

Affidavit to the Human Rights Tribunal International 1 of 61



Affidavit to the Human Rights Tribunal International
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LEANNA SMITH, Complainant/Appellant

I, Leanna Smith, Affiant, being of legal age, qualified and competent to testify to, and having first-hand knowledge of the following facts, do hereby swear that the following facts are true, correct, and not misleading.

This internationally notarized affidavit will outline the multiple violations of my human rights under God and Nature, and Human rights, as well as State, National, and International standards of law. This certification is being executed by the Applicant on the date set forth below.

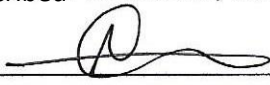
APPLICANT:

Signature: Leanna R Smith
Print Name: Leanna R Smith
Date: 10/3/2017

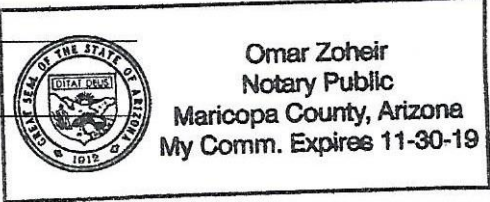
STATE OF ARIZONA,
COUNTY OF MARICOPA,
NATION OF UNITED STATES OF AMERICA

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Leanna Smith, known to me (or proved to me on the basis of satisfactory evidence) to be the person described herein and who executed the forgoing instrument and acknowledged the execution of the within instrument for the purposes therein contained.

Sworn to and subscribed before me, this 03 day of October, 2017

Notary Public: 

My Commission Expires: 11-30-2019



My Commission Expires:

Attestation

My name is Leanna Smith, born January 25, 1965 to Edith Rhoades and Larry Rhoades; Biological Mother to Cordell Roberson, Chaunell Roberson, and Jameelah Smith; partner of Darrell Smith.

The documentation to follow recognizes and demonstrates the violations of **Religious** rights, **Educational** rights; the right of an individual to be **Safe** in their person, their children, their family, their home, and their property.

A “CONSPIRACY” of individuals designed to systematically destroy a family is the ultimate attack on human rights.

The evidence presented here will demonstrate multiple violations regarding religion, multiple violations regarding education, and multiple violations of the safety of a human being.

When viewing the documents and the consistency of the twelve (12) individuals involved exposes all the elements of a “CONSPIRACY”. The pattern is clear.

Witnesses		
Name	Position	Organization
Brown, Bonnie	CPS Case Manager Supervisor	CPS/DCS
Bursch, Brenda	CPS Contracted Psychologist	UCLA
Buwalda, Katrina	CPS Contracted Psychologist	Buwalda & Assoc.
Gonzales, Laura	CPS Contracted Therapist	Child Help
Greco, Marina	CPS Contracted Therapist	Child Help
Hamilton-MacAlpine, Tammy	CPS Case Manager	CPS/DCS
Mart, Eric G.	Psychologist – Abuse Expert	Highland Psychological Services
Menendez, Kathryn	CPS Psychologist	Independent
Mueller, Brent	CPS Foster Father	CPS/DCS
Mueller, Kristi	CPS Foster Mother	CPS/DCS
Newberger, Eli	Physician – Expert	Harvard Medical School
Roberson, Chaunell	Biological Sister	CPS/DCS - Victim
Roberson, Cordell	Biological Brother	Military
Ruiz, Marisol	CPS Foster Parent	CPS/DCS
Pederson, Laura	CPS Investigator	CPS/DCS
Smith, Darrell	Step-Father	Real Parent
Smith, Jameelah	Biological Daughter	CPS/DCS - Victim
Smith, Leanna	Biological Mother	Real Parent
Torres, Amanda	CPS Investigator	CPS/DCS

STATEMENT OF THE CASE RE: RELIGION

- Chaunell Roberson (born on January 25, 1994) was taken into custody by Arizona Child Protective Services on September 3, 2008 based on reports of erroneous and unsubstantiated accusations of “possible” medical abuse by certain doctors and hospitals accusing Petitioner of Munchausen Syndrome by Proxy (medical child abuse). These allegations were dropped on January 24, 2012; the day before Chaunell Roberson turned 18 years of age.
 - **Exhibit A** Temporary Custody - Notice of Removal of Chaunell Roberson 9/3/08

FACT: Four Physicians made false and misleading statements to cause the removal of Chaunell Roberson from her loving family

- **Exhibit B** Four physicians made CPS report that was found to be unsubstantiated on the day before her 18th birthday.

FACT: During the time that Chaunell Roberson was in state custody she endured physical, sexual, emotional, psychological, **spiritual**, and medical abuse.

- **Exhibit C** Katrina Buwalda Removal of Religion or speech with Religious connotations

FACT: During this time in state custody Chaunell Roberson was **denied her religion** and her **right to practice her religion**.

- **Exhibit C** Katrina Buwalda Removal of Religion or speech with Religious connotations

FACT: During the time that Chaunell Roberson was in state custody, her Biological Mother, Leanna Smith, was **denied her right to religion, denied her right to prayer, and denied her right to the ability to practice her religion in the presence of her daughter**.

- **Exhibit C** Katrina Buwalda Removal of Religion or speech with Religious connotations

FACT: During the time that Chaunell Roberson was in state custody she was **not given her human right to attend religious services, practice her religion, or associate with her family for the practice of her religion**.

- **Note:** No exhibit exists but there is no document or testimony that Chaunell Roberson was ever given the opportunity to practice her religion with or without her family, at any time during her captivity from 09/03/2008 until January 24, 2012

FACT: During the time that Chaunell Roberson was in state custody she was denied visits with her brother Cordell Roberson and her sister Jameelah Smith. This seemingly innocent denial to commune with her siblings **placed strain on her religious belief regarding family and honoring thy Mother and Father**; a direct attack on the 5th Commandment: *“Honor your father and your mother, that your days may be long upon the land which the Lord your God is giving you.*

- **Exhibit D** Katrina Buwalda Withholding Jameelah from Chaunell

- **Exhibit E** Katrina Buwalda denies access to everyone but Leanne Smith from Chaunell

FACT: During the time that Chaunell Roberson was in state custody she was exposed to movies, music, dress, makeup and profanity that would not be approved by Leanna Smith and that would be enticing to a teenager. These actions were **in direct conflict with her current**

and past religious beliefs instilled by Leanna Smith and Darrell Smith. A direct attack on the 5th Commandment: *“Honor your father and your mother, that your days may be long upon the land which the Lord your God is giving you.*

- **Exhibit F** Case notes showing Muslim and praying
- **Exhibit G** Case notes showing multiple wives accusation
- **Exhibit H** Case notes showing praying in Arabic and learning Arabic language

FACT: During the time that Chaunell Roberson was in state custody, **someone told Chaunell Roberson that her Biological mother Leanna Smith and Darrell Smith were of the Muslim faith. A direct attack on the 1st Commandment:** *“I am the Lord your God, who brought you out of the land of Egypt, out of the house of bondage. You shall have no other gods before Me.”*

- **Exhibit F** Case notes showing Muslim and praying
- **Exhibit G** Case notes showing multiple wives accusation
- **Exhibit H** Case notes showing praying in Arabic and learning Arabic language

FACT: During the time that Chaunell Roberson was in state custody, **someone told Chaunell Roberson that her Step-Father, Darrell Smith, had multiple wives. A direct attack on the 7th Commandment:** *“You shall not commit adultery.*

- **Exhibit G** Case notes showing multiple wives accusation

FACT: During the time that Chaunell Roberson was in state custody, Chaunell Roberson began learning the Arabic language. Nowhere in her family, her friends, or background did anyone speak Arabic or practice the Muslim Religion.

- **Exhibit F** Case notes showing Muslim and praying

Arizona Statutes

- (A.R.S. § 1-602) Parents’ Rights -- Parents have the right to direct the religious upbringing of their children.
- (A.R.S. § 8-529) Foster Children -- Foster children have the right to attend religious services (if within their case plan and suitable transportation is available).
- (A.R.S. §§ 36-514, 36-520) Mental Health Patients – Patient’s in state mental health facilities are still entitled to free exercise of religion, as long as it does not interfere with the operation of the facility.

Universal Declaration of Human Rights (UDHR)

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to

which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 16.

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Argument:

The denial of Chaunell Roberson (daughter), Leanna Smith (mother), Darrell Smith (step-father),

Cordell Roberson (male sibling), and Jameelah Smith (female sibling) to pray together, commune in their religious faith together, practice their religious faith together, and interact/act on their religious beliefs and rituals, as a family or subsets of that family violated their God given rights from their book of faith – the Bible, natural rights, human rights founded in international law, and human rights founded in the laws of the United States of America – such as the Declaration of Independence, and the United States Constitution.

The family is the natural and fundamental group unit of society and is entitled to protection by society and the State. (Convention of 1948) This natural and fundamental right of a family to exist and then to worship and practice their religious faith alone and together is the glue that holds a family to each other. When the individuals and entities denied this family the right of religion it destroyed that sacred bond given to the Smith family by God and nature; subsequently reaffirmed by laws of men and nations and the human race family.

The result of this orchestrated and deliberate denial and suppression of the religious rights of the Smith family, casting them apart forever, must be recognized and punished with monumental ferocity so that it never, ever again happens to another member of the human family on this planet called Earth.

Chaunell Roberson was systematically and methodically denied her strong religious beliefs, commandments, rituals, praying and her religious associations with family members by the Conspirators.

The Conspirators challenged Chaunell's religious Christian beliefs and morals regarding dress, language, marriage, fidelity, lying, honoring her mother and father, and bearing false witness against others.

Secret letters smuggled from Chaunell to her family members demonstrate the consistent and constant deterioration of Chaunell's religious belief at the hands of the Conspirators.

STATEMENT OF THE CASE RE: EDUCATION

- Chaunell Roberson (born on January 25, 1994) was taken into custody by Arizona Child Protective Services on September 3, 2008 and was unserved or underserved in her Education; denying her the rights to education provided under state, national, and international laws; risking her safety as well as her capacity to receive the education afforded before her eligibility for education is gone.

FACT:

Chaunell Renee Roberson was born on January 25, 1994 to biological mother, Leanna Smith and biological father Samuel Lawrence Roberson. Samuel Lawrence Roberson physically abused Leanna Smith and she left him and immediately divorced him. Samuel Lawrence Roberson had no interaction with his biological daughter until Arizona Child Protective Services reconnected them on or around 2013. Samuel Lawrence Roberson never gave any

emotional or financial support for his biological daughter from her six month and beyond her 18th birthday. When Arizona Child Protective Services contacted Samuel Lawrence Roberson he was in the state penitentiary for trafficking in drugs. He was suspiciously given early release after this contact was made.

- **Exhibit AA** Birth Certificate of Chaunell Renee Roberson

FACT:

Chaunell Roberson was/is identified as a child with multiple educational and medical disabilities and/or diagnosis with multiple disabilities. She had a current Psycho-Educational Evaluation that identified a Full Scale IQ of 92, Learning Disabilities in Basic Reading, Reading Comprehension, Math Calculation, and Written Expression Other Health Impairment (OHI) asthma/allergies, pseudo tumor cerebra, history of stroke, history of comas, and congenital hydrocephalus w/ventricular peritoneal shunt implanted in brain. The evaluation was current and the Individual Education Plan (IEP) was current as well. Luke Elementary School did not provide a single special education service the entire school year; violating state, federal, and international laws for education

- **Exhibit BB** Tempe School District Psycho-Educational Evaluation
- **Exhibit II** Special Education Eligibility Statements - Speech/Language, Learning Disabilities, Other Health Impairment, Chronic Health Conditions

FACT:

Arizona Child Protective Services took custody of Chaunell Roberson on September 3, 2008

- **Exhibit A** Temporary Custody - Notice of Removal of Chaunell Roberson 9/3/08

FACT:

On September 9, 2008 Chaunell Roberson was enrolled in Luke Elementary School in the Dysart School District by Foster Parent Marisol Ruiz. Marisol Ruiz did not provide any written documentation to school personnel regarding the current educational records and/or health records (NOTE:

- **Exhibit CC** Pupil Registration Form (09/09/2008)

FACT:

Arizona Child Protective Services withdrew Chaunell Roberson from Fees Middle School on September 22, 2008

- **Exhibit DD** Arizona Child Protective Services completed the Pupil Withdrawal Form for Chaunell Renee Roberson from Fees Middle School in the Tempe Elementary District on September 22, 2008. Simultaneously, the CPS Case Manager picked up all the educational and medical documents. Instead of delivering copies of those documents to Luke Elementary School as would normally be done; those copies were brought back to the CPS Office and never provided.

- **NOTE:** Chaunell Renee Roberson was “withdrawn” from Fees Middle School in the Tempe Elementary District 13 days after she was “enrolled” in Luke Elementary School. Basically, enrolled in two separate schools at the same time for 13 days?

FACT:

The Luke Elementary School Nurse received a “Letter of Concern” for failure to fully investigate patient’s medical history and complaint that potentially jeopardized patient Chaunell Roberson’s health in 2009 while employed by the Dysart School District as a health aid assistant and using the LPN license

(NOTE: It is critically important that the readers of this document understand that Arizona Child Protective Services did not provide Luke Elementary School or the School Nurse with educational or medical documents as a normal procedure requires.)

- **Exhibit EE** Arizona State Board of Nursing document print date 04/09/2012

FACT:

Arizona Child Protective Services picked up all academic and health records at the time of disenrollment Chaunell Roberson on September 22, 2008

- **Exhibit DD** Arizona Child Protective Services completed the Pupil Withdrawal Form

FACT:

Tammy Hamilton-MacAlpine (child protective services case manager for Chaunell Roberson) refused requests for information regarding regular education records, special education records, medical & mental health records, and juvenile justice records; so that Leanna Smith could provide those records to the school districts involved with her daughter to keep her safe. (NOTE: Leanna Smith never lost her parental rights because there was never an order of severance. Tammy Hamilton-MacAlpine had no right to deny Leanna Smith her child’s educational and medical documents and placed Chaunell Renee Roberson at risk)

- **Exhibit FF** Request for Records – Release of Records dated 1/20/2010 (Tammy)

FACT:

Bonnie Brown (child protective services case manager supervisor over Tammy Hamilton-MacAlpine for Chaunell Roberson) refused requests for information regarding regular education records, special education records, medical & mental health records, and juvenile justice records; so that Leanna Smith could provide those records to the school districts involved with her daughter to keep her safe. (NOTE: Leanna Smith never lost her parental rights because there was never an order of severance. Bonnie Brown had no right to deny Leanna Smith her child’s educational and medical documents and place Chaunell Renee Roberson at risk)

- **Exhibit GG** Request for Records – Release of Records dated 1/20/2010 (Bonnie)

FACT:

During the 2008-2009 school year Chaunell Roberson was enrolled for 160 days. Her attendance during this time period is as follows:

1. School Days Enrolled	160 School Days	
2. General Illness Absences	18 School Days	
3. Other	12.5 School Days	
4. Chronic Illness	7 School Days	
5. <u>Unknown</u>	<u>2 School Days</u>	
Total Absences	39.5 School Days	24.5% Absenteeism
Total Days out of class	32.0 Nurse Visits	72.4% Absences from class

(NOTE: Chaunell Roberson was denied her Free Appropriate Public Education as a result of the substantial absences that are attributable to the denial of documents that would have explained her behaviors, her medical needs, and her educational needs)

- **Exhibit HH** Student Attendance Report 2008-2009 Luke Elementary

FACT:

Chaunell Roberson was denied a Free Appropriate Public Education by Arizona Child Protective Services personnel as found in her Individual Education Plan created and signed on August 6, 2008; subsequently withheld from her next school district, Luke Elementary School and their acting school nurse.

Services Undelivered:

- a. Emergency Health Care Plan: Chaunell Roberson will have access to the restroom in the health office and will be accompanied by a staff member to and from restroom
 - b. Basic Reading 375 minutes per month by special education staff
 - c. Reading Comprehension 375 minutes per month by special education staff
 - d. Math Calculation 750 minutes per month by special education staff
 - e. Written Comprehension 750 minutes per month by special education staff
 - f. Accommodations/Modifications: Preferential Seating, Familiar Test Administration, Repeating of Directions, and Clarification of Directions
- **Exhibit BB** Tempe School District Psycho-Educational Evaluation

FACT:

Chaunell Roberson was denied Speech/Language, Learning Disabilities, Other Health Impairment, and Chronic Health conditions for which she was “eligible” for, but never received as this information and supporting documents were never provided to the Luke Elementary School by Arizona Child Protective Services’ Tammy Hamilton-MacAlpine and/or Bonnie Brown

Exhibit II Special Education Eligibility Statements - Speech/Language, Learning Disabilities, Other Health Impairment, Chronic

FACT:

The Dysart School District entered a “Resolution Agreement” with the United States Department of Education, Office of Civil Rights to provide “compensatory education” to Chaunell Roberson; without an admission of guilt for not providing a Free Appropriate Public Education to Chaunell Roberson. The services were then declined to Chaunell Roberson by the State of Arizona and conspirators

- **Exhibit JJ** Resolution Agreement – U.S. Department of Education, Office of Civil Rights

Arizona Statutes

Arizona Revised Statutes 15-141. Educational records; injunction; special action

A. The right to inspect and review educational records and the release of or access to these records, other information or instructional materials is governed by federal law in the family educational and privacy rights act of 1974 (20 United States Code sections 1232g, 1232h and 1232i), and federal regulations issued pursuant to such act.

D. A juvenile court may require a school district to provide the court with the educational records of a juvenile who is accused of committing a delinquent or incorrigible act before the juvenile is adjudicated. The educational records shall include the juvenile's cumulative file and discipline file and, if applicable, records that are compiled pursuant to the individuals with disabilities education act (P.L. 91-230; 84 Stat. 175; 20 United States Code section 1400) and the rehabilitation act of 1973 (P.L. 93-112; 87 Stat. 394; 29 United States Code section 794). The presiding judge of the juvenile court shall adopt procedures for the transmission of the educational records from the school district to the juvenile court. The disclosure of the educational records shall comply with the family educational and privacy rights act of 1974 (20 United States Code section 1232g) and shall ensure the ability of the juvenile court to effectively serve, before adjudication, the juvenile whose records are released. Nothing in this subsection shall be considered to prevent the juvenile court from adjudicating a juvenile prior to receiving educational records pursuant to this subsection.

Arizona Revised Statutes 15-341.01. One hundred eighty day school year; definition

- A. Notwithstanding any other law, school instruction shall be conducted in each public school in this state for school sessions that total at least one hundred eighty days each school year. The superintendent of public instruction shall cause all relevant school funding formulas to be adjusted to reflect instruction on the one hundred eighty days' equivalency. The department of education shall adjust the amount of state aid distributed to school districts pursuant to section 15-971 to correspond to the increased number of school days prescribed by this section.
- B. For the purposes of this section, " one hundred eighty days" means one hundred eighty days of instruction or an equivalent number of minutes of instruction per school year based on a different number of days of instruction approved by the school district governing board or charter school governing body.

Arizona Revised Statutes 15-765. Special education in rehabilitation, corrective or other state and county supported institutions, facilities or homes

- A. For the purposes of this section and section 15-764, children with disabilities who are being provided with special education in rehabilitation, corrective or other state and county supported institutions or facilities are the responsibility of that institution or facility, including children with disabilities who are not enrolled in a residential program and who are being furnished with daily transportation. Special education programs at the institution or facility shall conform to the conditions and standards prescribed by the director of the division of special education.
- B. Notwithstanding subsection A of this section, the department of economic security, the department of child safety or the department of health services may request on behalf of a school-age child with a disability residing in a residential facility or foster home operated or supported by the department of economic security, the department of child safety or the department of health services that the school district in which the facility or home is located enroll the school-age child in the district, subject to section 15-825. The school district, on the request by the department of economic security, the department of child safety or the department of health services, shall enroll the child and provide any necessary special education and related services, subject to section 15-766. A school district in which a child with a disability is enrolled shall coordinate the development of an individualized education program with the development of an individual program or treatment plan. The provision of special education and related services to a child with a disability may be subject to subsection D of this section.

The Individuals with Disabilities Act of 2004 and the Final Rules & Regulation 2016 in the Federal Register dated August 14, 2006 IDEA Regulations

- B. Revise general requirements for the content of Individual Education Programs.
- C. As used in Part 300, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with 34 CFR 300.320 through 300.324, and that must include:
 - i. Statement of the child's present levels of academic achievement and functional performance...
 - ii. A statement of measurable annual goals, including academic and functional goals designed to:
 - iii. Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
 - iv. Meet each of the child's other educational needs that result from the child's disability; For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives; A description of:
 - v. How the child's progress toward meeting the annual goals described in 34 CFR 300.320(a)(2) will be measured; and When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

- vi. A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child...
 - vii. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and if the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child....[34 CFR 300.320(a)] [20 U.S.C. 1414(d)(1)(A)(i)]
- D. Include a rule of construction regarding the content of IEPs.
Nothing in 34 CFR 300.320 shall be construed to require:
- That additional information be included in a child’s IEP beyond what is explicitly required in section 614 of the Act; or
 - The IEP Team to include information under one component of a child’s IEP that is already contained under another component of the child’s IEP. [34 CFR 300.320(d)] [20 U.S.C. 1414(d) (1)(A)(ii)]
- E. Set forth requirements for IEPs when children with disabilities transfer from one public agency to another. If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide a free appropriate public education (FAPE) to the child (including services comparable to those described in the child’s IEP from the previous public agency), until the new public agency either:
- Adopts the child’s IEP from the previous public agency; or
 - Develops, adopts, and implements a new IEP that meets the applicable requirements in 34 CFR 300.320 through 300.324. [34 CFR 300.323(e)] [20 U.S.C. 1414(d)(2)(C)(i)(I)]
- F. To facilitate the transition for a child described in 34 CFR 300.323(e) and (f):
- The new public agency in which the child enrolls must take reasonable steps to promptly obtain the child’s records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous public agency in which the child was enrolled, pursuant to 34 CFR 99.31(a)(2) [Family Educational Rights and Privacy Act regulations regarding conditions under which prior consent is not required to disclose information]; and
 - The previous public agency in which the child was enrolled must take reasonable steps to promptly respond to the request from the new public agency. [34 CFR 300.323(g)] [20 U.S.C. 1414(d)(2)(C)(ii)]

Universal Declaration of Human Rights (UDHR)

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions, without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 21.

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 25.

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Argument:

When Arizona Child Protective Services willfully and knowingly withheld the current Individual Education Plan, the current Psychoeducational Evaluation, and the Medical Emergency Plan for Chaunell Roberson from Luke Elementary School, they denied Chaunell Roberson her right to a “Free Appropriate Public Education” guaranteed under the Individuals with Disabilities Education Act of 2004; along with all the accommodations, modifications, her present levels of educational performance, her learning goals, and all other elements required by the law.

In withholding the current Medical Emergency Plan for Chaunell Roberson with her new school, Luke Elementary School, then placed Chaunell Roberson in danger as described by the Arizona State Board of Nursing determination that the School Nurse required a “Letter of Concern” for placing Chaunell Roberson at risk for harm.

When Arizona Child Protective Services willfully and knowingly withheld the Medical Emergency Plan for Chaunell Roberson from Luke Elementary School, they were to blame for the physical pain and suffering that Chaunell Roberson endured. The emotional trauma of not being listened to or believed by the schools nurse where 28 out of 32 nurse visits were for severe headaches caused by the failing ventricular peritoneal shunt and the Abdominal pain, diagnosis of H. pylori gastric infection, and onset of headaches. Chaunell Roberson suffered until the emergency visit to the hospital. This 32nd visit to the school nurse was the first time the school knew anything about Chaunell Roberson's severe medical issues.

The loss of education over the 2008-2009 school year is a direct result of Chaunell Roberson's critical education and medical information being withheld by the Arizona Child Protective Services and the Conspirators.

The pain and suffering over the 2008-2009 school year is a direct result of Chaunell Roberson's critical education and medical information withheld by the Arizona Child Protective Services.

The United States Department of Education, Office of Civil Rights entered a "Resolution Agreement" with the Dysart School District for "compensatory education" to resolve a complaint against the Dysart School District for failing to provide a "Free Appropriate Public Education". Of which, the State of Arizona declined to allow the Dysart School District to provide to Chaunell Roberson.

The Conspirators knowingly withheld documents about Chaunell Roberson's educational needs as part of an ongoing conspiracy to make Chaunell Roberson appear more normal and healthier in the custody of the State of Arizona.

This strategy of making Chaunell Roberson appear healthier in state custody was a part of the overall conspiracy to confirm the accusations against Leanna Smith for the Physicians false accusation of Munchausen By Proxy Syndrome (MSBP). This false accusation of Munchausen by Proxy Syndrome (MSBP) was made to be able to severe Leanna Smith's parental status to stop the investigation of multiple medical malpractice events while in state custody.

STATEMENT OF THE CASE RE: CHILD ABUSE IN STATE CUSTODY

- Chaunell Roberson, biological daughter of Leanna Smith, suffered horrifying physical, medical, emotional, sexual and intellectual child abuse while in the custody of Arizona Child Protective Services and the state of Arizona, in the United States of America from September 3, 2008 through January 24th, 2012 when she turned 18 years of age; at which time the records were sealed and the documentation of this ongoing child abuse was no longer available for review and inspection by Leanna Smith her biological mother or other interested parties

FACT:

The following information of physical, medical, emotional, and intellectual child abuse is provided by one of the world's leading experts on child abuse, Eli H. Newberger, M.D.

Adjunct in Pediatrics, Children's Hospital Boston, Assistant Professor of Pediatrics, Harvard Medical School.

- 1) *“Chaunell Roberson is a victim, not of Munchausen Syndrome by Proxy, but of careless, intellectually dishonest, and harmful medical practice.”*
 - **Exhibit AAA** Eli H. Newberger, M.D. “Report” (Page 59)
- 2) *“The Banner Desert Medical Center reports of her mother’s alleged abuse of her to Arizona’s child protection agency contained multiple misrepresentations of Chaunell Roberson’s medical history and clinical status. So numerous were these falsehoods, and so insubstantial the attention to the knowledge base readily available to Chaunell’s treating physicians, that they raise serious questions not simply about their honesty, but of their motives. The reports appear to have been made in bad faith. No steps were taken to correct the record, nor to inform CPS or the Court, that the allegation that Ms. Lianne Smith injected air into Chaunell’s LP shunt was withdrawn. Neither, the promised review and investigation of shunt malfunction by the Banner Medical Center hospital staff, nor an examination of the shunt by its manufacturer, have been made available.”*
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- 3) *“Chaunell Roberson was medically neglected in foster home care. The repeated denial of medical care for the persistent headaches deriving from her pseudotumor cerebri appear to have protracted the diagnosis and treatment of her enterococcal meningitis, which could have killed her.”*
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- 4) *“Chaunell’s love and sense of protection from her mother changed profoundly in the course of her tenure in foster home care. Her letters home describe the wretched circumstances of her first foster home, and she exhorted her mother and step-father to save her from the sexual exposures, forced labor, and clinically-significant pain that she was forced to endure. She was threatened that she would never see her mother again if she complained of pain or respiratory stress. She was denied access to physicians, and even to her own court appointed attorney. In this isolated bubble, her mother was misrepresented to her in derogatory terms, both by professionals and by her foster parents. Chaunell was given to read a psychological report that demonized Ms. Smith, and cast herself as her victim. She was brainwashed and will need a sustained period of psychological recuperation if she is to function capably in caring and intimate relationships as an adult. Her attachment to her mother was systematically, and, I believe, intentionally, corroded, by Arizona Child Protection Services, and at least one contracted “therapist” in the name of her protection.”*
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- 5) *“Both Chaunell’s and her sister Jameelah’s interviews with me appeared to be staged and scripted. Each child, however, expressed confusion about the truth of their circumstances, whom they could trust to talk about them, and longing for their parents’ love and approbation.”*

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- 6) *“Chaunell and Jameelah both were exposed to inappropriate sexual behavior in foster home care. I believe it is highly likely that Jameelah was sexually abused there. I saw no evidence that either child was competently evaluated or examined. Neither was the information I reviewed from Jameelah’s therapist, documenting worrisome sexualized behavior and utterances suggestive of disclosures, probed with any systematic clinical assessment. Notwithstanding, both Mr. and Ms. Smith were accused of sexually abusing her.”*
- **Exhibit AAA** Eli H. Newberger, M.D. “Report” (Page 60)
- 7) *“In virtually every perturbing event, clinical symptom, behavior, or complaint since the initial allegations were received by CPS, there was a consistent intellectual explanatory defaulting to Munchausen Syndrome by Proxy, by CPS, mental health, and medical personnel. There was, and it appears, remains, an astounding paucity of critical perspective and differential diagnostic knowledge. The CPS investigation and follow-on service plans were a mockery of good practice. Only confirmatory opinions from outside evaluators were sought. Psychologists were asked to propound with testing, interview, and superficial analysis the underpinning assumptions of maternal fault and pathology. At no time, contrary to accepted current practice, was there sought and conducted an independent child abuse expert pediatric review of the medical records, nor corresponding interviews with Chaunell’s mother, step-father, treaters, and above all, interview and examination of Chaunell herself. Consequently, Chaunell, and subsequently her sister, Jameelah, languished in care without contact with their beloved family.”*
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- 8) *“It is highly likely that Ms. Smith, exposed over Chaunell’s life to severe medical crises, and subsequently blamed for Chaunell’s and Jameelah’s medical and psychological problems and separated from them because of a platform of allegations that she knows were spurious and false, has been traumatized by this experience of malfeasance by doctors, hospitals, and the Arizona Child Protection agency. Strangely, in all the intellectual acrobatics and exertions by the consulting psychologists and social workers, and effort to create and maintain a fictive alternate reality for this family, the diagnosis of the anxiety condition called Post Traumatic Stress Disorder appears not to have been considered. This is a well-documented phenomenon, deriving both from experiencing and witnessing harm to oneself and to one’s loved ones. It deserves clinical attention, and I believe, if needed, both treatment and redress for the injuries that may have caused it.*
- **Exhibit AAA** Eli H. Newberger, M.D. “Report” (Page 60)

FACT:

Eric G. Mart, Ph.D., ABPP (Forensic) Licensed Psychologist is an expert in the field of psychology, along with the professional parameters of a licensed psychologist. He reviewed the reports of Brenda Bursch, PhD. and Kathryn Menendez PhD. with regard to Chaunell Roberson and Leanna Smith. The following expert witness information is provided by Dr. Eric Mart

- **Exhibit BBB** Eric G. Mart, Ph.D., ABPP “Report” (March 28, 2011)
- 1) *“Another general issue I have in this case is the question of why licensed psychologists are opining about the presence or absence of MSBP/FDBP in a case involving alleged medical abuse of a child. Standard 2.01 of the Ethical Principles of Psychologists and Code of Conduct (Boundaries of Competence) states:
(a) Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience.”*
 - **Exhibit BBB** Eric G. Mart, Ph.D., ABPP “Report” (March 28, 2011) Page 2
 - 2) *“I am not aware that Drs. Menendez or Bursch have any medical, nursing or other specialized training which would allow them to opine on the presence or absence of MSBP/FDBP in a case primarily involving allegations of medical abuse. If they have decided that specific medical problems do or do not exist, this would seem to be an example of psychological professionals **operating outside of their areas of expertise**, and if they are relying on the concerns raised by appropriately licensed medical professionals, then their conclusions would seem to be a form of vouching that Ms. Roberson is the kind of person who would engage in such abuse. While such a determination would be the province of the trier of fact, it should be noted that in my experience courts are quite resistant to the admission of this type of testimony. For example, in a case involving allegations of child sexual abuse, it would be very unusual for a court to allow a psychologist to testify that it is unlikely that a father engaged in sexual abuse of his children because his psychological profile does not match that of an abuser, or that an individual is likely to have robbed a bank because he has an antisocial personality disorder.”*
 - **Exhibit BBB** Eric G. Mart, Ph.D., ABPP “Report” (March 28, 2011) Page 2
 - 3) *“This brings me to specific concerns I have regarding the psychological evaluations performed by Drs. Menendez and Bursch. I will consider Dr. Menendez’s report, dated 11/19/08 first. In addition to the report, I was provided with the raw data from her evaluation. Dr. Menendez administered the MMPI-2 to Ms. Roberson. She describes the administration of the test as producing a valid profile. However, a review of the profile indicates that Ms. Roberson obtained a T-score of 83 on the L scale, which is a measure of defensiveness. The MMPI-2 manual characterizes this elevation as very high and notes that profiles with this type of elevation are “probably invalid.” The Bender-Gestalt was also administered, as were projective drawings and a parenting questionnaire that contains a section of incomplete sentences. It should be noted that none of the tests administered has been shown in the scholarly literature to have any association with a diagnosis of MSBP/FDBP. As a consequence, it is not clear how the results of Dr. Menendez’s assessment led to a diagnosis of “R/O Munchausen by Proxy Disorder.” The New Hampshire Supreme Court, in the case of State v. Cressy, noted that there must be a logical nexus between the data relied on by the expert and conclusions that the expert draws. In reviewing Dr. Menendez’s report and data, I cannot see how the material she generated in her assessment can logically lead to a conclusion, even tentatively, that Ms. Roberson*

may have MSBP. One possibility is that Dr. Menendez simply relied upon information provided by the child protective workers in the case, in which case her report provides no new information to the court.”

- **Exhibit BBB** Eric G. Mart, Ph.D., ABPP “Report” (March 28, 2011) Page 2
- 4) *“With regard to Dr. Bursch’s report, I would reiterate my **concerns regarding the appropriateness of a psychologist making determinations about a child’s medical treatment.** A review of medical records by mental health professionals may be necessary in an assessment of this type to provide context. However, offering opinions regarding such issues as the origin of the air in Chaunell’s shunt, the likely cause of her comas, whether diagnostic procedures were justified, and whether some of Chaunell’s health problems were iatrogenic appears to me to be **clearly beyond the competence of non-medical mental health professionals.**”*
- **Exhibit BBB** Eric G. Mart, Ph.D., ABPP “Report” (March 28, 2011) Page 3

Fact:

Chaunell Roberson wrote **secret letters** to her biological Mother, Leanna Smith detailing the abuse, fear, and confusion in her present setting.

- 1) **10/12/08** *“Tomorrow I go to Elton it’s a good thing that I do. Today my head has been hurting really bad. And a couple of min. Ago when I got up I got this terrible pressure in my upper spine. Could you guys look that up for me (see this is why I need my computer) When I see Elton I have to tell him how I feel and I scared. I mit say something wrong, like I did before, and have to stay here longer.” Elmirage is in the middle of nowhere And there is a lot of beer in the house and yesterday I heard something very disturbing (and its not the first time) I heard Marysol having SEX!!! She was so loud And her bedroom door was OPEN!! I feel so uncomfortable here. GET ME OUT!! please (heart) Chaunell”*
 - **Exhibit GGG** Chaunell Roberson Secret Letters to Leanna Smith
- 2) **10/13/08** *“So when the doctor came in he asked me about how I felt, I told him about my headaches coming back when I stood up. He said OK and ordered a “CT.” Then he looked into my eyes. Then he said something that is worrying me. He said my eyes are still really dilated (he said it under he breath and thought I couldn’t hear him) . . .Well to make thing worst, after the doctor Mary had to talk to him, privately. You guys I’m really getting tired of this. Maybe I could get emancipated. No more lies or run away to Canada . . .P.S. This family is weird. This morning Tony and his sister were in their mother room and I walked and there were her boobs!! GET ME OUT OF HERE!!!”*
 - **Exhibit CCC** Chaunell Roberson Secret Letters to Leanna Smith
- 3) **10/14/08** *“Mary made me watch the kids all day. I wanted to scream. I couldn’t take it. It is easier to watch one beautiful little girl of 7. . . I need to learn my right. So I have knowledge then maybe when I learn something I would think about being a part of the court hiring. I have to get home soon (heart) Chaunell”*
 - **Exhibit CCC** Chaunell Roberson Secret Letters to Leanna Smith

- 4) **10/18/08** *“U won’t believe what just happened. I was watching TV and Mary came in and asked how I felt. I told her my head was hurting really bad. She asked how did my meeting with mom went. I said good. She asked what my mom said. I said nothing, why. She wouldn’t say. But she started saying thing like, I have 2 worlds, and that soon I will have my own life. And I kept asking why she didn’t believe me. Then she left. Now my head is killing me, worse than before. I really want to go out there and say, “Don’t every talk like that about my mom. And there is something going on with my head. And I’m telling u I need to go to a doctor. And what u do with that information is on u not me.” But my head hurts so bad I can’t right now. But I will.”*
- **Exhibit CCC** Chaunell Roberson Secret Letters to Leanna Smith
- 5) **10/19/08** *“I just can’t believe Mary doesn’t believe me. If my pressures were 60, and this time its worst who knows what they are. I spent the whole night in my room. Mary came in and said I have to eat something, and that she understood that I need my space right now. Then around 12:30 I heard the girl next door having sex. I am so uncomfortable here. . . And Mary and Laura (CPS workers) think u said something to me and that’s why I’m “acting” this way.”*
- **Exhibit CCC** Chaunell Roberson Secret Letters to Leanna Smith
- 6) **10/20/08** *“I just got home from school. It was one of my hardest days. My headaches are back and worst then ever. I went to the nurse 2 times. . .She called Mary and I talked to her. I told her I couldn’t make it through the day. She said she would bring me something for my headache but she won’t pick me up. Instead of Mary coming with med the nurse gave me something. Then when I got home, I was ready to cry. I ask Mary to call Elton. She said she did and that’s how she got the prescription. She also said she didn’t know what happened at the visit with mom. Cause I was crying. I asked her where she heard that, but she didn’t say. She said she talked to Laura and they were thinking about stopping my visits with my mom until I was “better.” Now that pissed me off. I asked her if I could call my lawyer. She said the lawyers call me. I said Laura said I had that right. She asked why I needed to call my lawyer. I said b/c I need to talk to her about some stuff going on that I don’t like. She said no, first she needs to call Laura. . . I wish I could go back in time. They can’t keep me from U b/c I got headaches can they I WANT TO GO HOME! PLEASE GET ME OUT OF HERE!*
- **Exhibit CCC** Chaunell Roberson Secret Letters to Leanna Smith
- 7) **10/24/08** *“Dear Baba: If u were to see Mary you would freak out. I’m freaking out. She is Mexican and wears booty shorts and tube tops. It is so embarrassing. She keeps asking why I don’t show some skin. So the next times she ask that I’m going to say “My dad taught me to respect my body.”*
- **Exhibit CCC** Chaunell Roberson Secret Letters to Leanna Smith
- 8) **Undated** *“Dear Baba, How have you been. I’ve been okay I guess (for the situation). I know I would be so much better if I was home. I’ve really missed you so much,*

Daddy. You have no idea I keep having all of these dreams of you and I hate waking up cause I know you won't be there when I wake up. I wish I could stay in that dream or better yet that this all be a dream. I wish it was. I wish doctors weren't so darn cold and cruel.

"Why do you think this happened. I think it is because we went to see that lawyer. But I thought we were there to try to sue Barrows. (note: Neurological Institute of St. Joseph's Hospital.) But maybe Desert. Sam thought they were next. Which they should be.

And I can't help to feel like this is my fault. If I didn't say I wanted to give up maybe this wouldn't have happened. Or if I didn't refuse to get up and walk at the hospital. But no one knows the pain I was in. No one. . . I only had one week with really bad headaches. And I had to go to school. It was one of my hardest weeks.

"I hate how no one listens to me. It's worse than the doctors. You know Mary (the woman who is taking care of me) told my nurse at School I didn't have asthma. So when I can't breathe good she tells me to stop coming (up) with fake things. How messed up is that. . .

"I live somewhere where people smoke and drink and I mean really drink. I'm living with Satan. I wish I could go live with you if I can't live with Mommy. I know this whole thing is a learning experience. But I don't see the lesson. What is the lesson, Daddy?

(heart) Love, Chaunell"

- **Exhibit CCC** Series of secret letters Chaunell Roberson wrote to her family sharing her pain

FACT:

Dr. Harold Rekate placed the life of Chaunell Roberson at risk by closing his duties

- 1) On 7/28/08, during Chaunell's admission at St. Joseph's hospital, Dr. Harold Rekate gave Ms. Smith a letter (see p. 22) that concluded *"I have come to the conclusion that another physician will serve your needs better. . . Given the circumstances I find it necessary to inform you that I am withdrawing from further professional attendance upon your daughter. Because her condition requires continuing medical attention, I suggest that you place her in the care of another neurosurgeon without delay. . . Again, I am terminating the physician -patient relationship that I have with your daughter."*

- **Exhibit DDD** Letter by Harold Rekate M.D. "abandoning" Chaunell Roberson case

- 2) Termination by one neurosurgeon of Chaunell Roberson's case and allowing her to be sent home without another neurosurgeon is unethical, dangerous, and unethical.

- **Exhibit DDD** Letter Harold Rekate M.D. "abandoning" Chaunell Roberson case

FACT:

Dr. Bruce White placed the life of Chaunell Roberson at risk by sending her home by ambulance on Diamox, Xopenex, Budesonide, Provigil, Elavil, Norvask, Singulair, and Methadone along with OxyContin. Chaunell Roberson was unable to sit up and had to enter the ambulance and her home on an emergency gurney. (9 medications)

- **Exhibit EEE** Dr. Bruce White sends Chaunell Roberson home by ambulance

FACT:

Dr. Robert Rosenberg signed a Do Not Resuscitate (DNR) on 12/21/07 insurer on 12/21/07 rejected the request, but in the interim, on 10/11/07, in the face of repeated crises, according to Ms. Smith and the medical record, the PICU staff suggested that Ms. Smith sign an advance directive, "Do Not Resuscitate." At 20:00 hours, Dr. Rosenberg, the director of the unit, wrote: Approved by Parents regarding advanced directive. Given that Chaunell has had life threatening neurologic events previously and has been deteriorating at home, they have requested a DNR in the event of cardiopulmonary arrest. They do not want their daughter intubated or to have advanced life support medication/cardioversion/defibrillation. **I have agreed to their request.** All therapy short of cardiopulmonary resuscitation is still available. **R. Rosenberg, MD, PICU.**" (10/11/07)

- **Exhibit FFF** Hospital Case note Dr. Robert Rosenburg approval of "DNR"

FACT:

The physician order for a "Do Not Resuscitate" must be signed by a licensed physician and not just by the patient alone for it to be valid. No physician would ever sign an order that they are not in full agreement with regarding a life and death event. Therefore, Dr. Robert Rosenberg signed the "Do Not Resuscitate" order because it was medically necessary.

FACT:

Arizona Attorney General Mark Brnovich writes: *"If you are healthy and strong, you probably will not wish to complete a DNR. You can express your wishes about how you wish to be cared for should you become seriously ill without completing a DNR. DNRs are most appropriate for people who would probably not do well with CPR (cardiopulmonary resuscitation) because they are very sick, terminally ill or otherwise extremely weak. In any case, you will need to discuss the DNR with your doctor, who will also need to sign the form."*

- Arizona Attorney General Website: <https://www.azag.gov/seniors/life-care-faq>

FACT:

While Chaunell Roberson was in the care of, Marisol Ruiz, foster mother through the Arizona Child Protective Service system Chaunell was abused in the following manner:

- 1) She was witness to sexual encounters involving Marisol Ruiz
- 2) She was witness to obscene language involving Marisol Ruiz
- 3) She was encouraged to wear clothing that would be inappropriate by Marisol Ruiz
- 4) She was encouraged to distance herself from her biological mother Leanna Smith and "start your own life", as said by Marisol Ruiz
- 5) She was left alone to care for other minor foster children in the home alone
- 6) She was supervised by undocumented individuals and unable to communicate with anyone because they spoke no English

- 7) Her **medical needs were denied** by Marisol Ruiz as medicine was withheld, “placebos” in the form of sugar pills were given in place of medications, the school nurse was told she was a hypochondriac like her biological mother, Marisol Ruiz cancelled medical appointments, did not show up for medical appointments, and arrived late to medical appointments frustrating medical care givers
- 8) She was struck so hard with something that caused a laceration on her liver which was discovered at a doctor visit but remained uninvestigated by Arizona Child Protective Services. (In the care of Marisol Ruiz)
- 9) Her cries for relief and her family were ignored by Marisol Ruiz

FACT:

*“The Banner Desert Medical Center reports of her mother’s alleged abuse of her to Arizona’s child protection agency contained **multiple misrepresentations** of Chaunell Roberson’s medical history and clinical status. So **numerous were these falsehoods**, and so insubstantial the attention to the knowledge base readily available to Chaunell’s treating physicians, that they raise **serious questions not simply about their honesty, but of their motives**. The reports appear to have been made in bad faith. No steps were taken to correct the record, nor to inform CPS or the Court, that the **allegation that Ms. Leanne Smith injected air into Chaunell’s LP shunt was withdrawn**. Neither the promised review and investigation of shunt malfunction by the Banner Medical Center hospital staff, nor an examination of the shunt by its manufacturer, have been made available.”*

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*“Chaunell Roberson was **medically neglected in foster home care**. The **repeated denial of medical care for the persistent headaches** deriving from her pseudotumor cerebri appear to have protracted the diagnosis and treatment of her enterococcal meningitis, that **could have killed her**.”*

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- **Exhibit AAA** Eli H. Newberger, M.D. "Report" (Page 60)

FACT:

During her stay in state custody, (Marisol Ruiz foster home) Chaunell Roberson was struck so hard that it caused her liver to be lacerated.

- **Exhibit GGG** Description of 'lacerated liver' Physician's note

FACT:

Chaunell Roberson survived intracranial pressures above 90 for more than five minutes. No human being has ever survived that medical event. Chaunell is a "**medical miracle**".

- **Exhibit HHH** Graph of Intracranial pressures above 100 for more than 5 minutes

During the time Chaunell Roberson faced medical neglect, physical abuse and mental abuse associated with her religious beliefs that were engrained in her by her loving mother and father.

Chaunell Roberson was denied her "normal development" both materially in terms of her health care denial and spiritually in terms of the breaking of her religious faith.

- Chaunell Roberson was denied medical/health care "*Sick but not nursed*"
- Chaunell Roberson would be considered backward "*not helped*"

- Chaunell Roberson was exploited by keeping her from her Mother, her step-father, her brother, her sister, her friends, her school, her religion, her culture, her heritage and proper care in the hope of the multiple lawsuits being dismissed; as evidenced by offers to settle if she were drop the lawsuits
- Chaunell Roberson was denied the aforementioned special safeguards and care, including appropriate legal protection (by her court appointed attorney who did not represent her interests and needs)
- Chaunell Roberson was denied her rights under this international law
- Chaunell Roberson was denied the right to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity
- Chaunell Roberson was consistently identified as a child who is physically, mentally or socially handicapped and she was denied the special treatment and education guaranteed by international, national and state laws education.
- Chaunell Roberson was denied love and understanding
- Chaunell Roberson was denied (without reason) her ability to grow up under the care and responsibility of her Parents (Leanna Smith and Darrell Smith)
- Chaunell Roberson was denied the right to "not" be separated from her Mother (Leanna Smith)

- Chaunell Roberson was denied her educational rights under this law

- The best interest of Chaunell Roberson was consistently not applied by the people involved in her life from September 3, 2008 until she turned 18 on her

birthday January 25, 2012; except her Biological Mother Leanna Smith, her Biological brother Cordell Roberson, and her stepfather Darrell Smith.

- Chaunell Roberson was consistently not protected from all forms of neglect, cruelty, and exploitation. She was in constant physical, medical, mental, emotional, and spiritual harm from various perpetrators and negligent persons from September 3, 2008 until she turned 18 on her birthday January 25, 2012
- Arizona Child Protective Services and their actors; and the Arizona Attorney General's Office and their actors (States Parties) denied Leanna Smith the right to ensure her daughter Chaunell Roberson were able to be provided religious and moral education of their children in conformity with their own convictions.
- Arizona Child Protective Services and their actors; and the Arizona Attorney General's Office and their actors (States Parties); not only did not make an attempt to provide Chaunell Roberson with the necessary protection that could be provided by her step-father (Darrell Smith), the only father she has ever known since she was 6 months old; they made false accusations against him to remove him from the bonded father-daughter relationship
- Arizona Child Protective Services and their actors; and the Arizona Attorney General's Office and their actors (States Parties); introduced Chaunell Roberson to her biological father, an inmate in the Arizona State Penitentiary in Florence, Arizona, Samuel Roberson. Samuel Roberson had no contact with Chaunell Roberson from on or about July 1994 until on or around the Spring of 2010; 16 years. Samuel Roberson never provided a single dollar for her custody, care, and needs; never sent her a birthday card, letter, or Christmas card; or attended a single life experience in those 16 years. During some of those years Samuel Roberson was sent to the penitentiary for drug related offenses and never made any attempt to reconnect with Chaunell Roberson until contacts by the State Parties. It is not unreasonable to believe that the State Parties purposely drove a wedge between Chaunell Roberson and her Mother Leanna Smith and the family to deny everyone these rights.

Argument:

During the captivity of Chaunell Roberson by the State of Arizona from September 3, 2008 until her 18th birthday on January 25th, 2012 Chaunell Roberson faced an array of abuse beyond what any child should be made to experience.

Sexual, physical, spiritual, religious, mental, emotional, medical, and pharmaceutical, abuse along with the onset of depression, isolation, and fear, are the known abuses the documentation speaks to over these 3+ years in captivity.

The acts of kidnapping and brainwashing by state actors will never be completely known, but from the information in this affidavit and the exhibits provided it is crystal clear that what occurred to Chaunell Roberson was obscene at best.

*In the late 1950s, psychologist **Robert Jay Lifton** studied former prisoners of Korean War and Chinese war camps. He determined that they'd undergone a multistep process that began with attacks on the prisoner's sense of self and ended with what appeared to be a change in beliefs. Lifton ultimately defined a set of steps involved in the brainwashing cases he studied:*

- 1) Assault on identity*
- 2) Guilt*
- 3) Self-betrayal*
- 4) Breaking point*
- 5) Leniency*
- 6) Compulsion to confess*
- 7) Channeling of guilt*
- 8) Releasing of guilt*
- 9) Progress and harmony*
- 10) Final confession and rebirth*

*Each of these stages takes place in an environment of isolation, meaning all "normal" social reference points are unavailable, and mind-clouding techniques like sleep deprivation and malnutrition are typically part of the process. There is often **the presence or constant threat of physical harm**, which adds to the target's **difficulty in thinking critically and independently**.*

This is exactly what the Conspirators did to Chaunell Roberson. They slowly isolated her, took away her identity (religion, parents, siblings, family, friends, environments) replaced her reality with a new reality. That new reality was reinforced with freedom, gifts, positive attention, positive verbal reinforcement, and praise.

The person, Chaunell Roberson, daughter of Leanna Smith was erased and like Brenda Bursch stated, “*Give her an alternative reality*”, and create a new individual.

The laws of Nature, the laws of God, the laws of mankind, the international laws, and the laws of the United States of America, the laws of the State of Arizona, and the policies and procedures of the Arizona Department of Child Protective Services were violated and/or ignored.

This obscene travesty of justice against the Leanna Smith family cries out for relief, exposure of the Conspirators, and punishment at a level that sends the message that abuse of children is inexcusable and will not be tolerated in a civilized world.

Arizona Statutes

Arizona Revised Statutes Title 13. Criminal Code § 13-3620. Duty to report abuse, physical injury, neglect and denial or deprivation of medical or surgical care or nourishment of minors; medical records; exception; violation; classification; definitions

- This law was violated when the **Psychologist Robbie Adler-Tapia, Ph.D.** read the case psychological records and opined to an attorney that she confirmed that Chaunell Roberson and her sibling sister were being sexually and physically abused while in state custody and did not report it. Even when confronted by a child advocate she just called the attorney who contracted with her for the opinion on the documents.
- This law was violated when **Psychologist Connie Pyburn** discovered that she had been lied to by State Parties and should have never altered her professional opinion from Family Reunification to Family Severance. A reasonable and prudent person would have not only followed the law but filed the report per A.R.S. Title 13. Criminal Code § 13-3620, but would have made the effort to notify the court and legal authorities of the manipulation of her professional opinion.

Arizona Revised Statutes Title 13. Criminal Code § 13-3623. Child or vulnerable adult abuse; emotional abuse; classification; exceptions; definitions

A. Under circumstances likely to produce death or serious physical injury, any person who causes a child or vulnerable adult to suffer physical injury or, having the care or custody of a child or vulnerable adult, who causes or permits the person or health of the child or vulnerable adult to be injured or who causes or permits a child or vulnerable adult to be placed in a situation where the person or health of the child or vulnerable adult is endangered is guilty of an offense as follows:

1. If done intentionally or knowingly, the offense is a class 2 felony and if the victim is under fifteen years of age it is punishable pursuant to section 13-705.
2. If done recklessly, the offense is a class 3 felony.
3. If done with criminal negligence, the offense is a class 4 felony.

B. Under circumstances other than those likely to produce death or serious physical injury to a child or vulnerable adult, any person who causes a child or vulnerable adult to suffer physical injury or abuse or, having the care or custody of a child or vulnerable adult, who causes or permits the person or health of the child or vulnerable adult to be injured or who causes or permits a child or vulnerable adult to be placed in a situation where the person or health of the child or vulnerable adult is endangered is guilty of an offense as follows:

1. If done intentionally or knowingly, the offense is a class 4 felony.
2. If done recklessly, the offense is a class 5 felony.
3. If done with criminal negligence, the offense is a class 6 felony.

C. For the purposes of subsections A and B of this section, the terms endangered and abuse include but are not limited to circumstances in which a child or vulnerable adult is permitted to enter or remain in any structure or vehicle in which volatile, toxic or flammable chemicals are found or equipment is possessed by any person for the purpose of manufacturing a dangerous drug in violation of section 13-3407, subsection A, paragraph 3 or 4. Notwithstanding any other provision of this section, a violation committed under the circumstances described in this subsection does not require that a person have care or custody of the child or vulnerable adult.

D. A person who intentionally or knowingly engages in emotional abuse of a vulnerable adult who is a patient or resident in any setting in which health care, health-related services or assistance with one or more of the activities of daily living is provided or, having the care or custody of a vulnerable adult, who intentionally or knowingly subjects or permits the vulnerable adult to be subjected to emotional abuse is guilty of a class 6 felony.

E. This section does not apply to:

1. A health care provider as defined in section 36-3201 who permits a patient to die or the patient's condition to deteriorate by not providing health care if that patient refuses that care directly or indirectly through a health care directive as defined in section 36-3201, through a surrogate pursuant to section 36-3231 or through a court appointed guardian as provided for in title 14, chapter 5, article 3.
2. A vulnerable adult who is being furnished spiritual treatment through prayer alone and who would not otherwise be considered to be abused, neglected or endangered if medical treatment were being furnished.

F. For the purposes of this section:

1. "Abuse", when used in reference to a child, means abuse as defined in section 8-201, except for those acts in the definition that are declared unlawful by another statute of this title and, when used in reference to a vulnerable adult, means:
 - (a) Intentional infliction of physical harm.
 - (b) Injury caused by criminally negligent acts or omissions.
 - (c) Unlawful imprisonment, as described in section 13-1303.
 - (d) Sexual abuse or sexual assault.
2. "Child" means an individual who is under eighteen years of age.
3. "Emotional abuse" means a pattern of ridiculing or demeaning a vulnerable adult, making derogatory remarks to a vulnerable adult, verbally harassing a vulnerable adult or threatening to inflict physical or emotional harm on a vulnerable adult.
4. "Physical injury" means the impairment of physical condition and includes any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare.
5. "Serious physical injury" means physical injury that creates a reasonable risk of death or that causes serious or permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb.
6. "Vulnerable adult" means an individual who is eighteen years of age or older and who is unable to protect himself from abuse, neglect or exploitation by others because of a mental or physical impairment.

Arizona Revised Statutes

Title 41 - State Government

§ 41-1969.01 Office of child welfare investigations; duties; training; responsibilities; annual report

A. In addition to the powers and duties of the director pursuant to sections 41-1953 and 41-1954, the director shall establish the office of child welfare investigations within the department. The director is responsible for the direction, operation and control of the office.

B. The duties of the office include investigating criminal conduct allegations, coordinating with child protective services and law enforcement, establishing task forces for the investigation of criminal conduct and other duties assigned by the director.

C. The office shall employ child welfare investigators who have received training to understand law enforcement's role in cases of criminal child abuse or neglect and in social services offered by the department. The office may employ research analysts and peace officers to obtain an originating agency identification number to have direct access to criminal history report

information. Each person who is hired by the office is an employee of the department and shall comply with the fingerprint requirements of section 41-1968.

D. The department, in coordination with the Arizona peace officer standards and training board, shall provide child welfare investigators with training. The training shall be, at a minimum, in the following areas:

1. First responder training on responding to reports of child abuse.
2. Forensic interviewing and processes.
3. Child physical and sexual abuse investigation.
4. The protocols established pursuant to section 8-817.
5. Relevant law enforcement procedures, including the collection and preservation of evidence.
6. A child's constitutional rights as a victim of a crime pursuant to article II, section 2.1, Constitution of Arizona.
7. Any other training as directed by the director.

E. A child welfare investigator shall:

1. Protect children.
2. Assess, respond to or investigate all criminal conduct allegations as defined in section 8-801, which shall be a priority, but shall not otherwise exercise the authority of a peace officer.
3. Not interview a child without the prior written consent of the parent, guardian or custodian of the child unless either:
 - (a) The child initiates contact with the investigator.
 - (b) The child who is interviewed is the subject of, is the sibling of or is living with the child who is the subject of an abuse or abandonment investigation pursuant to paragraph 4, subdivision (b) of this subsection.
 - (c) The interview is conducted pursuant to the terms of the protocols established pursuant to section 8-817.
4. After the receipt of any report or information pursuant to paragraph 2 of this subsection, immediately do both of the following:
 - (a) Notify the appropriate municipal or county law enforcement agency if that agency has not already been notified.
 - (b) Make a prompt and thorough investigation of the nature, extent and cause of any condition that would tend to support or refute the report of child abuse or neglect when investigating allegations pursuant to paragraph 2 of this subsection. A criminal conduct allegation shall be investigated with the appropriate municipal or county law enforcement agency according to the protocols established pursuant to section 8-817.
5. Take a child into temporary custody as provided in section 8-821. Law enforcement officers shall cooperate with the department to remove a child from the custody of the child's parents, guardian or custodian pursuant to section 8-821. A child welfare investigator who is responding to or investigating a report containing a criminal conduct allegation has the primary responsibility for deciding whether to take a child into temporary custody.
6. Evaluate conditions created by the parents, guardian or custodian that would support or refute the allegation that the child should be adjudicated dependent. The investigator shall then determine whether any child is in need of protective services.
7. Identify, promptly obtain and abide by court orders that restrict or deny custody, visitation or contact by a parent or other person in the home with the child and notify appropriate personnel within the department to preclude violations of a court order in the provision of any services.

F. Unless a dependency petition is filed, a child shall not remain in temporary custody for a period exceeding seventy-two hours, excluding Saturdays, Sundays and holidays. If a petition is not filed, the child shall be released to the child's parent, guardian or custodian.

G. In conducting an investigation pursuant to this section, if the investigator is made aware that an allegation of abuse or neglect may also have been made in another state, the investigator shall contact the appropriate agency in that state to attempt to determine the outcome of any investigation of that allegation.

H. The office of child welfare investigations shall submit an annual report on joint investigations conducted during the year pursuant to section 8-817.

I. All records gathered or created by the department during an investigation conducted under this section are confidential and shall be protected and released as prescribed in section 8-807, except that the department shall not release records if the department determines that the release of these records may compromise an ongoing investigation.

J. Notwithstanding any other law, the office of child welfare investigations is not responsible for conducting the criminal investigation of an offense that is listed in section 8-801, paragraph 2.

Universal Declaration of Human Rights (UDHR)

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 17.

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 22.

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

STATEMENT OF THE CASE RE: CONSPIRACY & COLLUSION

- September 3, 2008 through the present, there has been a conspiracy against Leanna Smith and her family carried out in collusion between Arizona Child Protective Services employees and CPS contracted individuals. There are multiple motives for each collaborator but the single focus of destroying Leanna Smith and her family is the common thread throughout the conspiracy.

The orchestrated effort to deny human rights, educational rights, religious rights, medical care, and the universal right of safety has been used to incapacitate and dissolve the Smith family.

The conspirators committed perjury, made false and misleading state, and half-truths in cooperation and collusion with each other and to the courts of law in multiple statements under oath, in conversations, e-mails, reports, and evaluations. These statements were made with full knowledge of their false representations of Leanna Smith, Darrell Smith, Jameelah Smith, Cordell Roberson, and Chaunell Roberson.

These falsehoods were used to change the reports and testimony of Licensed Psychologist, Connie Pyburn PhD. and causing her to follow the false narrative against Leanne Smith and her entire family.

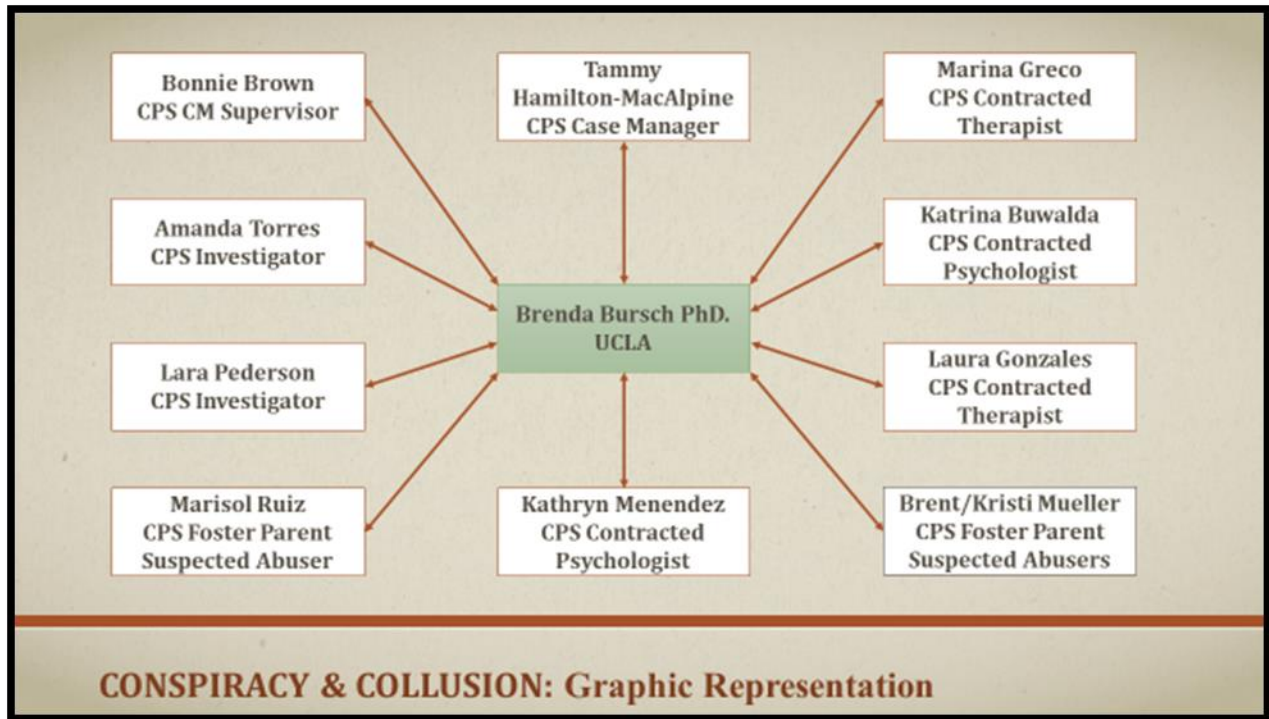
It is necessary to use a narrative approach to demonstrate to the reader the interaction and collusion in this case. The narrative approach bridges the gap between each actors actions and the focus of the conspiracy and collusion.

A combination or confederacy between two or more persons formed for the purpose of committing, by their joint efforts, some unlawful or Criminal act, or some act which is innocent in itself, but becomes unlawful when done by the concerted action of the conspirators, or for the purpose of using criminal or unlawful means to the commission of an act not in itself unlawful. *Pettibone v. U. S.*, 148 U. S. 197, 13 Sup. Ct. 542, 37 L. Ed. 419; *State v. Slutz*, 106 La. 182, 30 South. 298; *Wright v. U. S.*, 108 Fed. 805, 48 C. C. A. 37; *U. S. v. Benson*, 70 Fed. 591, 17 C. C. A. 293; *Girdner v. Walker*, 1 Heisk. (Tenn.) 186; *Boutwell v. Marr*, 71 Vt. 1, 42 Atl. 607, 43 L. It. A. 803, 76 Am. St. Rep. 746; *U. S. v. Weber* (C. C.) 114 Fed. 950; *Comm. v. Hunt*, 4 Mete. (Mass.) Ill, 3S Am. Dec. 340; *Erdman v. Mitchell*, 207 Pa. 79, 56 Atl. 327, 63 L. R. A. 534, 99 Am. St. Rep. 7S3; *Standard Oil Co. v. Doyle*, US Ky. 602, 82 S. W. 271, 111 Am. St. Rep. 331.

Conspirators

1. Brenda Bursch PhD. Psychologist from UCLA and lynchpin of the conspiracy/collusion
2. Tammy Hamilton-MacAlpine, Arizona CPS Case Manager
3. Bonnie Brown, Arizona CPS Case Manager Supervisor
4. Amanda Torres, Arizona CPS Investigator
5. Laura Pederson, Arizona CPS Investigator
6. Marina Greco, CPS Contracted Therapist through ChildHelp, USA
7. Katrina Buwalda, PhD., CPS Contracted Psychologist through Buwalda and Associates
8. Laura Gonzales, CPS Contracted Therapist
9. Kathryn Menendez, CPS Contracted Psychologist
10. Marisol Ruiz, Arizona foster mother, suspected of physical and sexual abuse
11. Brent & Kristi Mueller, Arizona foster parents, suspect of physical and sexual abuse

Conspirators Graphic Representation



Conspiratorial Facts & Actions

Chaunell Roberson was taken into custody by Arizona Child Protective Services (“CPS”) on September 3, 2008 at the requests of Dr. White, Dr. Rekate and Dr. Alfano at St. Joseph’s Hospital and Dr. Elton, Dr. Albuquerque, Dr. Budi Wiryawan and Dr. Oppenheim at Banner Desert Hospital, based on allegations of suspected Munchausen Syndrome by Proxy (Factitious Disorder by Proxy) (referred to collectively as “MSBP”). The hospitals and CPS consulted Dr. Coffman, who was supervised by Dr. White to pursue MSBP against Leanna. These allegations drove the case although the Juvenile Court never found that Leanna had done anything medically to Chaunell Roberson or that she had MSBP. The Juvenile Court ultimately denied DES’s petition to terminate Leanna’s interest in Chaunell Roberson and dismissed the dependency petition.

Before CPS and the conspirators sought termination, the Juvenile Court had approved reunification of Chaunell Roberson with Leanna. The day before Leanna was being reunified with Chaunell Roberson; Dr. Elton accused Leanna of putting air in Chaunell Roberson’s shunt causing it to fail. As a result, CPS used the allegations of MSBP to terminate visitation between Leanna and Chaunell Roberson. CPS then pursued termination of Leanna’s parental rights. Dr. Elton recanted his position, however, CPS decided to go forward with termination even though no evidence could ever be rationally presented (anything other than raw speculation) that Leanna did anything to cause the shunt to fail.

Prior to this stage in the events, Leanna served a Notice of Claim on DES and its CPS employees Tammy Hamilton-MacAlpine (case worker), Bonnie Brown (CPS Supervisor) and Laura Pederson (CPS Investigator) that she would be filing a complaint against them and the doctors

and hospitals to pursue the wrongful taking of Chaunell Roberson. This notice of claim was served on or about September 19, 2009. Leanna filed a complaint on March 22, 2010, which was removed to the United States District Court of Arizona, Case No. 10-cv-01632-DGC and which is currently pending.

Bonnie Brown, Tammy Hamilton-MacAlpine, Laura Pederson, Amanda Torres, Marina Greco, Katrina Buwalda, Kristi Mueller, Brent Mueller, Laura Gonzales, and Brenda Bursch referred to collectively as “Conspirators”) actively, knowingly, intentionally and with malice conspired together and agreed to work together to falsely assert MSBP against Leanna and to brainwash and manipulate Chaunell Roberson to get her to agree with them that Leanna had caused her medical injury because of MSBP and later that her mother had physically and sexually abused her and JS. The purpose was to manipulate Chaunell Roberson as much as possible to assure success by CPS in the Juvenile Court litigation and to terminate Leanna’s parental rights in Chaunell Roberson. This was also done to limit or eliminate Leanna’s claims against the Conspirators and the medical Defendants in the Civil Rights case for wrongfully taking Chaunell Roberson from Plaintiffs custody and control.

After Dr. Scott Elton corrected the false statements made by Bonnie Brown to the Tempe Police Department, Bonnie Brown, Tammy Hamilton-MacAlpine and the remaining Conspirators maintained the false statement made by Bonnie Brown. Then CPS retained Dr. Brenda Bursch to provide expert testimony that Leanna was mentally ill, had MSBP and therefore was dangerous to Chaunell Roberson and JS. The Conspirators thereafter meet and conspired to use Dr. Bursch’s report and orchestrated medical timeline to change Chaunell Roberson’s mind about what had happened to her medically and to get her to believe her medical condition was caused by her mother’s MSBP.

The Conspirators started by prohibiting Leanna from bringing JS (Chaunell Roberson’s Sister), Cordell (Chaunell Roberson’s Brother) and Darrell (whom she thought of as “Dad”) to supervised visits with Chaunell Roberson and prohibited Leanna from praying with and discussing religion with Chaunell Roberson. They, through the Foster Family, then exposed Chaunell Roberson to movies, music, dress, makeup and profanity that they knew would not be approved by Leanna and that would be enticing to a teenager. As a result of these efforts, Chaunell Roberson began to disagree with her mother’s values, began to swear and became angry because she could not see JS, Darrell and Cordell at visits with Leanna. She blamed her mother for this and was never informed by CPS and the Conspirators that they had prohibited them from visiting.

The Conspirators’ then influenced Chaunell Roberson to believe that her mother was lying to her about Leanna’s and Darrell’s religious beliefs. They influenced Chaunell Roberson into believing Smith and Darrell were really Muslims, rather than Christians and that Darrell had other wives. They also influenced Chaunell Roberson into believing that Leanna’s litigation in the District Court against the doctors and hospitals would result in her not being able to become a nurse and that if she went home to her mother she would just do what her mother wanted and could not act independently from Leanna Smith. As a result of this manipulation, Chaunell Roberson told her mother Leanne Smith that she did not want to come home but wanted to

continue to have a relationship with her mother and family. All this, while CPS was intending to pursue termination rather than reunification.

At the very point where Chaunell Roberson indicated she wanted to remain in foster care until 18, but still have a relationship with Leanna and her family, and at the moment Chaunell Roberson become angry with her mother and felt her mother was lying to her about why Darrell Smith was not at visits and that her mother was lying to her about her religious beliefs, the conspirator's had Chaunell Roberson read the book "Sickened" and read "**Dr. Bursch's Report**" about Leanne Smith and study the inaccurate and misrepresented "**Medical Timeline**" in an effort to allow Chaunell Roberson in the "*integration of old medical records into treatment, which may allow clt. to re-think past events, entertaining an alternative story*". Thus, causing Chaunell Roberson to believe her Mother caused her medical issues and even tried to kill her

"Sickened" is the fictitious story of a girl who lost her childhood because her mother had poisoned her as a result of having MSBP. Upon finishing reading the book "Sickened," with Greco, her therapist and Foster Mother, Chaunell Roberson related to the child in the book and from that point on believed that Leanna had drugged her causing the unexplained comas she had as a child. After reading "Sickened" and Bursch's report, Chaunell Roberson thereafter believed her mother is mentally ill, has MSBP, was trying to hurt her and deprived her of her childhood. Before the matter was ever heard by the Juvenile Court, the Conspirators had effectively destroyed the relationship Chaunell Roberson had with Leanna to the point where Chaunell Roberson does not want to have anything to do with her mother.

The Conspirators did not wait to litigate the MSBP issues before the Juvenile Court but did so in Chaunell Roberson's mind long before the matter came to trial. The Conspirators used Bursch's report and testimony to take JS into CPS custody, even though no medical problems ever existed with JS. The Conspirators manipulated Chaunell Roberson to bring allegations of physical abuse against Leanna to justify retention of custody of JS and placing JS in the same foster home as Chaunell Roberson. Thereafter, they continued to manipulate Chaunell Roberson to obtain false allegations of physical abuse against Darrell and physical abuse and sexual abuse allegations against Leanna.

The Conspirators knew that Chaunell Roberson had become "enmeshed" with Foster Mother and used this relationship to manipulate Chaunell Roberson and to obtain false allegations of abuse by having Foster Mother and Father attend counseling sessions with Greco and Chaunell Roberson and Greco and the Foster Mother reading and interpreting Bursch's report with her as well as reading with her and interpreting the book "Sickened."

The existence and nature of the scheme to defraud is shown by the following.

On 2/19/2010, Greco at the direction of and with the consent of Bonnie Brown and Tammy Hamilton-MacAlpine, had a conversation with Brenda Bursch regarding therapy for Chaunell Roberson. This was done before Bursch had prepared her report or interviewed Chaunell Roberson or Leanna. In that conversation, Bursch offered Greco various interventions Greco could use with Chaunell Roberson as victim of MSBP and suggested Greco integrate old medical records into Chaunell Roberson's treatment to help her "re-think past events" and to entertain a

different view of her medical treatment than she then had which they believed came from her mother.

On 4/23/10, Dr. Bursch interviewed Chaunell Roberson. At the conclusion of the interview, Dr. Bursch recommended Chaunell Roberson read the book "Sickened, The True Story of a Lost Childhood" by Julie Gregory. Upon information and belief, Dr. Bursch had an off the record conversation with Chaunell Roberson about her mother causing her unexplained coma's and causing her medical conditions she had in the past and recommended she read this book.

On 4/28/2010 Marina Greco, Katrina Buwalda, Bonnie Brown, Tammy Hamilton-MacAlpine and the Foster Mother discussed by e-mail whether they should stop what they were doing in therapy with Chaunell Roberson. They were proud of Chaunell Roberson that she no longer trusted or believed her mother and were concerned about whether they should continue further. It was agreed they should continue to answer Chaunell Roberson's questions she was having about her mother. Greco informed the above that after her visit with Chaunell Roberson where she expressed her anger with her mother that she was lying to her, that she had purchased the book "Sickened" that was recommended by Dr. Bursch for Chaunell Roberson to read and would give it to her to read. She then gave the book to Chaunell Roberson to read.

Bursch's report was completed by May 9, 2010. Upon information and belief, at about this same time, Chaunell Roberson was provided Bursch's Report regarding Leanna by Tammy Hamilton-MacAlpine and Chaunell Roberson read this report and the medical timeline contained therein with the Foster Mother and Greco.

On 5/13/2010, Chaunell Roberson and Foster Mother completed the recommended reading of the book "Sickened." Chaunell Roberson identified herself with the child character in the book and at this point, believed that her mother drugged her to cause her comas. Chaunell Roberson expressed concern about JS remaining in the home and it was at this point she stated she had memories of physical abuse of JS.

The above actions constitute a scheme or artifice to defraud Leanna and Darrell of custody of Chaunell Roberson and/or JS and to damage or eliminate Leanna's claims against the Civil Rights case Defendants by manipulating Chaunell Roberson into believing her mother had MSBP, her mother tried to kill her, that Chaunell Roberson needed to protect JS and take JS out of her mother's home and to make false allegations of abuse (including sexual abuse) to assure termination of Leanna and Darrell's parental rights in Chaunell Roberson and JS.

Leanna's parental interest in Chaunell Roberson and JS constitutes a property interest that the conspirators knowingly and intentionally schemed to deprive Leanna Smith and Darrell Smith of, by having Chaunell Roberson not want to have anything to do with them and manufacturing false allegations of physical and sexual abuse to present to the Juvenile Court and to have Leanna and Darrell prosecuted criminally. The acts set forth above constitute a pattern of racketeering and conspiracy activity that took place from January of 2010 and ongoing to the January 24, 2012.

Greco was placed on 90 days probation with Child Help, starting 3/1/2010, following a Complaint made to the Arizona Board of Behavioral Health Examiners regarding Greco telling a young girl she was counseling that it would be in her best interest if Greco adopted her. Greco quit Child Help and Chaunell Roberson and JS were then assigned to Southwest Network Counselor Laura Gonzales who continued to manipulate Chaunell Roberson and JS in accordance with the scheme set out by the Conspirators.

The Conspirators presented and used the false allegations of abuse before the Juvenile Court to seek termination/severance of Leanna Smith's parental interest in Chaunell Roberson. The Court denied DES's petition to terminate Leanna's parental rights in Chaunell Roberson and dismissed the dependency petition filed by CPS. However, the Juvenile Court terminated Leanna and Darrell's parental rights in JS based on the false allegations of abuse involving JS and that matter is up on appeal. The ruling by the Juvenile Court was based upon fraudulent information intentionally provided to the Court by the Conspirators. Leanna was subject to multiple (8) criminal investigations as each new allegation of abuse comes from Chaunell Roberson. The Conspirators aggressively sought criminal prosecution of Leanna and Darrell based on the false allegations of abuse. No criminal prosecution took place and all cases have been closed by the police.

The Conspirators drove a wedge between Leanna and Darrell and Chaunell Roberson. Chaunell Roberson feels her mother is mentally ill, caused her medical condition she experienced as a child, has MSBP and has indicated she does not want to have anything to do with her Mother. Even though the Court ruled in Leanna's favor, Leanna does not know where her daughter is and is not able to contact her to reestablish their relationship.

Further, the Conspirators collectively constituted an enterprise, as defined in 18 USC s 1961 (4) to wit, an association which has been engaged in and the activities of which affect interstate commerce. Based on the above, the Conspirators have witnessed tampered and retaliated against a witness and exploited them under 18 USC 1962(c). The tampered and exploited witnesses were Chaunell Roberson and JS.

UCLA entered into a contract with the State of Arizona, CPS to provide services regarding MSBP. Pursuant to this Contract, Bursch was to provide the services. Bursch and UCLA contractually agreed to abide by all laws in the State of Arizona and agreed to indemnify DES for any injuries or damages resulting from Bursch's conduct.

Brenda Bursch – Conspirator

Brenda Bursch is licensed in the State of California as a Psychologist. The California Psychology Board refuses to address issues of impropriety that occur in Arizona. California Board stated, "If she got a traffic ticket in Arizona we would not be involved in that either". The Arizona Psychology Board refused to address improprieties because Brenda Bursch is licensed in California, not in Arizona. http://people.cnsi.ucla.edu/institution/personnel?personnel_id=9538

FACT:

Brenda Bursch directed this conspiracy as identified in her contract page 2 of 9 area 3.0 Term of Agreement, subsection 3.3.2 "Brenda Bursch, PhD ("Director") and actions.

Questionable Actions/Inactions: (Contracts and Supporting Documents attached)

Exhibit BBBB Brenda Bursch PhD. UCLA page 2 of 9

FACT:

Brenda Bursch was titled the “Director” for the purposes of this contract with DES and Child Protectives Services

Exhibit BBBB Brenda Bursch PhD. UCLA page 2 of 9

FACT:

Brenda Bursch Ph.D. took on multiple roles simultaneously during this conspiracy in violation of the American Psychological Code of Ethics and acceptable community standards. In the case of Leanne Smith (Roberson) and her minor daughter Chaunell Roberson, Brenda Bursch performed activities under the following hats:

- 1) Consultant to The Arizona Department of Economic Security,
- 2) Consultant to Child Protective Services,
- 3) Consultant to the Arizona Attorney General’s Office,
- 4) Consultant to Child Help USA,
- 5) Consultant to Southwest Network,
- 6) Trainer to Child Help USA,
- 7) Trainer to Southwest Network,
- 8) Evaluator of Leanne Smith (Roberson)
- 9) Treatment Director, Coordinator and Consultant to;
 - Tammy Hamilton-MacAlpine, Bonnie Brown, Marina Greco, Katrina Buwalda, Kathryn Menendez, Brent Mueller, and Kristi Mueller
- 10) Expert Witness in the court case against Leanne Smith whom she evaluated
- 11) Facilitator in coordinating the cognitive *“integration of old medical records into treatment, which may allow clt. To ‘re-think past events, entertaining an alternative story.”*
- 12) Facilitator in coordinating the use of the fictional book, “Sickened” to assist minor child in entertaining an alternative story where she relates her feelings to the character in the book and her current “cognitive distortions” are changed.

All of these twelve (12) roles were carried out simultaneously over a 2-3 year period on the same case.

- **Exhibit BBBB** Brenda Bursch PhD. UCLA page 2 of 9 Pages
- **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report” (March 28, 2011)
- **Exhibit DDDD–11** White Paper created by Professor Steven R. Isham, M.A., L.B.S.W.

Expert Witness Dr. Eric Mart: (Report attached) Dr. Mart reviewed the documents completed by Brenda Bursch Ph.D. and his concerns in a Report on the actions he observed in this case;

“Another general issue I have in this case is the question of why licensed psychologists are opining about the presence or absence of MSBP/FDBP in a case involving alleged medical abuse of a child. Standard 2.01 of the Ethical Principles of Psychologists and Code of Conduct (Boundaries of Competence) states:

(a) *Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience.*”

▪ **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“With regard to Dr. Bursch’s report, I would reiterate my concerns regarding the appropriateness of a psychologist making determinations about a child’s medical treatment. A review of medical records by mental health professionals may be necessary in an assessment of this type to provide context. However, offering opinions regarding such issues as the origin of the air in Chaunell’s shunt, the likely cause of her comas, whether diagnostic procedures were justified, and whether some of Chaunell’s health problems were iatrogenic appears to me to be clearly beyond the competence of non-medical mental health professionals.”

▪ **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“A further concern is the fact that Dr. Bursch’s report focuses almost completely on situations in which she believes tests were unnecessary or procedures unwarranted, but there is virtually no reference to the situations in which Ms. Roberson was correct or when there was a bona fide medical problem underlying Chaunell’s symptoms. While I understand that some of the facts related to Chaunell’s history are in dispute, Dr. Newberger had little difficulty finding multiple examples of situations in which Ms. Roberson made appropriate judgments regarding her daughter’s health and interacted appropriately with medical personnel. Further, while Dr. Bursch details what she believes are discrepancies between the medical records and Ms. Roberson’s reports, she either did not notice the discrepancies in the accounts of medical personnel or did not choose to include them in her report. Overall, there appears to be a problem with confirmatory bias in her report.”

▪ **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“Finally, Dr. Bursch provisionally diagnosed Ms. Roberson with Asperger’s disorder, R/O pervasive developmental disorder, NOS, delusional disorder, persecutory type; R/O schizophrenia, paranoid type, and factitious disorder not otherwise specified (provisional) as well as R/O personality disorder not otherwise specified, mixed (paranoid personality disorder; obsessive compulsive personality disorder). I am concerned that these are very serious diagnoses that appear to have been made on the basis of insufficient data. Dr. Bursch did not employ any of the instruments that are commonly utilized in the assessment of autistic spectrum disorders, nor did she use any instruments such as the MMPI-2 (other than the invalid protocol produced by Dr. Menendez), the PAI, or other well validated instruments for assessing psychopathology or cognitive deficits. Again, there appears to be a lack of logical nexus between the data she developed and the conclusion she drew about Ms. Roberson.”

▪ **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“Dr. Bursch did not employ any of the instruments that are commonly utilized in the assessment of autistic spectrum disorders, nor did she use any instruments such as the MMPI-2 (other than the invalid protocol produced by Dr. Menendez), the PAI, or other well validated instruments for assessing psychopathology or cognitive deficits.” Statement of Dr. Eric Mart Ph.D.

▪ **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

Expert Witness Dr. Eli H. Newberger M.D.: (Report attached)

Dr. Eli H. Newberger had significant issues with the work done by Brenda Bursch Ph.D. and her “*elaborate speculation*”,

“Neither the analysis of medical records nor the yield of psychological studies in the reports by psychologists Menendez and Bursch support a diagnosis of Munchausen Syndrome by Proxy. They include elaborate speculation about what Leanna Smith might have done and assert diagnoses (e.g. Asperger’s Syndrome, Delusional Disorder, persecutory type) that might propel her to commit neglect, abuse, or factitious illness behavior.”

- **Exhibit AAA** Eli H. Newberger, M.D. “Report” (March 24, 2011)

“Chaunell was encouraged to read Dr. Bursch’s report and to deduce from it what her mother had done to her.”

Note: This Psychological Report was of the Mother, Leanna Smith (Roberson). It was shared with her minor child Chaunell Roberson without the Mother’s knowledge or permission. This is a clear and unarguable violation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA); instigated by Brenda Bursch Ph.D. as demonstrated throughout the records.

Note: Brenda Bursch Ph.D. coordinated the dissemination of the Mother’s confidential Psychological Report to:

- a. Chaunell Roberson, minor child of Leanne Smith (Roberson),
- b. Tammy Hamilton-MacAlpine, CPS Case Manager,
- c. Bonnie Brown, CPS Case Manager Supervisor,
- d. Marina Greco, Child’s Therapist,
- e. Katrina Buwalda, Child Therapist and Parental Visitation Supervisor, and
- f. Brent Mueller, Chaunell Roberson’s Foster Parent,
- g. Kristi Mueller, Chaunell Roberson’s Foster Parent,
- h. Samuel Roberson, biological father and prison inmate

None of these individuals had the right or had the Mothers permission or knowledge to have a copy or see the information. The only motive would be a part of the “conspiracy” to defraud and demonize Leanna Smith.

Tammy Hamilton-MacAlpine – Conspirator

In her role as Case Manager in the case of Chaunell Roberson, Tammy Hamilton-MacAlpine had certain standard operational procedures clearly delineated in her education, training, background, and history, both in college and in her years of experience with Child Protective Services under the Arizona Department of Economic Security as a Level III Case Manager.

The Arizona Department of Economic Security, Child Protective Services section took custody of Chaunell Roberson from Banner Desert Medical Center on September 3, 2008 after a “suspicious” report of suspected child abuse made by four physicians.

- **Exhibit B** Physician Letter Making False Allegations of Leanne Smith

Chaunell was subsequently placed in a Foster Family in El Mirage, Arizona 34.8 miles from her mother and siblings. The Foster home was Hispanic and it is reported that the Foster Home used “illegal aliens” to watch Chaunell Roberson much of the time she was placed there. Chaunell Roberson was entered into the Dysart School District on September 8, 2008 without school

records, without immunization records, without medical records, without attendance records, without a Birth Certificate, and without proper completion of the Enrollment Form.

Tammy Hamilton-MacAlpine waited until September 22, 2008 before withdrawing Chaunell Roberson from the Tempe Elementary District and picking up “all” her records but withholding them from the Dysart School District. Normal standard operating procedures and even the court order require that the CPS Case Manager transfers “all” the records from one school to another.

- **Exhibit DD** Pupil Withdrawal Form (09/22/2008)

FACT:

Previously in the Tempe Elementary District Chaunell was receiving and still eligible for the following services and federal categories:

- a. Current Psycho-Educational Evaluation dated May 17, 2007 and good until May 16, 2010
- b. Learning Disabilities in;
 - ✓ Basic Reading Skills,
 - ✓ Reading Comprehension,
 - ✓ Math Calculation, and
 - ✓ Written Expression
- c. Current Individualized Education Plan (IEP) dated September 13, 2008 through September 12, 2009
- d. Current Medical Certification of a Student with Chronic Health Conditions
- e. Other Health Impairment Eligibility Determination document
- f. Multi-disciplinary Team Evaluation Report dated September 12, 2008
- g. Medical Records and Information concerning a Ventricular peritoneal Shunt placed in the brain of Chaunell Roberson
- h. Speech and Language Determination
- i. Emergency Health Plan
 - **Exhibit BB** Tempe School District Psycho-Educational Evaluation
 - **Exhibit II** Special Education Eligibility Statements

FACT:

Tammy Hamilton-MacAlpine reported to the Juvenile Court, the Foster Care Review Board, and in her testimony during the 2008-2009 school year that “*Chaunell Roberson has done extremely well since being placed in foster care.*”

Note: In reality:

- ✓ Chaunell Roberson missed 42 out of 160 days of school for a 26.25% absentee rate,
- ✓ Chaunell Roberson went to the school nurse 32 times in 118 school days attended of which 31 times were for severe headaches,
- ✓ One quarter Chaunell Roberson failed reading, failed writing, earned a “C” in math and an “A” in science, art, music, P.E., and Library.
- ✓ On March 24, 2009 Chaunell Roberson went to the Nurse and was sent back to class. At 1:59pm Chaunell Roberson was admitted to Banner Boswell Hospital; 39 minutes after being triaged by the school nurse and sent back to class. At 6:36pm Chaunell Roberson was transferred by ambulance to Banner Desert Medical Center.

- ✓ On March 25, 2009 Chaunell Roberson had an emergency surgery for a malfunctioning shunt at which time they discovered she had a complication of “Enterobacter cloaca”, better known as Bacterial Meningitis.
- ✓ Subsequently it has been suggested that during that hospitalization it was discovered that Chaunell Roberson had been struck with the enough force to cause a laceration on her liver of size and nature that it should have warranted further investigation by someone, yet it was never addressed by the hospital or physicians; The same Physicians that made the questionable Child Protective Services Report about the Mother.
- **Exhibit AAA** Eli H. Newberger, M.D. “Report” (March 24, 2011)

FACT:

When Chaunell Roberson was six months old her biological father beat her mother, Leanne Smith (Roberson). Leanne took her child and went to a shelter. She never returned and divorced her husband. Chaunell Roberson had no contact whatsoever with her biological father until Tammy Hamilton-MacAlpine reunited her with him. He had been in prison for years and made no effort to contact Chaunell or support her in any way.

FACT:

Tammy Hamilton-MacAlpine became a defendant starting on September 29, 2009 with a Notice of Claim from Attorney Keith Knowlton. Subsequently she is named as a defendant in a Federal Court Case No: CV-10-1632 PHX FJM. This action is for violating the Mother’s civil rights; denying her freedom of speech and freedom of religion.

FACT:

Katrina Buwalda “hired” Tammy Hamilton-MacAlpine as an employee of Buwalda Psychological Services after she was discharged from Child Protective Services under the auspices of the Arizona Department of Economic Security.

FACT:

Bonnie Brown, in her role as Supervisor over Tammy Hamilton-MacAlpine, had certain standard operational procedures clearly delineated in her education, training, background, and history, both in college and in her years of experience with Child Protective Services under the Arizona Department of Economic Security as a CPS Case Manager Supervisor and a herself a seasoned CPS Case Manager of many years.

Bonnie Brown – Conspirator

FACT:

Bonnie Brown made the following statement to Officer T. Smith:

“In the morning of 11/25/09, the Mueller’s brought Chaunell to Desert Banner Hospital due to the headaches. Chaunell’s doctors, (M) Dr. Elton and (M) Dr. Yun found 2 pinpoints in the plastic shunt which was in Chaunell’s head. Brown did not know if the Doctors found the two pinpoints in the shunt on the inside of Chaunell’s head or outside of her head. Reading a letter by one of Chaunell’s from the CPS Report which Brown could not find the author’s name of, it states that the 2 pinpoints found in the shunt could have allowed air into Chaunell’s head which could have been fatal. Also, it was unknown that if the pinpoints were made by a needle, if the needle was clean or if an unknown substance could have been injected into the shunt.”

False Statement: Doctor Scott Elton told the Tempe Police Department he never said there were pin points or pin holes
Exhibit CCCC Tempe Police Department (Dr. Elton testimony to detective Page on 12/16/09 Report # 09-194931)

FACT:

Bonnie Brown made the following statement to Officer T. Smith:

“Brown said that Dr. Elton found no bruising around the shunt to support Chaunell’s explanation and said that he could see no way in which, 2 pinpoint’s would appear in her shunt.”

False Statement: Doctor Scott Elton told the Tempe Police Department he never said there were pin points or pin holes
Exhibit CCCC Tempe Police Department (Dr. Elton testimony to detective Page on 12/16/09 Report # 09-194931)

FACT:

Bonnie Brown made the following statements to Officer T. Smith:

“Brown noted that Chaunell is about to be taken off “Arizona Long Term Care” which helps pay for her medical bills as Chaunell was doing so well Medically”.

False Statement: Chaunell Roberson would stay on “Arizona Long Term Care” (Medicaid) as long as she was in state custody her 18th birthday 01/25/2012

FACT:

There is no evidence to substantiate Bonnie Brown’s claims to Officer T. Smith regarding the 2 pinpoint. In fact, Dr. Elton in an interview with Tempe Police Department Detective R. Page #11705 on 12/16/09 denied the existence of any pinpoints or that he ever said such a thing.

“I told him that I was told that he found some pinholes in the shunt and he said that wasn’t accurate but he did notice two small red marks over the shunt and he does not know what that means.”

False Statement: Lied to Officer T. Smith about pinpoints on Chaunell Roberson
Exhibit CCCC Tempe Police Department (Dr. Elton testimony to detective Page on 12/16/09 Report # 09-194931)

FACT:

Bonnie Brown became a defendant starting on September 19, 2009 with a Notice of Claim from Attorney Keith Knowlton. Subsequently she is named as a defendant in a Federal Court Case No: CV-10-1632 PHX FJM. This action is for violating the Mother’s civil rights; denying her freedom of speech and freedom of religion

Exhibit DDDD-7 Bonnie and Tammy added to lawsuit

Marina Greco – Conspirator

FACT:

Marina Greco is the therapist chosen specifically for this case by Tammy Hamilton-MacAlpine to carry out therapy for Chaunell Roberson. At the time of intake completed on November 7, 2008 the only diagnosis identified was V61.20 Parent-Child Relational Problem. At the time of

discharge on January 3, 2011 that was still the one and only diagnosis used for treatment purposes and billing for 2 years and 3 months of treatment by Marina Greco.

Exhibit DDDD-1 Marina Greco Case Notes 11/06/2008 & 11/07/2008 Intake Notes

FACT:

Intake on November 7, 2008 Tammy Hamilton-MacAlpine stated on the intake forms that there were no medical findings for complaint. (Falsehood)

Exhibit DDDD-1 Marina Greco Case Notes 11/06/2008 & 11/07/2008 Intake Notes

FACT:

On 02/12/2010 Tammy Hamilton signed a release or records (ROI) for Brenda Bursch for "Collaboration of Care" from 2/12/10 through 2/12/11

Exhibit DDDD-2 02/12/2011 Tammy ROI (Release of Information)

Exhibit DDDD-6 02/19/2010 Marina Greco ROI for Bursch

FACT:

Brenda Bursch was participating and directing the care for CR from 2/12/10 on, even before she completed the evaluation on Leanne Smith (Roberson)

Exhibit DDDD-2 02/12/2011 Tammy ROI (Release of Information)

FACT:

On 02/19/2010 Marina Greco received a phone call from Dr. UCLA Dr. Bursch already coordinating treatment on 2/19/10

Exhibit: DDDD-3 02/19/2010 Phone call from Dr. Bursch for guidance

FACT:

On 02/25/2010 Shared information about UCLA contact with Tammy Hamilton

Exhibit: DDDD-4 02/25/2010 Dr. Bursch-Greco phone consultation

FACT:

On 03/2010 Phone contact with Psychologist from UCLA w/ROI obtained

Exhibit: DDDD-3 02/19/2010 Phone call from Dr. Bursch for guidance

FACT:

On 04/27/2010 e-mail from Katrina Buwalda stating, "*What do we want to do? Should we consult with Dr. Bursch?*" (Cc: Tammy Hamilton/Marina Greco)"

Exhibit: DDDD-5 04/27/2010 Buwalda e-mail to Tammy and Marina Greco

FACT:

On 04/28/2010 Bonnie Brown involved in treatment decisions (Bonnie Brown/Tammy Hamilton/Marina Greco)

Exhibit: DDDD-5 04/27/2010 Buwalda e-mail to Tammy and Marina Greco

FACT:

On May 9, 2010 (05/09/2010) Brenda Bursch completed her review of the medical records and her evaluation of Leanne Smith (Roberson) and submitted to Tammy Hamilton-MacAlpine.

FACT:

This is the timeline used for the next 8 months to saturate the life of Chaunell Roberson to create **“integration of old medical records into treatment, which may allow clt. to re-think past events, entertaining an alternative story.”**

Exhibit DDDD-6 02/19/2010 Greco/Bursch communication tamper with witness

FACT:

On 05/26/2010

- Client expressed feeling anxious to read the report and medical time-line provided by Dr. Bursch
- The copy provided to her by her CPS CM while at court
- Informed FD client was given her copy of the report by Dr. Bursch
- Encouraged client to read this information w/foster parent support
- Marina Greco “still working on the medical timeline from Bursch”

Exhibit DDDD-8 Dr. Bursch completes medical records and Leanne Smith Evaluation

FACT:

On 06/14/2010 ‘client continues to have memories, which she believes may be triggered by reading the time-line prepared for trial

Exhibit DDDD-9 memories triggered by reading the time-line prepared for trial

FACT:

On 07/09/2010 Client continues to have memories triggered by the time-line presented to court by Dr. Bursch.

Exhibit DDDD-9

FACT:

07/12/2010 Introduction of EMDR therapy to treatment for Chaunell Roberson

Exhibit:

FACT:

08/02/2010 Continue to integrate EMDR with identification of target memories utilizing her medical time-line

Exhibits DDDD-10A

FACT:

08/16/2010 Continue to integrate EMDR with identification of target memories utilizing her medical time-line

Exhibits DDDD-10B

FACT:

08/23/2010 Continue to integrate EMDR with identification of target memories utilizing her medical time-line

Exhibits DDDD-10C

FACT:

08/30/2010 Continue to integrate EMDR with identification of target memories utilizing her medical time-line

Exhibits DDDD-10D

FACT:

09/13/2010 Continue to integrate EMDR with identification of target memories utilizing her medical time-line

Exhibits DDDD-10E

FACT:

09/18/2010 Continue to integrate EMDR with identification of target memories utilizing her medical time-line

Exhibit:

FACT:

On 09/20/2010 Client continues the medical time-line and “Client requested a break in review of medical history”

Exhibits DDDD-10F

FACT:

On 10/08/2010 Client continues the medical time-line and Client requested a break in review of medical history

Exhibits DDDD-10G

FACT:

On 10/11/2010 Client continues the medical time-line and Client requested a break in review of medical history

Exhibits DDDD-10H

FACT:

On 11/08/2010 Client shared feeling anxious, seeking to complete medical review of medical records” and “Clt continued with review of records,” and Client continued to review the medical time-line while processing thoughts and feelings

Exhibit DDDD-10I

FACT:

On 11/08/2010 Marina Greco call Dr. Brenda Bursch to update on Chaunell Roberson’s treatment progress

Exhibit DDDD-10J

FACT:

On 11/18/10 Client has completed the review of the medical time-line Mentions “Blood Clot”

Exhibit DDDD-10K

FACT:

On 11/18/10 Client has completed the review of the medical time-line

Note: CR was made to review her medical records as developed by Brenda Bursch for “8” months

Exhibit DDDD-10K

FACT:

On 11/22/2010 Client shared feeling anxious, seeking to complete medical review of medical records” and “Clt continued with review of records,” and Client continued to review the medical time-line while processing thoughts and feelings

Exhibit DDDD – 10L

FACT:

On 11/29/2010 Client will utilize her medical time-line and begin to identify targets for EMDR

Exhibit DDDD – 10M

Note: Especially since on January 24, 2011 @ 11:59pm, the day/one minute before her 18th birthday the Juvenile Court Judge dismissed the case brought by CPS with no evidence to have taken Chaunell Roberson in the first place and no evidence to have kept her for almost four years.

FACT:

Marina Greco was placed on 90 days probation with Child Help, starting 3/1/2010, following a Complaint made to the Arizona Board of Behavioral Health Examiners regarding Greco telling a young girl she was counseling that it would be in her best interest if Greco adapted her. Greco quit Child Help and Chaunell Roberson was then assigned to Southwest Network Counselor Laura Gonzales who continued to manipulate Chaunell Roberson in accordance with the scheme set out by the Conspirators.

Exhibit CCCC

Marina Greco Probation

Katrina Buwalda – Conspirator

Katrina Buwalda was contracted with to supervise the visits between Leanne Smith (Roberson) and her minor child Chaunell Roberson. The funds to pay her are a mixture of state and federal funds, Medicaid dollars as Chaunell Roberson was covered under the Arizona Health Care Cost Containment Administration system which is the Medicaid Insurance through the federal government.

FACT:

“On January 19, 2010 a psychological consultation took place with the CM, the CM supervisor, and this psychologist. Visitation between Ms. Roberson and her daughter Chaunell was discussed. It was reported that visits had been appropriate up to that point. It was determined that visitation would be more productive if they occurred between Ms. Roberson and Chaunell only. This would preclude additional family members from attending the visit. It was also discussed that during the visits religion and any statements with religious connotation would be prohibited.” Correspondence to Leanne Smith (Roberson) dated 1/26/2010 from Katrina Buwalda. On January 26, 2010 Katrina Buwalda gave the above mentioned letter to Leanne Smith (Roberson).

Note: No reason whatsoever for the change was given

FACT:

Katrina Buwalda not only stood by allowing this to occur but facilitated this by sharing the letter and facilitating this denial of religious practice that is an integral part of the relationship between Leanne Smith (Roberson) and Chaunell Roberson.

Katrina Buwalda hired Tammy Hamilton-MacAlpine as an employee of Buwalda Psychological Services after she was discharged from Child Protective Services under the auspices of the Arizona Department of Economic Security.

Response: **Conspiracy**

Kathryn Menendez – Conspirator

Kathryn Menendez Ph.D. was employed to complete a psychological evaluation on Leanne Smith (Roberson) in the juvenile case regarding Chaunell Roberson. It is not unreasonable to believe, based on the invalid psychological evaluation and the misinterpretation of assessments; that Kathryn Menendez understood her role in this conspiracy and carried out the evaluation with the intended purpose of painting Leanne Smith (Roberson) in a negative manner.

“my expert opinions and testimony in this case will be primarily related to the psychological evaluations performed by Kathryn Menendez, Ph.D., and Brenda Bursch, Ph.D.”. Statement of Dr. Eric Mart Ph.D

“Another general issue I have in this case is the question of why licensed psychologists are opining about the presence or absence of MSBP/FDBP in a case involving alleged medical abuse of a child. Standard 2.01 of the Ethical Principles of Psychologists and Code of Conduct (Boundaries of Competence) states:

- (a) Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience.”*

Statement of Dr. Eric Mart Ph.D.

- **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“I am not aware that Drs. Menendez or Bursch have any medical, nursing or other specialized training which would allow them to opine on the presence or absence of MSBP/FDBP in a case primarily involving allegations of medical abuse. If they have decided that specific medical problems do or do not exist, this would seem to be an example of psychological professionals operating outside of their areas of expertise, and if they are relying on the concerns raised by appropriately licensed medical professionals, then their conclusions would seem to be a form of vouching that Ms. Roberson is the kind of person who would engage in such abuse. While such a determination would be the province of the trier of fact, it should be noted that in my experience courts are quite resistant to the admission of this type of testimony. For example, in a case involving allegations of child sexual abuse, it would be very unusual for a court to allow a psychologist to testify that it is unlikely that a father engaged in sexual abuse of his children because his psychological profile does not match that of an abuser, or that an individual is likely

to have robbed a bank because he has an antisocial personality disorder.” Statement of Dr. Eric Mart Ph.D.

- **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“This brings me to the next general issue related to the work of Drs. Menendez and Bursch in this case. It should be understood that there is a difference between empirical research and other types of investigative research. Empirical research involves the use of matched population samples and control of extraneous factors to the extent possible. To give an example, it has been suggested by some writers on the subject of MSBP/FDBP that the mothers of hospitalized children who are perpetrating medical abuse spend excessive amounts of time at the child’s bedside. In order to prove this scientifically, it would be necessary to find a population of mothers with hospitalized children alleged to have similar medical problems, identify those who are actually exaggerating, fabricating or inducing illness, and then compare the mean time spent by these parents at their children’s bedside with the mean time spent by parents not thought to have engaged in medical child abuse. It should further be noted that even if differences were found which reached the conventional level of statistical significance (.05) and were unlikely to have occurred by chance, the amount of overlap between the two groups might limit the clinical significance of the difference found. This is not to suggest that all papers and articles by mental health professionals must be empirical in nature; all research begins with observation and reviews of the literature, and speculative pieces are perfectly acceptable. However, there is a difference between using such speculation when the stakes are high (as in a child protection case) and using well-established data backed by empirical research. At a minimum, when psychologists are utilizing preliminary data in a forensic setting, there is an affirmative obligation to inform the court of the limitations of the data relied upon”. Statement of Dr. Eric Mart Ph.D.

- **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“This brings me to specific concerns I have regarding the psychological evaluations performed by Drs. Menendez and Bursch. I will consider Dr. Menendez’s report, dated 11/19/08 first. In addition to the report, I was provided with the raw data from her evaluation. Dr. Menendez administered the MMPI-2 to Ms. Roberson. She describes the administration of the test as producing a valid profile. However, a review of the profile indicates that Ms. Roberson obtained a T-score of 83 on the L scale, which is a measure of defensiveness. The MMPI-2 manual characterizes this elevation as very high and notes that profiles with this type of elevation are “probably invalid.” The Bender-Gestalt was also administered, as were projective drawings and a parenting questionnaire that contains a section of incomplete sentences. It should be noted that none of the tests administered has been shown in the scholarly literature to have any association with a diagnosis of MSBP/FDBP. As a consequence, it is not clear how the results of Dr. Menendez’s assessment led to a diagnosis of “R/O Munchausen by Proxy Disorder.” The New Hampshire Supreme Court, in the case of State v. Cressy, noted that there must be a logical nexus between the data relied on by the expert and conclusions that the expert draws. In reviewing Dr. Menendez’s report and data, I cannot see how the material she generated in her assessment can logically lead to a conclusion, even tentatively, that Ms. Roberson may have MSBP. One possibility is that Dr. Menendez simply relied upon information provided by the child protective workers in the case, in which case her report provides no new information to the court.” Statement by Dr. Eric Mart Ph.D.

- **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“Dr. Bursch did not employ any of the instruments that are commonly utilized in the assessment of autistic spectrum disorders, nor did she use any instruments such as the MMPI-2 (other than the invalid protocol produced by Dr. Menendez), the PAI, or other well validated instruments for assessing psychopathology or cognitive deficits.” Statement of Dr. Eric Mart Ph.D.

- **Exhibit BBB** Eric G. Mart, PH D, ABPP “Report”

“Neither the analysis of medical records nor the yield of psychological studies in the reports by psychologists Menendez and Bursch support a diagnosis of Munchausen Syndrome by Proxy. They include elaborate speculation about what Leanna Smith might have done and assert diagnoses (e.g. Asperger’s Syndrome, Delusional Disorder, persecutory type) that might propel her to commit neglect, abuse, or factitious illness behavior. On the basis my review of the entire record, my many conversations with Ms. Smith, my corroboration of the medical history and key events in her, her children’s, and her family’s lives with multiple, independent sources of information, I have had no reason to doubt the accuracy of her words. The allegations she has made about departures from the standard of care in Chaunell’s medical treatment appear to me to be sound, not deriving from any paranoid personality disorder. Neither does her supple, thoughtful, and socially appropriate manner, conversational style, and easy relationship with her partner, Darrell Smith, suggest any artifact of such a pervasive developmental disorder such as Asperger’s Syndrome.” Statement of Dr. Eli H. Newberger M.D.

- **Exhibit AAA** Eli H. Newberger, M.D. “Report” (March 24, 2011)

Amanda Torres – Conspirator

FACT: Amanda Torres took the false allegations of abuse by the four physicians at “face” value and made no effort to fully investigate the case as required. She made “no investigation”

Response: **Conspiracy**

Laura Pederson – Conspirator

FACT: Laura Pederson took the false allegation of abuse by the four physician at “face value” and made no effort to fully investigate the case as required. She made “no investigation”

Response: **Conspiracy**

Marisol Ruiz – Conspirator

FACT: Marisol Ruiz withheld vital educational and medical information from the school

Exhibit: CC

Response: **Conspiracy**

FACT: Marisol Ruiz lied to the school nurse about Chaunell Roberson’s medical condition

Exhibit: GGG

Response: **Conspiracy**

FACT: Marisol Ruiz sexually abused Chaunell Roberson by exposing her breasts to Chaunell and fornicating in front of her

Exhibit: CCC

Response: **Conspiracy**

FACT: Marisol Ruiz is suspected of hitting Chaunell Roberson with such physical force that it lacerated her liver

Exhibit: GGG

Response: **Conspiracy**

FACT: Marisol Ruiz used Chaunell Roberson to babysit and care take other foster children in the home alone while she worked at the Perryville Prison

Exhibit: CCC

Response: **Conspiracy – Suspected child abuser**

Brent Mueller – Conspirator

FACT: Brent Mueller supported his wife’s false allegations against Leanne Smith and Darrell Smith

Response: **Conspiracy**

FACT: Experts opined that Chaunell Roberson was physically, sexually, emotionally, and medically abused in the foster home

Response: **Conspiracy – Suspected child abuser**

Kristi Mueller – Conspirator

FACT: Kristi Mueller used the book “Sickened” to support the conspiracy goal of reading this book so that Chaunell Roberson could “*Give her an alternative reality*”

Exhibit: GGG

Response: **Conspiracy**

FACT: Kristi Mueller consistently lied others stating that Leanna Smith and Darrell Smith “abused” Chaunell Roberson, were drug addicts, and that Chaunell Roberson improved in their care.

Exhibit: BBB

Response: **Conspiracy – Suspected child abuser**

FACT: Experts opined that Chaunell Roberson was physically, sexually, emotionally, and medically abused in the foster home

Exhibit: BBB

Response: **Conspiracy – Suspected child abuser**

FACT: On 09/20/2010 Kristi informed her that her birth mother settled a lawsuit against the Dysart School District. As a result, the school offered forty hours of tutoring per week.

Note: The United States Department of Education, Office of Civil Rights entered into an agreement with the Dysart School District for “Compensatory Education” for violations of IDEA 2004

Note: There was no lawsuit filed

These laws were specifically violated through the conspiracy and collusion of the members of the conspiracy against the Leanna Smith Family named within this portion of the “affidavit”

Arizona Statutes

Arizona Revised Statutes 13-1003. Conspiracy; classification

A. A person commits conspiracy if, with the intent to promote or aid the commission of an offense, such person agrees with one or more persons that at least one of them or another person will engage in conduct constituting the offense and one of the parties commits an overt act in furtherance of the offense, except that an overt act shall not be required if the object of the conspiracy was to commit any felony upon the person of another, or to commit an offense under section 13-1508 or 13-1704.

B. If a person guilty of conspiracy, as defined in subsection A of this section, knows or has reason to know that a person with whom such person conspires to commit an offense has conspired with another person or persons to commit the same offense, such person is guilty of conspiring to commit the offense with such other person or persons, whether or not such person knows their identity.

C. A person who conspires to commit a number of offenses is guilty of only one conspiracy if the multiple offenses are the object of the same agreement or relationship and the degree of the conspiracy shall be determined by the most serious offense conspired to.

D. Conspiracy to commit a class 1 felony is punishable by a sentence of life imprisonment without possibility of release on any basis until the service of twenty-five years, otherwise, conspiracy is an offense of the same class as the most serious offense which is the object of or result of the conspiracy.

The Universal Declaration of Human Rights (UDHR)

Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

Everyone has the right to recognition everywhere as a person before the law.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11.

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15.

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17.

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20.

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21.

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22.

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23.

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25.

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26.

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28.

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29.

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the

rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30.

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Argument:

The Conspirators knowingly conspired and colluded to commit fraud in the effort to remove Chaunell Roberson from her Mother's care and custody.

The Conspirators orchestrated an effort to follow the false narrative of Munchausen Syndrome By Proxy (MSBP) given by Brenda Bursch PhD., and then championed by Brenda Bursch, the conspiracy began in earnest to do whatever was possible to confirm the diagnoses of MSBP and a Factitious Disorder

The false narrative of MSBP, led by Brenda Bursch, is evidenced by the e-mails, phone conversations, faxes, case notes, testimony in court, court filed documents; and the changing of reports and testimony of Licensed Psychologist, Connie Pyburn PhD.

The expert witness reports by Dr. Eli Newberger, and Dr. Eric Mart PhD. clearly and professionally countered and discredited the false narrative of Munchausen Syndrome by Proxy and Factitious Disorder put forth by the Conspirators and the curious and baseless suspicions of the four physicians that made the initial report to Child Protective Services.

Neither diagnosis was valid because there were severe medical issues and the doctors eventually admitted to the stroke and multiple comas suffered by Chaunell Roberson in state care.

The Conspirators false narrative and their false and misleading reports and information guided the more than 30 physicians on this case to base their life and death medical decisions on that unreliable and false information. As well, the physicians made medication prescriptions and medication dosages based on the onslaught of baseless lies, misrepresentations, and distorted, minimized and unreliable information presented by the Conspirators. The treating physicians never had a clear picture of what signs and symptoms were present or not present for more than three years

A perfect example is the 32 visits to the school nurse's office, of which 28 were for severe headaches were never give to her physicians. The multiple medications given would certainly have been different if the treating physicians had known about the visits to the nurse.

Certainly the failing *ventricular peritoneal shunt malfunctioning* would have been identified sooner alleviating Chaunell Roberson's pain and suffering. Simultaneously, the earlier identification of the "*enterococcal meningitis, that could have killed her*", would have been

valuable information for the physicians to know as early as possible and alleviating Chaunell Roberson's pain and suffering. The Conspirators placed Chaunell Roberson in life and death danger, to continue their ongoing false narrative to support MSBP.

*“The discounting of Chaunelle’s feelings and the associated threats, in my opinion, set the stage for the belief system that she now holds. Not having even a tenuous thread of her mother’s care and concern in view, she was **held captive in a closed system, organized within a framework of psychobabble, where every complaint would have to be explained as deriving from her mother’s pathology, not from her body.**”* Quote by Dr. Eli Newberger.

The planned, coordinated, and explicit conspiracy carried out by the Conspirators caused unmeasurable pain, suffering, and risk of death to Chaunell Roberson.

The planned, coordinated, and explicit conspiracy carried out by the Conspirators destroyed the Smith family unit.

The planned, coordinated, and explicit conspiracy carried out by the Conspirators may have even resulted in the pain, suffering, abuse, and possible death of Jameelah Smith while in the abusive foster home by the same foster parents that abused Chaunell Roberson.

“Consider these Truths”

From the moment Chaunell Roberson was placed in captivity by the Arizona Child Protective Services on September 3, 2008 the Conspirators wove into every aspect of the life of Leanna Smith and her family; “lies” woven into Documents, Testimony, Discussions, Courtrooms, phone calls, e-mails, faxes and the computers throughout the world. Lies with not one shred of evidence to prove or validate their existence.

Statement	Evidence	Outcome
1. Leanna Smith has a history of drug use	None	Lie
2. Leanna Smith is really Muslim and hides it	None	Lie
3. Leanna Smith bans the colors Red/White/Blue	None	Lie
4. Leanna Smith through Cordell through the front window	None	Lie
5. Leanna Smith gave Chaunell and Jameelah ‘antifreeze’	None	Lie
6. Leanna Smith poisoned Chaunell and Jameelah (Tox screen clear)	None	Lie
7. Leanna Smith gave Chaunell extra drugs (Tox screen clear)	None	Lie
8. Leanna Smith injected air into shunt leaving two pinholes	None	Lie
9. Leanna Smith “over medicalized” Chaunell	None	Lie
10. Leanna Smith physically abused Chaunell and Jameelah	None	Lie
11. Leanna Smith did not follow the reunification plan	None	Lie
12. Leanna Smith sexually abused Chaunell and Jameelah	None	Lie
13. Leanna Smith did not follow Physicians orders	None	Lie

There was not one single shred of evidence that any of these things ever happened at any time.

They were added to the documents and then echoed by the 12 Conspirators.

“Chaunell Roberson Uninvestigated Incidents”

Statement	Status
Leanne Smith completed every single task assigned to her by CPS (Except DBT)	Uninvestigated
Leanne Smith completed every single task assigned to her by the Juvenile Court	Uninvestigated
Chaunell Roberson contracted a rare form of bacterial meningitis in state custody	Uninvestigated
Chaunell Roberson was forced to clean/prepare for Foster Care/CPS home visits	Uninvestigated
Chaunell Roberson was beaten or struck so hard that it lacerated her liver in the custody of Marisol Ruiz	Uninvestigated
Chaunell Roberson was forced to babysit a 1.5 year old foster child, concurrently with a 2 year old and a 4 year old alone by herself all day	Uninvestigated
Chaunell Roberson was left by the Foster Mother with Foster Mother’s brother overnight (who is neither fingerprinted or background checked)	Uninvestigated
Chaunell Roberson had private lunch with Arizona Assistant Attorney General and within 24 hours was institutionalized for Danger-To-Self	Uninvestigated
Bonnie Brown lied to a police detective multiple times and when Dr. Scott Elton contradicted those lies many time over the case	Uninvestigated
Two expert witnesses gave documents/testimony than Chaunell Roberson was be sexually, physically, and medically abused in Foster home	Uninvestigated
Dr. Connie Pyburn PhD changed her expert opinion testimony and reports after conversations with Brenda Bursch	Uninvestigated
The hospitals/physicians caring for Chaunell Roberson lied to Leanne Smith about her daughters medical conditions (stroke, health conditions)	Uninvestigated
The hospitals and physicians falsified medical records and withheld medical records in secret archives	Uninvestigated
CPS was given documentation about abuse of Chaunell Roberson on multiple occasions	Uninvestigated
Chaunell Roberson begged, pleaded, wrote secret letters to be able to go home, and see her mother, stepfather	Uninvestigated
Judge Dawn Bergin had a conflict of interest and inappropriate relationship with attorneys and law firms on the case	Uninvestigated
Judge Dawn Bergin took private testimony in her chambers alone with Chaunell Roberson and Marina Greco	Uninvestigated
The judge, assistant attorney general, guardian ad litem, child’s attorney, and the biological fathers attorney collaborated	Uninvestigated

Closing

The case brought before this Great Jury clearly cries out for justice.

The systematic dismantling of the Leanna Smith family and the denial of their human rights as parents and the human rights of their God given children must be reaffirmed by this Great Jury.

The right of Religion, the right of Education, the right of not being abused and the Conspiracy by the State of Arizona Actors to deny these rights to the Leanna Smith family and individuals through conspiracy and collusion beg to be addressed by this Great Jury.

The evidence provided within the exhibits lay out the conspiracy to deny these Human Rights guaranteed by Nature, by God, by International Laws, National Laws, and Laws of the State of Arizona.

The “Conspirators” will continue this assault on more families and their Human Rights if they are not stopped and prevented from further collusion and conspiracy to deny these Human Rights.

We, the Smith Family, pray to God that the Great Jury can see the atrocities perpetrated by the Conspirators against our children and upon Darrell Smith and myself; and move to the justice long withheld from our family.