my unborn child. I was left alone, injured, frightened, and eight months pregnant, with no protection and no recourse. That night set the tone for how I have been treated — not just by him, but by the very systems that are supposed to protect people like me.

My Daughter Was Ten Months Old

When my daughter was only ten months old, he chased the two of us through a parking lot. He screamed at me. He physically blocked me from getting to my car. I was holding an infant. I was terrified. Police were called.

My daughter was ten months old.

I want this court to sit with that. A ten-month-old child was present during a violent, erratic confrontation in a public parking lot because her father could not control his behavior. That child is now old enough to be affected by what she witnesses and experiences. The question before this court is not just what has happened — it is what will continue to happen if nothing changes.

A History With His Other Children

This is not the first time his behavior has endangered children. He was found guilty of locking his two children from a prior relationship inside a closet. Those children — his own kids — have become extremely suicidal while in his care. They have refused to see him. The mothers of those children requested a restriction through a PRE process. That request was ignored.

I am not an isolated case. There is a pattern here, and it spans multiple children, multiple households, and multiple years. When a court sees this pattern and does not act, it sends a message to every victim involved that their safety is secondary to a system's reluctance to make difficult decisions.

My CFI Was Not Fully Heard Either

A Child and Family Investigator was appointed in this case. The CFI — a professional whose entire role is to assess what is in the best interest of my child — requested a restriction and parenting classes for the father.

That recommendation was not followed. Instead, he was recently awarded more overnights. The CFI's professional findings were minimized. If this court will not listen to its own appointed investigator, I am left wondering whose voice does carry weight in this courtroom — because it has not been mine, and it has not been the CFI's.

I Was Silenced in My Own Hearing

I need to address what happened with my first magistrate directly.

I was told in that courtroom that I was not allowed to speak. I was told I could not present my exhibits. I, the petitioner — the mother trying to protect her child — was silenced at my own hearing. I had gathered evidence, organized documentation, and prepared to speak on behalf of my daughter, and I was shut down before I could even begin.

I ultimately had to petition to be removed from that magistrate's courtroom in order to receive any kind of fair process. No parent should have to petition simply to be heard. No victim of domestic violence should walk into a courtroom and be told to be quiet.

Permanent Orders Took Over Eleven Months

After enduring all of the above, I waited over eleven months for Magistrate Schwartz to issue permanent orders. During those eleven months, I called. I cried. I begged for something — anything — to be done sooner. My daughter and I were living in limbo, and I was still tethered to my abuser through a process that moved at its own pace regardless of our circumstances.

Eleven months is not a scheduling inconvenience. Eleven months of ongoing contact with an abusive co-parent, with no permanent orders in place, is eleven months of continued control, manipulation, and fear. Time is not neutral in domestic violence situations. Every month of delay is a

month he retained power over my life.

He Continues to Control My Life Today

The abuse has not stopped. It has simply changed shape.

He refuses to come to agreements on anything. He uses the legal process as a tool of continued control — forcing me back to court, blocking my ability to make decisions, and ensuring that I remain in contact with him and under his influence indefinitely.

I am now married to a man who proudly serves Larimer County. I have built a stable, safe, loving home. I have sought to relocate in a way that would provide my daughter a better life, closer to a supportive family unit. My motions for relocation have been ignored by this court.

I am being legally held hostage in proximity to my abuser, while the man I am trying to protect my daughter from faces no meaningful consequences.

What I Am Asking This Court to Understand

I am not here to be dramatic. I am not here out of spite or conflict. I am here because I am a mother who has done everything right — documented, reported, testified, cooperated with investigators, hired professionals, and participated in this legal process in good faith — and I have been failed at nearly every turn.

I am asking this court to:

1. Hold magistrates and judges to review the full evidentiary record — the texts, videos, police reports, DHS records, therapist testimony, and CFI/PRE recommendations — and explain on the record how these do not constitute a pattern of domestic violence and abuse.
2. Take the CFI/PRE recommendations seriously. Restrictions and parenting classes were recommended for a reason. Those recommendations should be implemented, not ignored.
3. Consider the pattern across all of his children. The children from prior relationships, the previous court orders for other children
4. Allow mothers to be heard. I should not have to petition to present evidence in my own case. I should not be told to be silent. I am entitled to a fair process.
5. Hear relocation motions within a timely manor and not ignore them. I have a husband who is committed to this community and to my daughter's wellbeing. Keeping us trapped here — away from stability and support, close to a documented abuser — serves no one's best interest, least of all my daughter's.
6. The courts to have classes and knowledge of domestic violence and to understand how much of it is verbal and takes a true toll on someone.

Closing

I have been beaten down — mentally, emotionally, and physically — by my abuser and by a court process that has, at times, felt like a second source of harm. I have shown up every time. I have complied with every order. I have submitted every piece of evidence I could gather. I have done all

of this while raising a child, managing trauma, and trying to build a life despite someone doing everything in his power to prevent me from doing so.

My daughter did not choose this. She deserves a court system that takes her safety seriously — not one that awards more overnights to a man whose own appointed investigator recommended restrictions, whose prior children are suicidal in his care, and who has a documented history of violence against me.

I am asking this court to do what it was designed to do: protect children and protect victims. I am asking you to see us. I am asking you to act.

Thank you.

Doniecha Million Mullen

03/31/2026



Written Testimony Submission – HB26-1309

Bill: HB26-1309 – Abuse in Cases of Separation

Position: Support with Amendments

Submitted by: Stephen Gladstone

Affiliation: Full Disclosure Act (FDA); Coordinating with Justice Without Limits, Colorado Resilience, and Stand With Meg

Dear Members of the Committee,

Thank you for the opportunity to submit written testimony regarding HB26-1309.

I want to begin by stating that I support the intent of this bill—to protect children and ensure that abuse is taken seriously in cases involving separation and custody. That goal is critically important.

However, the core issue I wish to highlight is not a lack of law, but a failure in the balanced development of the record in custody proceedings.

In practice, courts are often evaluating only one parent, relying on limited or one-sided perspectives, and structuring therapeutic interventions in a way that does not include both parents equally. The result is an incomplete and unreliable record, upon which significant decisions are made.

Colorado law already provides a strong framework. Under **C.R.S. § 14-10-124**, courts are required to consider the mental and physical health of *all* parties, as well as each parent's ability to support the child's relationship with the other parent. Additionally, under **C.R.S. § 14-10-127.5 (Kayden's Law)**, therapeutic interventions such as reunification must be grounded in generally accepted, scientifically supported models.

When both parents are not equally evaluated, when therapy is not structured to include both sides, and when courts rely on a limited pool of approved professionals, these statutory requirements are not fully developed in the record.

I would also respectfully note that the removal of requirements for written findings further limits the development of a complete and reviewable record. Written findings are essential to transparency, accountability, and meaningful appellate review. Without them, it becomes significantly more difficult to understand how decisions were reached or whether statutory standards were properly applied.

As a result, decisions—sometimes involving severe restrictions on a parent-child relationship—may be made on an incomplete foundation. Even where a preponderance standard applies, outcomes of that magnitude should be supported by clear, well-developed, and independently reliable evidence, consistent with fundamental due process principles.

I would also note that when procedural barriers consistently prevent cases from reaching the merits, and when oversight processes do not result in transparent, accessible findings, it further limits the development of a complete and reviewable record. This raises broader concerns about whether existing safeguards are functioning as intended, and whether decision-making processes are being meaningfully tested and reviewed.

I respectfully submit that before expanding statutory frameworks, the State should ensure consistent enforcement of the laws already in place, particularly those requiring:

- Balanced evaluation of both parents
- Neutral, structured therapeutic processes including both parents
- Evidence-based methodologies
- A complete and reviewable record

I am submitting this testimony not only as an individual, but as part of a growing coalition. I represent the **Full Disclosure Act** movement, now over 15,000 strong and focused on truth and transparency. I am also coordinating with organizations such as **Justice Without Limits**, **Colorado Resilience**, and **Stand With Meg**, where parents across the country are increasingly unified around the need for fair, balanced, and evidence-based processes in family court.

While judicial discretion is a necessary component of family court proceedings, it must remain anchored to statutory mandates and constitutional protections. Discretion cannot substitute for a fully developed, balanced, and evidence-based record. Without those guardrails, there is a risk that decisions may depart from the legal standards they are intended to apply.

For context, I have previously testified before the Joint Judiciary Committee on multiple occasions, and I appreciate the Committee's continued attention to these important issues.

A complete and balanced record is essential to protecting the best interests of the child. Without it, even well-intended laws cannot reliably achieve their purpose.

Thank you for your time and consideration.

Respectfully submitted,

Stephen Gladstone

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P.O. Box 6693

Breckenridge, CO 80424

(562) 716-0733



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Stephen Gladstone

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Dear Judiciary Committee;

I have been a stay at home/work from home mom for almost 6 years. In June of 2025 I told my husband I was leaving unless things seriously changed and he found help for the emotional abuse and physical abuse he was inflicting on me. These are the events that led to me filing. Some I have physical evidence of and others left me with PTSD but are just hearsay in the court.

When I was a few months postpartum with my first he and I lived in a one bedroom apartment. It was very late at night and we had a disagreement where he spoke to me in such a manner I spat in his face. This caused him to throw me to the ground and choke me. I screamed, cried and a neighbor called the cops for a welfare check. I hid in the closet from him after locking the door and hiding in the same room as our child. The cops asked him to bring me out. He yelled at me to get out there because the cops wouldn't leave if I didn't. I told the cops I was fine and went back inside to lock myself in the bedroom as he love bombed me through text.

Fast forward to the summer of 2023, my then husband, my 3 year old and I was 6 months pregnant. He told me he had to drive. I asked him how many beers he had consumed at the lake. He told me he was fine but kept driving in a manner that made me fear to everyone's life. When he finally pulled over he slammed the brakes so hard that I had to put my hand out to prevent my head hitting the dashboard. We traded seats and he verbally abused me the entire way home about everything from my driving to telling me how much more capable of driving he was. Our toddler was sound asleep in the back.

In September 2023 our youngest was born via c section and went directly to the NICU. Our baby was on a different level than the maternity level. I told him before he went to sleep I wanted to meet the night NICU nurses tending our baby. He said he understood. I woke up to pump, once finished I woke him up and asked him to take me. He told me he was too tired and didn't want to be woken up again. I called for a nurse who told me she could take me but I wouldn't have a way of getting back. So 12 hours after a c section, I grabbed my IV tower and walked down that hallway, rode the elevator and sat with my baby.

I made the choice to be released from hospital before our child was well enough to be with us because our oldest was struggling without me. My dad and his wife brought our oldest to our home and when my oldest said good bye he said grandma and grandpa. Since my dad's wife wasn't my mom it triggered Richard to say that he couldn't wait to remarry so that the boys new stepmom could be there mom. He also stated that he wouldn't be driving me to the hospital to see our baby. I stopped my pain meds 3 days after surgery so I could be capable of driving to see my baby.

Then I entered the postpartum survival tunnel where I juggled surviving and caring for two kids 3 and under. I was apart of every bedtime, every late night wake up. About 80% of diaper changes and potty training. While he constantly told me I wasn't doing enough and our home was gross. I had lost my job while pregnant with our youngest and had to settle for a lesser

paying job. While he worked full time he told me that according to state law there was no reason he should have to give me more than 50% of his earnings despite me having every bill in my name. I begged for more money, I cried for him to give me more while juggling the bills we had to have. Our home went into foreclosure. He told me that he gave me all of his money and didn't understand how I could be so stupid with our finances.

In the summer I got sick and the kids got really sick. I was up all night with them. They don't nap that day and they cried the entire day he was at work. He got home and I said hey, I really need a shower I feel awful. He said ok, I'll be fast. He went upstairs and took 45 minutes to change and shower... I knocked on the door and said begged him again to let me have sometime. He began yelling at me and called me weak and always sick. After an hour I got to take a shower. When I got out of the shower he started yelling at me for not having any idea about what I was making for dinner and the state of the house. The next day I packed everything and went to my dad's with the kids for the weekend. He was irate that I punished him by taking away the kids. When I was protecting myself, our children and getting the support I needed to feel better. This was one of many incidents where I was sick and having to care for everyone but myself. This was the moment that I asked for a trial separation and outlined an agreement for caring for our children while living together.

I reconciled because it is hard to live with a spouse and I felt that for our kids I needed to be certain. I wrote expectations for us to mend from this and move on. Such as caring for me when sick, not name calling and continuing to cook for the family. He did these sporadically and often spent time yelling outside my locked door about how I was neglecting the children by taking alone time.

In December 2025, the week that forever changed my life. He came home to the kids and I doing a paint craft on my normal night to be with the kids alone. He asked repeatedly the directions in a condescending way and made a comment about how I hadn't shown our then 4 year old his birthday invitation. His attitude made the kids so uncomfortable they ran off and started playing rough. I cleaned up the craft and went to my room and cried. Once calm, I went downstairs to offer the kids a bath. I found him passed out clinging to our oldest. Our youngest was playing under the sink which I am glad we didn't store any cleaning supplies there. I offered the kids a bath and they ran upstairs jolting him awake. The kids and I went my room to have the bath so I could lock my bedroom door and create space between us. When the bath was starting to wrap up I went to grab my youngest a diaper downstairs where Rich jumped out of nowhere and pushed through my bedroom door resulting in pushing me about 10 feet to the bathroom door which was pushed so hard the mirror on the back broke. I was able to get myself on the other side of the bathroom door with the kids. I held my butt against the broken mirror to hold the door closed. I got the kids calmed down but had left my phone on the dresser in the bedroom. When I came out my phone was gone. He had placed himself in the kids room and decided he was doing bedtime. I later found my phone wrapped in a sweatshirt likely to dampen the sound of the find my phone alert in a room I hadn't been in since I cleaned up the craft. I called the cops and filed a police report the next day.

The police came and took my report and spent the day contacting him on 12/4/2025. They finally got a hold of him to confirm his story and he didn't claim the pieces that would have led to him being arrested. In fear, I ran to my dad's house that day in case he wasn't arrested as I was afraid he would retaliate. When I got home that next day, he had ransacked my room and had destroyed a craft I had been working on. I decided to file for a protection order which was granted. It was served Saturday afternoon, after he got his stuff together he went straight to the police station and filed a report of an incident that happened in March of 2025. The police contacted me the next day. I was honest and collaborated with them which led to me being arrested.

When I was released from jail I contacted him to see about getting the children back to their normal routine where he informed me the children needed to get used to this now. Our oldest's birthday was 12/11/2025 and I was released on 12/8/2025. That day he made it seem like it would be weeks before I would see or speak to our kids again. I was able to see our oldest for his birthday and attend the party I had planned for him but it was controlled meticulously by him and how I was allowed to do it and when.

In that week he had full custody of the kids, he told everyone who would listen including our children that mom kicked him out and she was arrested. He didn't mention the protection order or the events leading up to it. I am still doing damage control. Our children have regressed in dramatic ways from the way he took them unexpectedly. Our oldest who LOVED school now doesn't want to go because he will miss me too much. Our youngest who has been weaned since July of 2025 tries to nurse on my elbows or any body part he can get his mouth on. They both want to be carried and touching me nonstop. They've told me that they hated me for kicking them out.

While he is court ordered not to speak ill of me he continues to do so and if he's not he's having our kids deliver divorce paperwork to me and acts like it's irrational of me to ask him not to do that. He continues to create conflicts instead of coparenting and any concern I have about our children immediately gets flipped and blamed on me. My children are telling me that he's yelling at them for potty training accidents. He blames me for our children not being able to regulate on FaceTime calls with him when they saw him the day prior. He has told me several times that he has rights to our children like they are property and not people.

Thank you for taking the time to reevaluate our laws and I hope this creates the change we need to keep our children safe and happy by not punishing the men but by supporting the women who want the best for their children.

Best wishes,
Jennifer Jeffers
Constituent of Mesa County

