
From: Info-AngelGroup.org [info@angelgroup.org]
Sent: Monday, February 07, 2011 11:48 AM
To: HUS testimony
Subject: Testimony Member
Attachments: 2011_0207_testimony_angelgroup.pdf

LATE Testimony

Please find attached, testimony for this morning's legislative briefing on Family Court, chaired by Rep. John Mizuno.

Thank you,
AngelGroup



February 07, 2011

RE: Feb. 7 Legislative Briefing re: Domestic Violence, renegade judges, disregard for statutory law, investigations – Chaired by Rep. John Mizuno

Aloha Legislators Committee members,

Thank you for your continuing and needed attention to these matters of great concern.

As you are aware from over a year of testimony and your own eye-witness accounts, there are travesties of justice happening around court clients who are survivors of Domestic Violence (DV). Over and over you're hearing about cases where judges aren't following the law, para-professionals are lying on record and under oath, and where crimes (in any other court) are allowed to continue unchecked, in favor of Abusers. This must stop. This must be corrected immediately.

A clear example

A murder happens. Someone is arrested and thrown in jail. In the trial, the judge refused to allow or consider evidence that would set the incarcerated person free. Years later the "real" murderer is exposed. Numerous letters are written to government officials (including the Judiciary) while the murderer roams free. There was clearly a violation that happened in the courtroom. Laws were not applied and someone has lost years of their life and been wrongfully subjected to torture because they're forced to live behind bars even though they did nothing wrong. At what point is "immediate correction" taken to incarcerate the real murderer and set the innocent party free?

Correction

I believe that the same immediate correction needs to happen in these cases before you; these cases under Legislative Review. Right now, you have hard evidence that shows judges giving custody to abusers. Statutory law forbids this. These abusers are even allowed to relocate out of state. The Protective Parent is denied all contact. In essence, the parenting rights are terminated.



Yes, these court litigants can “appeal” the findings of the “trial court” but that takes years. Children are not children forever...they grow up. As it stands, certain judges like Keith Tanaka (2nd Circuit), Paul Murakami (1st Circuit), and Calvin Murashige (5th Circuit) need to be reined in. They do NOT have permission, authority or jurisdiction to legislate from the bench. Even stronger, they are intimately involved with child endangerment. They are perpetrating court sanctioned Child abuse. I could go on with a list of crimes but for the sake of this discussion, this is adequate.

Weak options

The Judiciary has responded that court clients have two options: 1) appeal and 2) complaint to the Commission of Judicial Conduct.

Appeal has been mentioned above but let’s add that most of these family court clients have been financially devastated. Emotional devastation goes without saying since they’ve lost all contact with their children. Those that find enough money to proceed to the ICA are suffocated in a legal environment for which they have no training or expertise. Appeals are a highly technical thing and most of these litigants are forced to proceed Pro Se. The odds are stacked against them.

The Commission on Judicial Conduct appears to offer nothing more than lip service to “accountability...sunshine...transparency”. Substantiated complaints of violation of Judicial Canons are being “dismissed”. They find no wrong-doing. These complaints are CLEAR violations of Judicial Canons, not abstract accusations. Many of you have been provided copies. The Courts cannot police themselves. Even if they were able, we would not be dealing with the abuses at hand. The same issues are occurring with Office of Disciplinary Counsel (ODC) who is supposed to hold attorneys accountable for violations of ethics. They are not holding their attorneys accountable either. Of course it’s understandable that both organizations would want to “protect their own”; however, their purpose is to protect the public...the consumer...the court client. The taxpayer should not have to pay for this cronyism.



Family Court clients who are involved in contested cases are overwhelmingly stripped of all their assets. Most DV Survivors are left with nothing (including children). This forces them on to State Aid. The cost of re-litigating these issues over and over and over is not cost-effective for the Judiciary either whose docket is already over-booked. The statutes are clear. Children do not go to Abusers. Survivors do not have to reveal their addresses and relocation cannot be held against them. Laws are laws and these apply to Family Court Judges as well.

Send a Message

Yesterday, on the Carroll Cox radio show, these very issues were discussed. The topic was broached about what to do to for cases already influenced by court abuses. New legislation (if applied) can make a difference but what about cases where the law wasn't applied. I believe that Judges would receive a strong message if the law IS applied to these cases immediately, children are returned to protective parents and the public is made aware of this correction. Laws are not effective if they are not applied. Power can be corrupt if sunshine isn't applied.

We have new leadership. These court clients and their children have suffered wrongful imprisonment long enough. They are begging to be free of fear and abuse, for themselves and their children. With your assistance, this is a very real possibility.

AngelGroup is in full support of the present and ongoing investigations. The moment has arrived to take things to the next level.

Respectfully,
Robin
AngelGroup

LATE Testimony

February 7, 2011

My name is Paige Calahan and I am a domestic violence survivor on Maui. Thank you for looking into this type of ongoing and criminal behavior. Myself and my Son are a victims of the second circuit court Judge Keith E. Tanaka who allowed continued abuse by my ex against me and ongoing abuse against my 11-year old Son.

Legislators and taxpayers should be aware of the financial cost of a very bad judge, in this case Judge Keith E. Tanaka of the Second Circuit court on Maui and the games allowed in their courtrooms. Tanaka sat in judgment above me and when he did not comply to statute we were hurt. When He fancies himself as Justice of the Peace and legislates from the bench People get hurt, CHILDREN get hurt. Each ego driven ruling that does not follow state statute costs the State of Hawaii very needed money, money that could be spent helping the State. In my case I have paid over \$30K to attorneys, several thousand in supervision fees and more in paraprofessional fees. I have lost more than I paid because my homes were given to my ex who defaulted approx. \$650K in home loans that were jointly held in my name. Even more has been paid by the State because like many others I have been made destitute and forced onto State Aid. Tremendous stress has deteriorated my health which costs the State thousands for surgeries and treatment. The dollars to pay the judicial jokesters will go higher as my homes are foreclosed on and another judge has to sit through all that. The costs rise even higher as Tanaka and other bad Judges collude with DHS and CWS to legislate custody to cover material errors. But The real cost to Hawaii is more than the money it is their future and the very damaged and hopeless children left to populate the future.

Tanaka signed another order on 7/30/10, allowing my Ex to relocate with my Son out of state, even though Tanaka had no subject matter jurisdiction, was aware of this and the State was petitioning for temporary foster care accused of psychological and sexual abuse of a child. Because of this and ongoing violations my case is under investigation with the joint legislative SCR91 investigative committee.

This time my Son was taken into protective custody from his custodial parent (my Ex) on 07/10/10 and 07/26/10. On 07/10/10, My Son ran away from his father. On 07/26/10, he was forcibly taken by CWS. These were the 2nd and 3rd times. The first occurrence was in December 2007. Between 11/2007 and present day, my 11-year old Son continues to make allegations of abuse/neglect against his father. He has been relocated out of state and is emotionally distraught; and not in court-ordered "individual" therapy. I am allowed NO further contact until he is 18 and make that choice on his own. While the order stopping contact is listed as temporary it is not because it requires my son be schooled elsewhere for his remaining years. The dollar cost to Hawaii is high, but the real cost is the children. The cost to save one child has greater dollar per dollar value than what we pay these bad judges. We need to Save Samuel! The relationship between a mother and child is sacred

Abuse and Neglect are defined by statutory law, as well as clearly outlined in DHS's manual for their workers. Procedure and Protocols for "investigation" and remedy are also outlined thereby. Adherence to laws and mandates that protect children is not optional. Protection for "mandatory reporters" is also not optional. Violations of these laws and mandates - despite position (appointed, elected or otherwise) - is punishable by law. Immunity is applicable only within the bounds of certain positions and even this is questionable when a child is knowingly harmed. Exceeding the "footprint" of these positions voids immunity. DHS/CWS, Judge Keith Tanaka, various para-professionals ALL exceeded this footprint.

I was well within the law and adhering to law when my Son was removed from my care on 8/8/08 (without evidentiary hearing, exigent circumstances, and in violation of statutory law or "best interest of the child" criteria). Time elapsed between 8/8/08 & 12/12/08 influenced custody. Time elapsed between 12/23/08 - 08/02/10, affected circumstances for which my son and myself are now denied all contact, and for which Child Welfare Service (CWS) and

Dept. of Human Services (DHS) brought charges against me; working in tandem and concert with Tanaka and per diem Judge Renatta Foster-Au, to legislate custody.

Tanaka signed another order on 7/30/10, allowing my Ex to relocate with my Son out of state, even though Tanaka had no subject matter jurisdiction, was aware of this and the State was petitioning for temporary foster care. In addition my ex testified personally to abuse of my son. My ex had lost custody of 2 children from a prior marriage due to sexual abuse allegations by the children and their therapists. He has a long and clear history of violence, drug use (240mg of oxycontin and marijuana), child abuse and domestic violence. My case includes falsification of documents, perjury, Un authorized practice of law. He failed to pay several thousand in child support for those children and is now being investigated for Medquest fraud (Services were discontinued but he was not prosecuted), SSI fraud, does not pay get and has openly and in cooperation with Keith Tanaka (who often testified from the bench in his favor) to alienated me from my Son and visitation violations were accepted and allowed and made worse by Tanaka. Tanaka has struck evidence from the record and allowed his para-professionals to lie under oath and has further handled much ex parte, with per diem judges and continuously allowed failure of my constitutional rights due process and the erasure of me as a mother, my entire family and my child as a person. Tanaka allowed my son to be drugged, locked up, no medical care and not brought to school because even with proof the father said this was not true. Allegations against me are UNSUBSTANTIATED!

If the topic here was murder and you had proof the wrong person was jailed you would let him out and imprison the right person. Do the same for me, for my Son and take us out of jail and return custody to me. Take the steps to see this behavior stops and remove from the bench those Judges who are most egregious like Keith Tanaka. During a blind eye to the abuse is an action and that would be a bad choice for me, my Son and Hawaii!

My heart and that of my child was broken when I lost all contact and could not say goodbye! I deserve better and God knows so does my Son.

Paige Calahan, Maui