

1                   **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2 JANET SOLANDER,

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CASE NO. 76228

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3           Appellant,

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4 vs.

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**VOLUME IV**

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5 THE STATE OF NEVADA,

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)

6           Respondent.

)

7                   **APPENDIX TO APPELLANT'S OPENING BRIEF**

8                   (Appeal from Judgment of Conviction (Jury Trial))

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1 adoptive placement?

2       A     In doing my visit in August, so two months after the  
3 placement, on August 10th I visited, and during that visit,  
4 Janet was very emotional. She began to cry. She told me that  
5 she had reservations about adopting Amaya, and she took very  
6 personally anything that Amaya did. She felt that it was a  
7 rejection of her she said. She felt that Amaya didn't care  
8 about her and that Amaya didn't want to be there and that the  
9 girls weren't appreciating what they were giving them, this  
10 good home and that they should be appreciative of that.

11               So I spent a lot of time during my home visits with  
12 them. A typical home visit from beginning to end would be  
13 about an hour, and I was spending two to three hours with them.  
14 This was the first visit that I really spent -- I spent three  
15 hours at this visit trying to help Janet understand that this  
16 wasn't a personal rejection, that foster children, the trauma  
17 and neglect that they've had, moving from place to place, that  
18 this wasn't a personal rejection. She still was emotional.

19               In addition, their soon-to-be adult daughter Danielle  
20 was interjecting in discipline. Danielle was getting involved,  
21 wanting to protect her mom, and I discussed that that was going  
22 to be problematic between Janet and Dwight bonding with the  
23 girls, and so I had some concerns during the home visit. So I  
24 talked to them again about putting services in place, but they  
25 were --



1 Q What kind of services were you offering?

2 A During that visit again, it was just talking about  
3 putting the PSR services back in place, but it was met with  
4 hesitance. After I left that visit though, two days later I  
5 got an email that was clear that the family was in crisis.

6 Q Okay. And who was that email from?

7 A Initially it came from Dwight.

8 Q Okay. And what was the overall, I guess, concern  
9 from Dwight, or what was he upset about that made you think the  
10 family was in crisis?

11 MS. MCAMIS: Well, objection. Leading and hearsay.  
12 It calls for hearsay.

13 THE COURT: Well, overruled.

14 THE WITNESS: So --

15 MS. MCAMIS: Objection. Best evidence.

16 THE COURT: Counsel, approach.

17 (Conference at the bench not recorded)

18 BY MS. BLUTH:

19 Q Okay. And I don't want to get into every single  
20 detail of the email, but if you can kind of summarize, or what  
21 was the concern that Dwight had?

22 A The concern was Amaya's behavior, again kind of not  
23 wanting to adopt her and discussion of putting her in inpatient  
24 treatment and just the -- without getting -- I'm not sure where  
25 I'm supposed to go with that. Without getting into the detail

1 of that --

2 Q Well, that was a bad question. I'm not saying -- I  
3 just met like the email was very long. Would you agree with me  
4 that it was a very long email?

5 A It was a very long email, yes.

6 Q So, I mean, it's okay to use specific details. I  
7 just don't want to get -- I mean, it was several pages.

8 A Okay. Yes. Yeah. So the nuts and bolts of it were  
9 that Amaya's behavior would not be tolerated anymore. It was  
10 affecting everybody in the home, that she needed to go to  
11 inpatient treatment and that they were not going to tolerate  
12 the poor-abused-child excuse any longer.

13 Q Okay. What did you do after you received that email?

14 A I actually received the email after hours, and I  
15 responded to it after hours, and initially I only had read a  
16 portion of it. I hadn't gotten down all the way to the bottom,  
17 and so initially I responded and said, hey, you know, let's  
18 discuss this further. Clearly things are going on, and you  
19 need some assistance here, but when I read the whole thing and  
20 saw, like, the negative language directed towards Amaya, I had  
21 some serious concerns and said we need to immediately meet. I  
22 sent this to my supervisor. I have some serious concerns here  
23 because we don't put children in inpatient treatment --

24 MR. FIGLER: Objection, Your Honor. That's  
25 nonresponsive.

1 THE COURT: All right. That's sustained.

2 BY MS. BLUTH:

3 Q So after that you stated that you staffed a -- you  
4 staffed a CF team meeting; correct?

5 A Yes.

6 Q What is a CF team meeting?

7 A A child and family team meeting.

8 Q And did you also staff this with your supervisor?

9 A Yes.

10 Q Why did you feel like you needed to go to the  
11 supervisor -- to your supervisor?

12 A Because the expectations by the foster parents were  
13 clearly outside of what was normal for --

14 MR. FIGLER: I'm going to object, Your Honor, to that  
15 characterization. Lack of foundation, et cetera, terms.

16 MS. BLUTH: I'll lay a foundation.

17 THE COURT: Okay.

18 BY MS. BLUTH:

19 Q As a permanency worker, how many -- you said you  
20 would have 35 to 40 families that you would be working with at  
21 a time?

22 A Yes.

23 Q And then at that time -- I'm sorry. What year did  
24 you state that you started working in the DFS or in this field?

25 A I'm sorry. In this field in 2005.

1 Q Okay. So during that time period, how often or was  
2 it common for people that you were working with, foster parents  
3 to ask to put children in inpatient treatments?

4 A So this was 2010 then. So in that five years, it  
5 wasn't common. At that point, I would say that I had had  
6 requests for inpatient treatment probably four to five times.

7 Q In anything that you had seen of Amaya, whether it  
8 was with her grandmother or with the McClains or the Solanders,  
9 did you see anything that brought you a concern that you should  
10 put her in any type of inpatient program?

11 A No. There are certain requirements that have to be  
12 met.

13 Q What are those?

14 A A child has to be homicidal or suicidal.

15 Q So at this meeting, tell me again, child family --

16 A Team.

17 Q -- team meeting, who was present?

18 A My supervisor, myself, both of the Solanders and the  
19 CASA. It's a Court Appointed Special Advocate.

20 Q Okay. And during that meeting, did the Solanders  
21 discuss concerns or issues that they were having with the  
22 children in the home?

23 A Yes.

24 Q And what were those concerns?

25 A So Amaya's behavior again, again discussing defiance.

1 They gave the example that they did in the email which kind of  
2 led to this eruption which was Dwight was traveling. Janet  
3 wanted Amaya to get on the phone with Dwight, and Amaya refused  
4 and folded her arms and said, no, and that was ultimately --  
5 and then she did. She got on the phone with Dwight.

6 Q That was the behavioral issue?

7 A Yes. And so that was the defiance that they were  
8 discussing. They said that they felt that that was going to  
9 grow into violence and that they were worried that that was  
10 going to compromise Janet's nursing license and her security  
11 clearance. Additionally, they talked about educational  
12 concerns, that the kids were taking too long to do their  
13 homework, that they had an expectation that the girls finish  
14 their homework by 45 minutes each night, and we talked about  
15 those things.

16 Q Did they believe the girls were at an appropriate  
17 grade level or performing at an appropriate grade level?

18 A No. They requested that I request an individualized  
19 education plan assessment for all three girls.

20 Q Did you do so?

21 A I did so at their request, yes.

22 Q Okay. And after that, were the girls still kept in  
23 the same grade?

24 A Yes. They actually all tested above grade level.

25 Q What about health or health concerns or eating

1 concerns?

2           A     They actually started from the beginning changing  
3 their diet to a healthier diet, starting -- they had a  
4 requirement that the girls eat all their vegetables before they  
5 were allowed to eat anything else. They felt that Jocelyn was  
6 overweight, which she was a little overweight for her age, but  
7 they required that all the girls eat their vegetables first.  
8 They weren't allowed to have any sugar in the juice that they  
9 drink, and they weren't allowed to have soda. I understood  
10 that ceratin -- all families have a different eating style, but  
11 I did discuss with them --

12           MR. FIGLER: I'm first going to object that it's a  
13 narrative now, Your Honor. If there's a question before the  
14 witness, it should be posed.

15           MS. BLUTH: I think it was responsive to did she  
16 have --

17           THE COURT: All right. Go on with your answer.

18           THE WITNESS: I'm sorry. And so we discussed  
19 changing diet slowly, and then we discussed, so, that, the  
20 education, the health, and then the bedwetting was still an  
21 issue with Anastasia.

22 BY MS. BLUTH:

23           Q     What did they say about the bedwetting issue?

24           A     They felt that it was extreme, that -- we initiated  
25 urology testing for her to see if there was any urological

1 issues that were causing her bedwetting.

2 Q When you say that they said it was extreme, I mean,  
3 did they give you specifics, or they just said, well, it's  
4 extreme?

5 A No, they gave specifics. Each visit, they gave --  
6 they discussed it. During one visit, for example, they said  
7 that she produced more urine than they thought was even -- that  
8 she was even capable of producing. During another visit, they  
9 said that she just stood there in an entire puddle of her  
10 urine, and they couldn't understand how that was possible. And  
11 her bedwetting then changed from nighttime enuresis to daytime  
12 wetting.

13 Q Is enuresis -- tell us what enuresis is.

14 A I'm sorry. It's wetting, bedwetting. So she went  
15 from wetting herself, urinating on herself at night to now  
16 doing it during the day.

17 Q Did Janet think that perhaps Anastasia, slash, Yarely  
18 Jiselle had an illness that was causing this?

19 A Yes. She discussed that. During one of my home  
20 visits, she discussed that she believed that she might have  
21 diabetes. So we had that tested, and that was ruled out.

22 Q Okay. Anything -- well, first of all, you talked  
23 about being moved to a strict diet. Did any of the children  
24 lose a considerable amount of weight in a short period of time?

25 MS. MCAMIS: Objection. Foundation.

1 MS. BLUTH: She was their perm worker.

2 MS. MCAMIS: Well, short period of time.

3 MR. FIGLER: And what's documented?

4 THE COURT: Well, wait a minute. Don't both object.  
5 Counsel, approach.

6 (Conference at the bench not recorded)

7 THE COURT: Overruled.

8 Go on, Ms. Bluth.

9 BY MS. BLUTH:

10 Q Had any of the children lost a considerable amount of  
11 time -- a considerable amount of weight in a short period of  
12 time?

13 A Yes. Jocelyn lost 24 pounds between July of 2010 and  
14 October of 2010, and I know that -- I know that one of them  
15 also lost -- they each lost a few pounds, but Jocelyn lost a  
16 considerable amount of weight.

17 Q Okay. And did they have any other complaints about  
18 the children either stealing food or taking food or anything of  
19 that [unintelligible] source?

20 A Yes. So Anastasia actually started being reported as  
21 stealing food out of the garbage can.

22 Q And who stated that Anastasia was doing that?

23 A Dwight and Janet during my home visit, and when I  
24 talked to Anastasia about what happened -- this was new  
25 behavior for her -- she told me that her brain told her to do



1 it, and that she now had medication to tell her brain to stop  
2 stealing food out of the garbage can.

3 Q Did you know she was on any medication?

4 A She had just started on Risperdal, a small dose of  
5 Risperdal. I had been advised that she was being assessed by a  
6 psychiatrist.

7 Q Now, was there ever any discussion with either Janet  
8 or Dwight about who they were seeing as doctors or if they were  
9 switching doctors?

10 A Yes. When they first moved into the Solander home,  
11 Janet and Dwight told me that they were going to stay with the  
12 physician that they had had their children with, that that was  
13 the physician that they had selected, and then after the first  
14 visit with the girls, Janet and Dwight told me that they were  
15 switching physicians. And then after another two visits, they  
16 told me that they were switching physicians again, that Janet  
17 felt that they weren't listening to her recommendations, and so  
18 she wanted to switch doctors again.

19 Q Okay. So after this meeting where you hear, you  
20 know, all sorts of these concerns, did you change your case  
21 plan?

22 A Yes. So after the meeting, I put a hold on the  
23 adoption. I asked that we not proceed with the adoption for  
24 the time being until I could put intensive services in place.  
25 I put psychosocial rehab in place five days a week in the home,

1 and I also made a referral for individual therapy for each of  
2 the girls and made a recommendation that they engage in family  
3 therapy, all five of them together.

4 Q And so were services, in fact, placed in the home?

5 A So, yes, services were started, but Janet and Dwight  
6 didn't want to use the provider that the girls had already been  
7 with. They wanted to use the provider that they wanted to use.

8 Q Okay. So they found a provider?

9 A Yes.

10 Q And did that provider stay with the girls?

11 A So the basic skills training provider started, but  
12 the psycho PSR provider that they originally started with,  
13 about a couple months into services, they asked for her to be  
14 dismissed off their case and requested a different one.

15 Q Who asked that she be dismissed?

16 A Between the two foster parents. I don't know which  
17 one, if one of them.

18 Q So Janet or Dwight?

19 A Yeah.

20 Q Okay. Was that the person that they themselves had  
21 chosen or --

22 A Yes.

23 Q Okay. All right. So now you kind of have a  
24 different type of case plan. You've pumped the brakes on the  
25 adoption for lack of a better term. And so what are you kind

1 of looking at as the permanency worker of whether or not this  
2 adoption should go forward?

3 A So I'm looking at how -- what is the stress level  
4 like on the family? How is Janet and Dwight doing with it?  
5 How is Danielle doing with it? Because, you know, Danielle for  
6 a little bit was stressed out, feeling like she had to defend  
7 mom, and how is Janet and Dwight? Because really the stress  
8 appeared to be on the parents, not really on the kids at this  
9 point. The kids seemed to be doing well from my assessment.  
10 They're doing well. They're thriving. They're showing that  
11 they're starting to grow a connection to this family.

12 It's the parents that are actually showing that  
13 they're having concerns, a lot of -- they are the ones showing  
14 the stress and the concerns and the unrealistic expectations.  
15 So what I'm looking for is their behavior, I guess, to improve  
16 and to see that they are not stressed out, to see that they're  
17 doing okay.

18 Q Did you ever, as the permanency worker in making a  
19 decision, you know, whether or not these children should be  
20 adopted, look at the similarities or differences in what  
21 Ms. McClain was reporting and compared to what the Solanders  
22 were reporting?

23 A I did. I mean, when we met in -- I'm sorry, in  
24 August, I saw there was a -- there was a big difference between  
25 what the Solanders were reporting and what Ms. McClain was

1 reporting, and I attributed that to there was -- I had  
2 first-time foster parents, and I had a very experienced foster  
3 parent. So and many times you see that with new foster  
4 parents.

5 Q Okay. So after you guys had this meeting and more  
6 services are placed in the home, do you see an improvement in  
7 regards to the relationship?

8 A Yeah. I see the Solanders' stress level appears to  
9 go down. They start -- they're not reporting as many concerns  
10 about the girls anymore. They're reporting Amaya's behavior  
11 has improved. The girls are still doing well. They're still  
12 reporting that everything is going well, and Janet and Dwight  
13 aren't reporting anymore serious concerns. Danielle is  
14 reporting things are going well. So everything appears to be  
15 moving along.

16 Q So after you see that everything is moving in the  
17 right direction, at some point do you then make the  
18 recommendation that I think that adoption is appropriate?

19 A Yes.

20 Q And I think I asked you before, but that adoption  
21 takes place on what date? Did you say January 19th of --

22 A Yes.

23 Q -- 2011?

24 A Yes.

25 Q Okay. So when children are formally adopted, what

1 does your role become as a caseworker?

2 A I don't have one anymore.

3 Q Okay. So you don't go to the home or do visits or  
4 anything like that?

5 A No. My job's done.

6 Q All right. So I want to fast-forward your attention  
7 now to August 12th of 2011. On that day, did you see Janet  
8 and Dwight?

9 A Yes.

10 Q Where did you see them at?

11 A I ran into Janet, Dwight and Amaya at Absolute Dental  
12 on Ann Road.

13 Q And is that a pediatric dentist or a regular dentist,  
14 or help me out.

15 A It's in all-persons dentist, but on that specific day  
16 of the week or month, they serve as also an orthodontist, a  
17 pediatric orthodontist.

18 Q What was your purpose of being there that day?

19 A I was there that day to take my oldest two children  
20 for their orthodontic check.

21 Q Okay. And so are you there first, or are the  
22 Solanders there first?

23 A The Solanders.

24 Q Okay. And so at this point, the children have been  
25 formally adopted; correct?

1           A     Yes. Seven months prior.

2           Q     All right. So I am going to use the term Amaya  
3 Solander if we could so that way we'll keep it straight, and  
4 she would be the middle child in the -- she's actually the  
5 middle child biologically, like chronologically and in the  
6 photo?

7           A     Yes.

8           Q     Okay. So explain kind of Amaya's demeanor when you  
9 walk in.

10          A     So hold on. If I can take a drink.

11          Q     Yeah, please.

12          A     Initially, when I walked in, it was very crowded that  
13 day. In the room it was like a standing room only kind of day  
14 there. They were backed up, and so Amaya was sitting down in  
15 the waiting room, and Janet and Dwight were standing when I  
16 walked in, and Amaya saw me. She saw me first, and I heard her  
17 exclaim, Ms. Heather, and she jumped out of her chair, and she  
18 went to give me a hug, like she usually does when she first  
19 sees me, and she abruptly stopped, and she immediately sat back  
20 down, and she put her head down and put her hands down and  
21 stared straight at the floor. And so she didn't give me the  
22 hug. She just stopped, and she stared and looked at the floor  
23 which was very unusual.

24          Q     Okay. Did you have interaction with Janet and Dwight  
25 at all?

1           A     Yeah, I did. So Janet and Dwight at that point, they  
2 were -- like I said it was a standing room only. So my kids  
3 had gone, and I think they squeezed themselves in somewhere,  
4 and I kind of lost sight of where they were. I started talking  
5 to Janet and Dwight, and Janet and Dwight were standing in  
6 front of Amaya. So we were just catching up, and Janet and  
7 Dwight were filling me in about how the girls were doing,  
8 and --

9           Q     So could you see Amaya, or was she on the other side  
10 of them? Explain to me, like, the body positioning.

11          A     So if I was Amaya sitting here, Janet and Dwight were  
12 standing directly in front of Amaya where I could see through  
13 them that she was sitting there, but I didn't have a good line  
14 of sight of her.

15          Q     Okay. And you said they were updating you on how the  
16 girls were doing.

17          A     Yes.

18          Q     What types of things did they say about the girls?

19          A     So they told me that Ava and Amaya -- Ava and  
20 Amaya -- Ava and Amaya, that had had some really significant  
21 abdominal issues and had been in the emergency room several  
22 times and had a GI doctor and had several diagnoses of  
23 gastrointestinal issues, and then they told me that Amaya had  
24 been diagnosed with autism, and they gave me this laundry list  
25 of medical things that were wrong with the girls, and I was --

1 I told them that I was very surprised by this. I had knew the  
2 girls for almost three years, and I had never seen any of these  
3 things.

4 Q Okay. And you verbalized that to them?

5 A Yes.

6 Q And did they say anything in return?

7 A They just reaffirmed to me. They were, like, yeah, I  
8 mean, we couldn't believe it either, but, yeah, it's true, and  
9 we have it confirmed, and they just reaffirmed to me that, yes,  
10 the diagnoses were true and that the girls had been seen by the  
11 doctors, that they were sick. They were really, really sick.

12 Q Now, at that dental office, like if a child -- if  
13 your child was going back, do you go back with your child and  
14 stay with your child, or how does that system work?

15 A Yeah. So my kids had actually been patients there  
16 for over a year. So and they told me that Amaya was there for  
17 the first visit, the consult. Yes. The answer is you do go  
18 back there, and you stay with your kids. It's a big room.  
19 When you walk in the back, there's six treatment chairs, and  
20 it's just a big room, and there's just TVs in front of all the  
21 treatment chairs, and then there's a row of parent chairs where  
22 you can sit in the back, and you stay with your kids.

23 Q Okay. So who got called back first, your family or  
24 the Solander family?

25 A The Solanders.



1 Q All right. And did all three of them go back?

2 A So initially, yes, they all three went back, and a  
3 few minutes elapsed. Maybe three to five minutes elapsed, and  
4 then Dwight and Janet walked back to the front waiting room  
5 where there was no waiting room -- where there was no room to  
6 sit.

7 Q Okay.

8 A And they started talking to me again, and I asked  
9 them, I said they didn't let you stay back there, and they told  
10 me, no, they told them to come back out front and that they  
11 would call them in a little bit.

12 Q So do you get called back with your children?

13 A So shortly thereafter I get called back with my kids.

14 MS. MCAMIS: Objection. Relevance.

15 THE COURT: Well, overruled.

16 BY MS. BLUTH:

17 Q So then do you -- you get called back with your  
18 children?

19 A Yes.

20 Q And when you get called back with your children, do  
21 you get to stay back there with your children?

22 A Yes.

23 Q Do you see Amaya there?

24 A Yes.

25 Q Is Amaya getting treatment done, or is she just off

1 to the side?

2 A No. She is sitting in one of the parent treatment  
3 chairs. So that's where I'm supposed to sit. So as I approach  
4 her, she's just sitting there. So as I approach her, I noticed  
5 that she has a really large bruise on her leg. So as I walk  
6 up, I said, Hey, goofball, what did you do, sign up to be a  
7 crash test dummy? And the next thing I knew, she was crying.  
8 So I knelt down. I did not expect the reaction I was getting.  
9 Like, I really I had no idea.

10 Q Tell me the injuries. Did you see more injuries than  
11 the softball bruise you saw on her leg?

12 A Yes.

13 Q Okay. Can you please describe to me what it is you  
14 saw.

15 A She had a bruise -- as I knelt down and got closer, I  
16 realized that she had a bruise on the right side of the bridge  
17 of her nose, the left side of her -- the left outside of her  
18 eye, the left side of her chin. She had oval sized -- or  
19 oval-shaped bruises on both of her forearms and the softball  
20 shape bruise on one of her legs, and I can't recall which leg  
21 it was on.

22 Q Was there any injury to the eyeball itself?

23 A Yes. And she had broken blood vessels in one of her  
24 eyes.

25 Q Now, at some point, did you ask her what had happened

1 to her?

2 A Yes.

3 Q I'm not going to get into the very specifics of what  
4 she said, but I'm going to ask you some questions; okay? Was  
5 she reluctant to speak with you about what happened?

6 MS. MCAMIS: Objection. Leading.

7 THE COURT: Ask her what she noticed about her.

8 BY MS. BLUTH:

9 Q How would you --

10 MS. BLUTH: I'm sorry, Your Honor.

11 THE COURT: -- willingness to --

12 What, if anything, did you notice about her  
13 willingness to answer your questions?

14 THE WITNESS: She was -- she was withdrawn, tearful,  
15 shaking, but she did -- she openly told me what happened. When  
16 I said, Honey, what happened, she openly told me what happened.

17 BY MS. BLUTH:

18 Q And she told you what happened to her?

19 A Yes.

20 Q Okay. Did she tell you whether or not an individual  
21 had done that?

22 A Yes.

23 Q Did you, without getting into her answers, did you  
24 ask any follow-up questions?

25 A Yes.

1 Q What were your follow-up questions?

2 A My follow-up questions were did her dad know, and had  
3 it happened before, and had it happened to anyone else.

4 Q Now, after you had this conversation with her, do you  
5 give her any, you know, instructions?

6 A Yes. I asked her if she remembered what my job was,  
7 and after she answered that, I asked if she felt she needed  
8 someone like me to come and check on her, and after she  
9 answered that, my instructions to her was I need you to wipe  
10 off your face. I don't want everybody here to know we had this  
11 conversation right this second. I'm going to make a phone  
12 call, and she said, okay, and I gave her a hug.

13 Q Okay. Now, while you're at the dentist office, did  
14 anybody in the dental office who worked at the dental office  
15 approach you with concerns?

16 A Yes.

17 Q And who would that be?

18 A The orthodontist and the back office assistant.

19 Q And, you know, after you making your assessment and  
20 also being, you know, approached by those individuals, do you  
21 make a decision to do something?

22 A Yes.

23 Q What did you do?

24 A Called the CPS hotline.

25 Q Now, it kind of seems odd because you are a CPS

1 worker, but even as a CPS worker, is that kind of what you  
2 would have to do?

3 A Yes.

4 Q So if you suspect -- suspect a child is either being  
5 neglected or abused, even you as a CPS worker just calls the  
6 normal hotline?

7 A Yes.

8 Q Okay. And that's what you did?

9 A Yes.

10 Q And was an actual investigation opened?

11 A Yes.

12 Q Did you make contact with that investigator?

13 A Yes. I followed up and made contact with the  
14 investigator and the supervisor.

15 Q Why did you do that?

16 A Because in this situation, I had a credible witness  
17 with --

18 MR. FIGLER: I'm going to object, Your Honor, to the  
19 categorization.

20 THE COURT: That's sustained as to the --

21 MR. FIGLER: Thank you, Your Honor.

22 BY MS. BLUTH:

23 Q Did you follow up to make sure that this was properly  
24 handled in your eyes?

25 A Yes.

1 Q Did anyone from the Solander family ever contact you  
2 after you had made this report?

3 A Yes.

4 Q And who was that?

5 A Dwight Solander.

6 Q And how did he contact you?

7 A Via email.

8 Q And at any point in time did he threaten you in any  
9 way?

10 A Yes.

11 MS. MCAMIS: Objection. Argumentative and also best  
12 evidence.

13 THE COURT: Overruled.

14 MR. FIGLER: Can we approach on that?

15 THE COURT: Sure.

16 (Conference at the bench not recorded.)

17 THE COURT: All right. That's sustained. The jury  
18 is instructed to disregard the characterization.

19 Rephrase your question, Ms. Bluth.

20 MS. BLUTH: Sure.

21 BY MS. BLUTH:

22 Q What did Dwight say to you in that email in regards  
23 to, you know, you had filed the report?

24 A He said that I was unethical and inappropriate  
25 because I was trying to get back into the girls' lives, and

1 knowing that Amaya had reactive attachment disorder, and he  
2 said that he had already filed litigation against me in  
3 district court, and he had filed a complaint against me with  
4 the ombudsman's office.

5 Q What's the ombudsman's office?

6 A It is the -- it's the person where you file  
7 complaints against the Department of Family Services for the  
8 county.

9 Q Okay.

10 A And he forwarded that to me.

11 Q He forwarded you the --

12 A His complaint.

13 Q His complaint.

14 A And said that he was filing more litigation against  
15 the department.

16 Q Okay. And I should be clear. I didn't mean any  
17 touch of, like, physical threat of harm.

18 A No. Yes. No.

19 Q And during the same time period, did you receive a  
20 phone call from Debbie McClain?

21 A Yes.

22 Q And after your conversation with Debbie McClain, did  
23 you, in fact, contact the investigator of this investigation?

24 A Yes.

25 Q And what did you tell the investigator?

1 MS. MCAMIS: Objection. Hearsay.

2 MS. BLUTH: It's not from the -- I'm not asking her  
3 what Debbie said. I'm asking her what she asked the  
4 investigator to do.

5 THE COURT: Well, it's still hearsay, but I am -- are  
6 you offering it for a nonhearsay purpose?

7 MS. BLUTH: I'm offering it to see what she did next,  
8 but she's never going to say what Debbie told her.

9 THE COURT: Right. They're objecting to her  
10 statements which would be hearsay.

11 Correct, Ms. McCain?

12 MS. BLUTH: Two --

13 THE COURT: Yeah. Because it's her out-of-court  
14 statement, it's still hearsay --

15 MS. BLUTH: And the effect on the listener.

16 THE COURT: -- but I don't think it's being offered  
17 for the truth. Are you offering it to explain the subsequent  
18 steps taken by the investigator in this case?

19 MS. BLUTH: I'm offering it for the effect on the  
20 listener.

21 THE COURT: All right. Go ahead. You may answer the  
22 question if you still remember what it was.

23 THE WITNESS: Yeah, I believe I do. I contacted the  
24 investigator and the supervisor to ask that they follow up to  
25 contact Ms. McClain along with ensuring that they had the



1 orthodontist and the back office assistant's contact  
2 information from the original report.

3 BY MS. BLUTH:

4 Q Okay. Despite the report that you called in and the  
5 follow-up that you did, was the case closed out as what's  
6 referred to as unsubstantiated?

7 A Yes. As far as I know, yes, it is.

8 Q At the time that you called in the report after the  
9 orthodontic appointment -- orthodontist appointment, were you  
10 aware that the defendant Janet Solander had written a book  
11 about the foster care system?

12 A No.

13 Q At some point did you become aware of that book?

14 A Not until after her arrest.

15 MS. BLUTH: Okay. That concludes my direct  
16 examination, Your Honor. I'll pass the witness.

17 THE COURT: All right. Thank you.

18 Cross.

19 MS. MCAMIS: Yes. Thank you, Your Honor.

20 CROSS-EXAMINATION

21 BY MS. MCAMIS:

22 Q Good afternoon, Ms. Richardson.

23 A Hi.

24 Q You testified in the very beginning about some of  
25 your training and experience as an employee and a permanency

1 worker for the Department of Family Services. I'm going to  
2 touch on that a little bit more.

3 A Okay.

4 Q In fact, you actually have a pretty significant  
5 responsibility, don't you?

6 A Yes.

7 Q You have to attend to all the children that are  
8 assigned to your caseload; correct?

9 A Yes, while I was a caseworker.

10 Q And you have a lot of responsibilities as far as  
11 updating the court system; right?

12 A Yes, every six months.

13 Q Okay. And that's because when children are removed  
14 from a biological home, then the Court is actually involved in  
15 that, and the Court has to oversee and make sure that there are  
16 a number of safeguards as far as making sure children's  
17 medical, education, emotional and all of their needs are met  
18 while they are in the care of the State; correct?

19 A That's correct.

20 Q And so one of your tasks as a Department of Family  
21 Services permanency worker is to collect all of that relevant  
22 information and provide it to the court?

23 A We don't put all of the information into a court  
24 report. It's a summary.

25 Q Okay. But it's a summary of relevant information

1 that includes a number of things, like the child's educational  
2 status; correct?

3 A Sure. Yes.

4 Q It also includes, this report to the court also  
5 includes things like if they are receiving the PSR, the  
6 psychosocial rehabilitation and the BST, behavioral skills  
7 training, or therapy rather; correct?

8 A Yes.

9 Q It also includes any mental health counseling that  
10 the children are undergoing; correct?

11 A Yes.

12 Q And as a Department of Family Services caseworker or  
13 permanency worker, you have an obligation to collect or at  
14 least maintain contact with those service providers; correct?

15 A Yes.

16 Q And part of that contact is making sure Number 1 that  
17 things are documented; correct?

18 A Things are documented by me or by the mental health  
19 provider?

20 Q By both.

21 A I'm not following your question.

22 Q Okay. If you have a child that's in your legal  
23 custody as, you know, as just part of the State agency, and the  
24 child is receiving services, you need to have --

25 Please, go ahead.

1           -- you need to have regular contact with that service  
2 provider; right?

3           A     Correct.

4           Q     And if the child is receiving therapeutic services  
5 from a service provider, you would expect there to be records  
6 on that; correct?

7           A     Yes.

8           Q     And you work in the legal department now as part of  
9 your employment; correct?

10          A     Yes.

11          Q     So recordkeeping and record retention and requesting  
12 records are all part of your obligation; correct?

13          A     Yes. We request records.

14          Q     Okay. And as a caseworker on the Solander case, that  
15 was also part of your duty; correct? Is to collect any  
16 relevant medical or counseling records of the children;  
17 correct?

18          A     Yes. Any known records we would collect.

19          Q     Okay. And as well, you engage in a system where  
20 there is documentation and recording of contacts actually  
21 related to any contact with a child on your caseload; correct?

22          A     Yes, as far as again documentation, I want to be  
23 clear for the court. I mean, pardon because I'm used to  
24 testifying in family court. Documentation, our documentation  
25 goes so far. With a caseload of 40, when we spend so much time

1 with a child doing like say our case notes and gathering the  
2 documentation that we do, if we documented every single thing  
3 that we did, there's just not enough time in the day to do  
4 that. So we do as much as we can in a summary, but we just, we  
5 can't document every single thing that we do. It's just not  
6 possible. So we do the best that we can with the documentation  
7 portion of that.

8 Q All right. So it's your testimony that you document  
9 some but not everything?

10 A Right. It's just not possible to document everything  
11 that we do.

12 Q Okay. So that was a yes. The program that you use  
13 to do that is called Unity; right?

14 A That's correct.

15 Q And can you explain a little bit about how you  
16 interact with Unity and how a case note or other note gets  
17 entered.

18 A As far as we go into Unity, and we would enter a case  
19 note, and once you enter a case note, it's saved. You can't go  
20 back, and you cannot edit that case note. So you have a  
21 certain amount of time to enter a case note. So if you --

22 Q And what amount of time if I can ask?

23 A You're actually supposed to enter a case note within  
24 five days of the contact. So that's what the policy is. So  
25 again, can you -- just making sure I didn't forget the

1 question. You are asking --

2 Q I asked about how you basically enter and interact  
3 with Unity to make your record.

4 A So you would -- you basically go into Unity, enter  
5 your case note, and then you save it, and then, like I said,  
6 and the policy is doing it within five days of the case note.  
7 I'm kind of known for having my case notes are pretty lengthy  
8 comparatively to some of my colleagues.

9 Q Okay. But again you testified that not every contact  
10 can be entered into Unity?

11 A Right. Every phone call I have will not be  
12 documented. Every interaction I have with a service provider  
13 will not be entered into Unity. It's just not possible.

14 Q Okay. But is it fair to say that the important  
15 contacts are entered, important contacts, such as, like, a CFT  
16 meeting that you were testifying about?

17 A Yes. We had a CFT meeting. Yeah, that we had it  
18 will be documented. Not every minute of it will be documented.

19 Q Sure. That seems unreasonable. It's not a  
20 transcription; right?

21 A Right. Thank you. That was my point. Yes.

22 Q Okay. But other things, if you had contact with the  
23 child and you suspected the child of being victimized by abuse  
24 and neglect by a caregiver, that's going to be entered;  
25 correct?

1           A     Right.  So if I -- yes.  Like if I was out at doing  
2 one of my regular visits and I thought that that child was  
3 being victimized by that caregiver, yeah, that would be in my  
4 case note.

5           Q     Okay.  And you're a mandated reporter; correct?

6           A     Yes.

7           Q     So that means if you suspect, even just suspect  
8 potential child abuse and neglect, you have to make a referral  
9 for an investigation; correct?

10          A     Yes.  I have to report it through the hot line.

11          Q     And moreover, because you are employed through the  
12 Department of Family Services, if a child on your caseload is  
13 inside a home, or you suspect abuse and neglect and it's  
14 significant enough, you have the power and authority to  
15 immediately remove that child from the home; correct?

16          A     I do not, no.  Just so we're clear, I do not have the  
17 power as a caseworker to immediately remove.  Under department  
18 policy, I cannot just remove a child from the home.  It  
19 requires manager approval to remove a child.  So we can't  
20 just --

21          Q     But the removal should be done the same day?

22          A     -- take children out.

23          Q     If you contact your supervisor, any immediate  
24 concerns can be dealt with that same day; correct?

25          A     If they're a child in foster care, if they're under

1 our jurisdiction --

2 Q Exactly.

3 A -- with manager's approval, yes.

4 Q And if it's even more severe enough, you could reach  
5 out to other agencies like law enforcement for removal;  
6 correct?

7 A Yes. I'm not following why -- if they're under our  
8 jurisdiction or they're not under our jurisdiction?

9 Q All my questions are for foster children under your  
10 jurisdiction.

11 A Okay. Again, you're asking if I --

12 Q How about simply put, if you believe that a child is  
13 being actively abused, like actively physically abused, you're  
14 not the type of caseworker who is just going to let that lie;  
15 you're going to actually take action and call a supervisor or  
16 call police if the child has to be physically removed  
17 immediately?

18 A I'm not leaving that house. If that child is in  
19 danger, I'm not going to physically leave that house until I  
20 get ahold of somebody and have the authority to remove that  
21 child. If they are currently in active danger right then, I'm  
22 not leaving.

23 Q Okay. All right. Now, you also testified about  
24 being responsible for completing body checks on the children;  
25 correct?



1           A     Yes.

2           Q     Okay. And so your visual inspections are completed  
3 when you enter a home and have contact with the foster child on  
4 a regular basis; correct?

5           A     Right.

6           Q     And that's done at a minimum of every 30 days;  
7 correct?

8           A     Yes.

9           Q     So a home visit requires you to actually physically  
10 go inside of a home where a foster child is placed and have  
11 contact with that child; correct?

12          A     And that's, yeah, that's current policy. Throughout  
13 the years, those have changed throughout the years. There have  
14 been times that --

15          Q     Let me ask you this. Let's focus on the time period  
16 that you were actually interacting in the Solander home, or  
17 actually, strike that. Let's focus on the time period where  
18 you actually were assigned the caseworker for the Ramirez,  
19 later became the Solander girls, that sibling group; okay?

20          A     Okay.

21          Q     So any time that they were in foster care, you were  
22 inside that home with them; correct?

23          A     Most of the time. There may have been an occasion  
24 where I did a school visit instead of a home visit, but at the  
25 most it would have been once every 90 days that I did a school

1 visit.

2 Q Okay. Fair enough. But legally you were required to  
3 have contact, physical contact with those children a minimum of  
4 every 30 days; correct?

5 A Yes.

6 Q Okay. And you did so in this case with the Solander  
7 girls or the Ramirez-Solander? I apologize. I'm sure that's  
8 confusing.

9 A That's okay.

10 Q All right. I'll refer to them as the Solander girls  
11 with your understanding.

12 A Yes.

13 Q Now, when you do these home inspections, it's not  
14 just limited to interacting with the child one-on-one; correct?

15 A No --

16 Q In fact --

17 A -- and it usually isn't.

18 Q And, in fact, you actually do a home inspection;  
19 right?

20 A Yes. As far as you mean like a physical home --

21 Q Exactly. You go around the home.

22 A -- walk through --

23 Q You walk through the home; correct?

24 A Yes. I don't remember what year and month our  
25 out-of-home safety check was implemented. I know at some point

1 they were implemented, and please keep in mind that you're  
2 asking me about a period of 10 years ago. So I don't remember  
3 what year and month we implemented the out-of-home safety  
4 checks where we started taking pictures of homes, but at some  
5 point we did start taking pictures of homes. I can't recall if  
6 that falls in that time period.

7 Q My question to you is not whether you photographed  
8 it, but whether you actually physically did a home inspection  
9 regardless of any rules that may have subsequently come down  
10 about documenting the home.

11 A Yeah. I recall going through the Solander home  
12 very -- very thoroughly, yeah. I have walked through their  
13 home. I can still recall walking through their home.

14 Q Okay. And part of walking through their home is to  
15 make sure there are no safety concerns for the children;  
16 correct?

17 A Yes.

18 Q Okay. So a safety concern -- well, actually strike  
19 that. Let me ask you this. Part of walking through the home  
20 is making sure that there's adequate food; correct?

21 A Yes.

22 Q And that there are adequate bedding or appropriate  
23 bedding and things that would go to the children's personal  
24 care needs; correct?

25 A Yes.

1           Q     And if the Solanders were not meeting the Department  
2 of Family Services's basically requirements or standards for  
3 that, you have a legal obligation as a caseworker or a  
4 permanency worker to instruct them; correct?

5           A     Yes.

6           Q     So meaning it could just be as simple as you need to  
7 fix this; correct?

8           A     Yes.

9           Q     It could also be a little more complicated as the  
10 kids can be removed if you don't do this; correct?

11          A     Yes.

12          Q     Now, isn't it true that you never actually had to do  
13 any kind of corrective instruction to the Solanders about any  
14 of the food in their home when you were doing home inspections?

15          A     No, I did not.

16          Q     Okay. And you never -- you never had to correct or  
17 instruct the Solanders on any inappropriate bedding as to what  
18 the Solander girls were using; correct?

19          A     No.

20          Q     And you never had to instruct or correct them on any  
21 of the, for lack of a better phrase, like toileting practices  
22 that were in the home; correct?

23          A     Give them any instruction?

24          Q     Did you have any concerns about their toileting  
25 practices in the home?

1           A     No.

2           Q     No.  Okay.  I want to take you back to when these  
3 young girls were originally removed from their biological home.

4           A     Okay.

5           Q     You testified that they were the victims of neglect;  
6 correct?

7           A     Abandonment.

8           Q     Abandonment.  And, in fact, their mother had left  
9 them for Mexico to be with a boyfriend; correct?

10          A     Yes.

11          Q     And their father had been in prison for a period of  
12 time; correct?

13          A     Yes.

14          Q     And he was deported to -- well, he was just deported;  
15 correct?

16          A     Deported.  Yes.

17          Q     And I guess it's irrelevant which country, but he was  
18 not a father figure in their life; correct?

19          A     That's correct.

20          Q     And, in fact, the girls did not have a relationship  
21 with him; correct?

22          A     No.

23          Q     And one of the girls in particular, the middle child  
24 was quite affected by that lack of a father figure; correct?

25          A     I don't -- no, I would not say that.

1           Q     You would not say that. Okay. Now, when you talked  
2 about your duties to the children in your care, as a permanency  
3 worker, if they are struggling with any emotional needs, you  
4 have the ability to make referrals for counseling, don't you?

5           A     Yes.

6           Q     And there are a number of counseling services and  
7 agencies that are available to work with the Department of  
8 Family Services; correct?

9           A     Yes.

10          Q     And in your assessment and work, you identified that  
11 the girls would benefit from counseling, didn't you?

12          A     Yes.

13          Q     And, in fact, you made a referral for H.O.P.E.  
14 counseling to those girls; correct?

15          A     Yes.

16          Q     And that referral for H.O.P.E. Counseling predated  
17 the Solanders' involvement; correct?

18          A     I don't recall what day and month, month and day that  
19 I would've made the referral. I know that they were in  
20 therapy.

21          Q     But you acknowledge that they were in therapy as a  
22 result of being removed from their biological home; correct?

23          A     I really am not able to answer that, and my reasoning  
24 for that is the CFT meeting, our outcome from that was that the  
25 girls engage in individual therapy. So if they had been in

1 therapy from the original removal, there wasn't therapy in  
2 place at that time.

3 Q Okay. But when you got the case, you identified that  
4 the girls would benefit and made that referral for individual  
5 therapy through H.O.P.E. Counseling; correct?

6 A Yes.

7 Q And as part of your duties to the girls and also just  
8 to the Court, you had to have contact with H.O.P.E. Counseling;  
9 correct?

10 A Yes.

11 Q Okay. And that would have included reviewing any  
12 kind of entries or records; correct?

13 A Entries or records in what?

14 Q From their therapist at H.O.P.E. Counseling; correct?

15 A Any documents that they would provide us, yes. We  
16 request records. When we do our court report, we request  
17 anything that they have or when we do our social summary.

18 Q Okay. And you would have requested those in this  
19 case; correct?

20 A Yes.

21 Q Okay. And you would've received them in this case;  
22 correct?

23 A Not necessarily. So when we get the social summary,  
24 we request them, and there's times that some of our providers  
25 don't always give them to us. So without having the benefit of

1 having the social summary in front of me or a court report in  
2 front of me, I'm not really able to answer that question  
3 factually, that I feel secure enough to answer that for you.

4 Q Okay. But at minimum you have contact with the  
5 therapist --

6 A Yes.

7 Q -- over at H.O.P.E. Counseling; correct?

8 A Yes.

9 Q And you have regular contact with the therapists over  
10 at H.O.P.E. Counseling on your -- for the kids on your  
11 caseload; correct?

12 A Yes.

13 Q And why do you have to have regular contact with the  
14 therapist?

15 A Ensure how the kids are doing in therapy, ensure that  
16 they are meeting their treatment goals, see what their  
17 treatment goals are, whether it's effective to continue to have  
18 them in treatment, for numerous reasons, just to make sure that  
19 that's a good provider for them. If their treatment plan is  
20 the same thing every 90 days for that child, and the child is  
21 making no progress, it's not an appropriate provider. So --

22 Q And you as a permanency worker have the ability to  
23 change providers if you see that to be appropriate; correct?

24 A Yes.

25 Q Okay. Now, we talked about how you made a referral



1 to H.O.P.E. Counseling for all of the siblings; correct?

2 A Yes.

3 Q Okay. And if I suggested to you that an assessment  
4 was done October 30th of 2008, would you have any reason to  
5 doubt that?

6 A No. I wouldn't doubt that if you suggested it.

7 Q Okay. And again, as part of your ongoing duties to  
8 the girls, you would have regular contact with their therapist  
9 over at H.O.P.E. Counseling; correct?

10 A Correct.

11 Q And that includes a free exchange of information in  
12 order to identify what needs are being met and what needs need  
13 to be met; correct?

14 A Yes.

15 Q And that includes any kind of diagnosis that the  
16 girls may have; correct?

17 A Yes.

18 Q And it includes the therapist disclosing to you any  
19 kind of abuse or neglect that the children have disclosed to  
20 them as far as again identifying what therapy needs are for  
21 them; correct?

22 A There is a -- that's a slippery slope. They do have  
23 a patient client privilege, the therapists do. So just because  
24 I'm their guardian, just like if you take your biological child  
25 to therapy, they don't necessarily have to tell you everything

1 your child discloses if it already happened. So if a child  
2 discloses past trauma or past abuse, they don't necessarily  
3 have to disclose that. So they might not tell me that over the  
4 phone or tell me, but it could end up being in a therapy record  
5 a year from now, but they might not have told me that over the  
6 phone.

7 Q Okay.

8 A If that makes sense.

9 Q But regardless, you did confirm that they share,  
10 like, diagnoses of the children; correct?

11 A Again, possibly. Ten years ago. I can't tell you  
12 off the top of my head what the girls' diagnoses were.

13 Q Okay. So --

14 A There were no serious behavioral issues.

15 Q There were no serious behavioral issues is your  
16 testimony?

17 A Ten years ago, yes.

18 Q Okay. So when the girls were assessed on October  
19 30th of 2008, they were assessed for any potential behavioral  
20 issues for therapy purposes; correct?

21 A That would be accurate.

22 Q Okay. And so if they were assessed by H.O.P.E.  
23 Counseling and determined to have persistent intentional  
24 aggression; would you have any reason to dispute that?

25 A When you say "they"?

1 Q H.O.P.E. Counseling?

2 A No. You said the girl. You're talking about the  
3 girls.

4 Q Oh.

5 A So are you saying all of the girls? One of the  
6 girls? Who were you talking about?

7 Q Well, let's use Yarely, Yarely Jiselle, the youngest  
8 one, as an example.

9 A So I wouldn't --

10 Q October 30th of 2008, an assessment was done for  
11 Yarely, and she was assessed as having persistent intentional  
12 aggression; correct?

13 A I wouldn't be able to say correct without seeing the  
14 document.

15 Q Okay. Would reviewing her mental health  
16 assessment --

17 MS. MCAMIS: Court's indulgence.

18 THE COURT: Sure.

19 BY MS. MCAMIS:

20 Q All right. Ms. Richardson, you did disclose and  
21 share with us that you had a brain injury; correct?

22 A Yes.

23 Q And then in your earlier testimony you did not  
24 indicate that you have any memory loss; correct?

25 A I don't.

1 Q And it's just sometimes -- I think you shared  
2 aphasia, but basically you shared that sometimes you just need  
3 either a question repeated or broken down; correct?

4 A Yes.

5 Q So you have no cognitive impairments as far as memory  
6 loss as a result of the injury; correct?

7 A Just processing speed.

8 Q Just processing speed. Okay. So as part of your  
9 duties as a caseworker, you would have had to be familiar with  
10 the different diagnoses of the Solander girls; correct?

11 A Yes.

12 Q Okay. And so you don't have any recollection that  
13 Yarely Jiselle was diagnosed as having challenging behaviors or  
14 does not follow directions?

15 A Not following directions for a 5 year old, no. She  
16 would've been about four at that time. So, no, like again,  
17 it's just not ringing a bell. That's not anything significant,  
18 but --

19 Q Okay. So let's talk about, That's not significant.  
20 On that same assessment, Yarely was diagnosed as having  
21 excessive frequent tantrums; correct?

22 A Again you're asking about a document from 10 years  
23 ago that I don't have the advantage of having a document in  
24 front of me. I've had probably 500 or 600 children I've been  
25 responsible for since then. So I'm just -- without having

1 reviewed it since then, asking to factually answer a question,  
2 I haven't reviewed all 800 pages --

3 Q Well, you anticipated being called --

4 A -- since then.

5 Q -- as a witness today; correct?

6 A Yes.

7 Q Okay. And so as part of reviewing and preparing to  
8 testify about girls that you had contact with 10 years ago, you  
9 didn't see fit to review any of your records on them?

10 A I did review my records. I didn't see anything there  
11 that she had excessive tantrums from an assessment from 10  
12 years ago. There's nothing in any of the contacts with anyone  
13 with any of the caregivers throughout a three year period of  
14 anybody reporting any tantrums by Yarely.

15 Q Okay. So you also deny that Yarely was assessed as  
16 having an absence of fear or an awareness of danger then?

17 MS. BLUTH: Judge, I'm going to object --

18 THE WITNESS: Yes.

19 MS. BLUTH: -- because I believe that misstates her  
20 testimony. What she's saying is she doesn't know what document  
21 that Ms. McAmis is referring to, and she's not giving her an  
22 opportunity to look at it.

23 MS. MCAMIS: She's denying any memory. It's not  
24 just --

25 THE COURT: All right. Let her see the document.

1 MS. MCAMIS: Permission to approach?

2 THE COURT: You may.

3 MS. MCAMIS: Thank you.

4 BY MS. MCAMIS:

5 Q Ms. Richardson, I am offering you a document entitled  
6 Comprehensive Mental Health Assessment for a client named  
7 Yarely Jiselle Ramirez for an assessment, H.O.P.E. Counseling,  
8 October 30th, 2008. I'd like you to review that to yourself.

9 A Thank you.

10 Q And look up at me when you're done. Okay.

11 A Okay. After skimming it, can you point to the --

12 Q Oh, I can ask a question.

13 A Can you show me the page where you're talking about  
14 because I didn't see the same thing you saw.

15 Q Uh-huh. I'll direct your attention to the first  
16 page.

17 A Yeah.

18 Q For reasons for seeking services.

19 A Yes.

20 Q And I'd also like you to review the -- basically  
21 what's numbered Section 5 on the second page of the document  
22 continuing through the third page, the different check boxes.

23 A Okay.

24 Q [Unintelligible] related [unintelligible].

25 A Yeah, I saw that. Thank you.

1                   Okay. Thank you.

2           Q     Ms. Richardson, had you even seen these documents  
3 about the child in your care in 2008?

4           A     Yes.

5           Q     Okay. So after reviewing these documents, does that  
6 refresh your memory on the different needs that they have and  
7 assessments that they had?

8           A     Yes.

9           Q     Okay. Now, the reason that they were seeking  
10 services was because of a report that the client, meaning the  
11 patient Yarely, Yarely Jiselle witnessed her mother having  
12 intercourse and having an abortion; correct?

13          A     That's what the grandmother reported to the provider.

14          Q     Okay. And it was reported to the provider that the  
15 mother left the client and the client's siblings and went to  
16 Mexico with her boyfriend; correct?

17          A     Again, what the paternal grandmother reported to the  
18 provider.

19          Q     And that was my question. It was reported?

20          A     Right.

21          Q     It was also reported that the biological father was  
22 deported; correct?

23          A     Yes.

24          Q     And it was reported that the client fights with her  
25 sisters in the home, showing difficulty eating as to Yarely;

1 correct?

2 A That's what that says, yes.

3 Q Okay. Now, as far as the child's assessment as far  
4 as behavior, Yarely was assessed as having persistent  
5 intentional aggression; correct?

6 A That box is checked, yes.

7 Q Okay. And she was also assessed as having  
8 challenging behaviors, does not follow directions; correct?

9 A That box is checked, yes.

10 Q And she was also assessed as having excessive  
11 frequent tantrums; correct?

12 A The box is checked, yes.

13 Q Okay. And she was assessed as having absence of fear  
14 or awareness of danger; correct?

15 A Yes, the box is checked.

16 Q Okay. Yarely was assessed as having unintelligible  
17 speech; correct?

18 A Yes, the box is checked.

19 Q She was assessed as having an assessment of doesn't  
20 play, interact with peers; correct?

21 A Yes, that box is checked.

22 Q She was also assessed as having unusual eating  
23 patterns or nonfood items; correct?

24 A Yes, the box is checked.

25 Q It was disclosed to the therapist that grandmother



1 reports severe neglect by biological mother; correct?

2 A Yes, that's with the paternal grandmother reported.

3 Q And that also this young Yarely witnessed domestic  
4 violence; correct?

5 A Yes, that's what the paternal grandmother reported.

6 Q And the -- pardon me. And Yarely was also assessed  
7 as failing to respond to limit setting or other discipline;  
8 correct?

9 A Yes, that's what it says.

10 Q Okay. Now, she had a couple of specific diagnoses at  
11 the end. You are familiar with the DSM-IV diagnoses; correct?

12 A I am.

13 Q Now, DSM-IV diagnosis is like a psychological  
14 assessment of any mental condition or mental illness or just  
15 behavioral behavior that a child may have or other person may  
16 have; correct?

17 A Yes.

18 Q And in this case Yarely was assessed with some DSM-IV  
19 diagnoses; correct?

20 A Yes.

21 Q And, in fact, she was diagnosed with PTSD; correct?

22 A Yes.

23 Q A feeding disorder; correct?

24 A Yes.

25 Q Disorder in infancy; correct?

1           A     Yes.

2           Q     Okay.  She was also described as having difficulty  
3 getting along with siblings; correct?

4           A     Yes.

5           Q     And that she was exposed to trauma one year ago;  
6 correct?

7           A     Yes.

8           Q     Finally, in this assessment on October 30th of  
9 2008, Yarely was assessed as qualifying as severely emotionally  
10 disturbed; correct?

11          A     Yes.

12          Q     Now, you testified confidently that Yarely had no  
13 problems; correct?

14          A     Absolutely.

15          Q     Okay.  Yarely was assessed as having various tantrums  
16 and disorders and general problems in that assessment; correct?

17          A     Yes.

18          Q     And that's the purpose of a therapist is to diagnose  
19 any behavioral issues or diagnoses or medical issues -- well,  
20 strike that, diagnoses or mental health issues; correct?

21          A     If the reporting source is appropriate.

22          Q     My question to you is it's a therapist's job to  
23 diagnose mental health conditions or diagnoses; correct?

24          A     Yes.

25          Q     It's not your job; correct?

1           A     Yes.

2           Q     Because you lack mental health professional training;  
3 correct?

4           A     Not accurate. I have a master's degree in social  
5 work.

6           Q     Does a master's degree in social work allow you to  
7 make mental health treatment or diagnoses?

8           A     Actually, yes, it does --

9           Q     But you were not the service --

10          A     -- a licensed --

11          Q     -- provider as to --

12                MS. BLUTH: Judge, I'd object and ask her to let the  
13 witness finish her answer before she moves on.

14                THE COURT: Well, I think she answered. She said,  
15 Yes, it does. I think that was the answer.

16                MS. MCAMIS: And I have been a lot more cautious  
17 about over talking her, understanding that, you know, when  
18 you're trying to answer questions.

19 BY MS. MCAMIS:

20          Q     Now, you've testified that you had so many cases that  
21 it was hard for you to remember, but on direct, when you were  
22 asked questions by the prosecution, you showed no hesitancy;  
23 correct?

24          A     I don't recall testifying I had so many cases it was  
25 hard for me to remember.

1           Q     You don't recall testifying that you had so many  
2 cases over the past 10 years that you had trouble remembering  
3 the specifics of my questions?

4           A     The specific diagnosis of one child 10 years ago,  
5 yeah, that specific, yes.

6           Q     So did you not remember all of these documented  
7 assessments, or did you just never see them?

8           A     That was one document from 10 years ago of a provider  
9 we didn't continue with for clear reasons.

10          Q     My question to you was do you not remember all of the  
11 document -- the documented assessments, or did you never see  
12 them?

13          A     I saw them.

14          Q     Okay. Now, you've testified it's a provider you did  
15 not continue with; correct?

16          A     Yes, we didn't continue with --

17          Q     Well, I -- I'll move on to the next question. The  
18 period of time that at minimum Yarely was with the H.O.P.E.  
19 Counseling began after that assessment on October 30th of 2008;  
20 correct?

21          A     Am I allowed to answer the question? I'm not sure.

22                THE COURT: Well, the question was it began after the  
23 particular date, and it's a yes or no question.

24                THE WITNESS: Okay. I'm not sure. Yes? I feel like  
25 I'm --

1 THE COURT: And if you don't know --

2 THE WITNESS: -- guessing at this point.

3 THE COURT: -- or you can't answer the question, then  
4 you can answer I don't know, or I can't answer that question.

5 THE WITNESS: Yes, treatment would begin after an  
6 assessment.

7 BY MS. MCAMIS:

8 Q Okay. And it continued for Yarely and her sisters  
9 through November of 2009; correct?

10 A Yes.

11 Q So for a period of one year, at least one year, a  
12 little bit more than one year, not full one year and one month;  
13 correct?

14 A With a different provider.

15 Q It was through H.O.P.E. Counseling; correct?

16 A Yes, with a different provider. We needed someone  
17 that was bilingual.

18 Q Okay. But it was still the same agency; correct?

19 A Yes.

20 Q And it was still the same -- the same assessment as  
21 to this child and treatment plan for this child; correct?

22 A That's not a treatment plan that you have right  
23 there. That's an assessment.

24 Q Okay. But they were treated at H.O.P.E. Counseling;  
25 correct?

1           A     Yes, with a different therapist.

2           Q     But they went to therapy based on this assessment;  
3 correct?

4           A     Yes.

5           Q     Okay. Now, as part of their therapy, they had to be  
6 treated for different behavioral issues, such as  
7 hypervigilance; correct?

8           A     You keep generalizing they. Can you please be  
9 specific.

10          Q     Sure. For example, Yarely Jiselle had to be treated  
11 for hypervigilance, and certain situations where triggers for  
12 memories of trauma occurred; correct?

13          A     Yeah, she did. Yes.

14          Q     Okay. And the therapist determined it was not  
15 easily -- actually strike that. The therapist noted that the  
16 client, the young patient was not easily redirected during  
17 these moments as evidenced by just different reminders to try  
18 to calm herself during physical behaviors; correct?

19          A     Say that -- that's a long question. So can you break  
20 that down.

21          Q     Absolutely.

22          A     Okay.

23          Q     Okay. So Yarely struggled with hypervigilance;  
24 correct?

25          A     Yes.

1 Q Because she was a trauma survivor; correct?

2 A Yes.

3 Q And you absolutely acknowledge that Yarely in  
4 addition to all of her sisters were trauma survivors; correct?

5 A They had been abandoned, yes.

6 Q Okay.

7 A And so, yes, they have survived neglect, yes.

8 Q Okay.

9 A Okay.

10 Q And that Yarely demonstrated hypervigilance when her  
11 memories of trauma were triggered; correct?

12 A Yes.

13 Q And that she was hard to redirect and calm down when  
14 she was triggered; correct?

15 A She was difficult to redirect, as a 4 year old would  
16 be. So --

17 Q Okay. But particularly a 4 year old who's been the  
18 victim of a trauma; correct?

19 A I wouldn't say she's any different than any other 4  
20 year old in foster care. No.

21 Q Okay. Now, Yarely -- excuse me, yeah, Yarely Jiselle  
22 also had enuresis you testified; correct?

23 A Yes, she did.

24 Q And that when she went to H.O.P.E. Counseling she was  
25 suffering from enuresis seven out of seven nights at one point;

1 correct?

2 A Yes.

3 Q And that after therapy there were some improvements;  
4 correct?

5 A Yes.

6 Q And, in fact, at one point it was reduced to five of  
7 seven nights; correct?

8 A Yes.

9 Q And specifically H.O.P.E. Counseling also assisted  
10 Yarely with behaviors that -- these physical behaviors she had;  
11 correct?

12 A Physical behaviors, I don't know what a physical  
13 behavior would be.

14 Q Okay. What about -- well, strike that. What about  
15 as far as physical behavior Yarely disclosed that her middle  
16 sister is hitting her and fighting a lot?

17 A Most siblings do.

18 Q Okay. And that would be a physical behavior. Okay.  
19 But specifically Yarely was in therapy to address the fact that  
20 her middle sister, who I know as Amaya, was hitting her;  
21 correct?

22 A Yes, that's what the document you showed me said.  
23 Yeah.

24 Q Okay. And that part of her therapy was discussing  
25 proper boundaries; correct?



1           A     Yes.

2           Q     And proper boundaries includes being able to have the  
3 child articulate or disclose improper physical touching that  
4 they are experiencing to an adult, a trusted adult; correct?

5           A     Yes.

6           Q     And that's something that as a caseworker you also  
7 trained and tried to teach for the children in your care;  
8 correct?

9           A     Yes.

10          Q     Appropriate physical contact; right?

11          A     Yes.

12          Q     Meaning that if you were being abused, go to an  
13 adult; correct?

14          A     Yes.

15          Q     Because the children in your care had already been  
16 victimized and needed to be able to have a voice; correct?

17          A     Yes.

18          Q     You also taught them, and you are aware that -- well,  
19 strike that. That's compound. You also talked about  
20 appropriate touching as far as bathing suit parts and  
21 nonbathing suit parts; correct?

22          A     [No audible response.]

23          Q     Is that a yes?

24          A     Yes. I'm trying. You're making your questions  
25 really long. So that's why am having to go, yes, yes, yes.

1           Q     I just needed you to speak up.  It was hard to hear  
2     you.

3           A     Okay.

4           Q     Okay.  And so you also instructed all three of these  
5     girls that if they were touched inappropriately in their  
6     bathing suit areas that they would be able to disclose that to  
7     an adult; right?

8           A     That isn't how I would ask a question like that.  I  
9     would discuss good discipline, bad discipline --

10          Q     Good touch, bad touch; right?

11          A     Not good touch, bad touch.

12                 -- discussing how tell me what so-and-so does when  
13     you do good things.  Tell me what so-and-so does when you do  
14     bad things.  So we don't talk about good touch and bad touch.

15          Q     Okay.  But you are aware that in therapy, at least at  
16     a minimum, Yarely was taught good touch, bad touch; right?

17          A     Yes.

18          Q     And that at a minimum Yarely was taught, you know, to  
19     disclose to an adult if there are good-touch, bad-touch  
20     problems; correct?

21          A     Yes.

22          Q     Okay.  Now, you are aware that Yarely grabbed her  
23     therapist on the neck at one point; correct?

24          A     No.

25          Q     On August 12th of 2009, you are not aware that

1 Yarely actually made physical contact with the therapist on her  
2 neck?

3 A I don't recall that. No.

4 Q Okay. And in August of 2009, Yarely disclosed that  
5 she would cry when her sister -- when her sister stated that  
6 her aunt never spanked her and that she lied because she was  
7 mad at her aunt?

8 A I'm sorry. I don't -- I don't have -- I'm not even  
9 sure what you're asking me right now. Are you asking me if I'm  
10 aware of that situation or question?

11 Q You're aware of what Yarely was being treated for in  
12 therapy; correct?

13 A Yes. If you'd just give me an opportunity to --

14 Q The different physical behaviors that Yarely would  
15 exhibit; correct?

16 A The fighting with her sister?

17 Q My question to you was the different unacceptable  
18 physical behaviors just with other people; correct?

19 A Yes. We just went over that.

20 Q Right. Good touch, bad touch; right?

21 A Right. You talked to me about that. The last thing  
22 you just asked me I didn't -- I didn't understand.

23 Q You did not understand that in August of 2009 Yarely  
24 made an angry face and grabbed a therapist on the neck?

25 A That's what I was asking. Were you asking if I was

1 aware? Is that what you're asking me, if I knew about that?

2 Q Correct.

3 A And, no, I don't recall that.

4 Q Okay.

5 A I don't recall that instance.

6 Q But you do recall that Yarely would strike her  
7 sister?

8 A Yes. I knew that they got into squabbles or that  
9 they would shove or push each other.

10 Q And when you say they, you're referring to all three  
11 of the sisters; correct?

12 A All three of them, yes.

13 Q And so they were all three being treated in H.O.P.E.  
14 Counseling for the hitting issue; correct?

15 A Yes.

16 Q Okay. Now, Yarely disclosed in September of 2009  
17 that she remembers her mother being mean to her and that her  
18 mother's boyfriend hit them with a belt; correct?

19 A Yes.

20 Q That's a yes?

21 A Yes.

22 Q Thank you.

23 THE COURT: Does anybody need a break, or can we hold  
24 out for about another 5 or 10 minutes, or does anyone need a  
25 break right now? Everybody okay?

1 (No audible response)

2 THE COURT: And then we'll just go ahead and not take  
3 a break and take our evening recess.

4 BY MS. MCAMIS:

5 Q Now, you testified on direct that the Ramirez,  
6 ultimately Solander children, were victims of only neglect;  
7 correct?

8 A Yes. By their biological parents, yes.

9 Q By their biological family.

10 A Yes.

11 Q By their biological family, not just parents.

12 A By their biological parents, yes. That's what they  
13 get removed for.

14 Q Okay. We just went over that Yarely disclosed that  
15 she was beat with a belt by the mother's boyfriend; correct?

16 A And like I said, that's what they were removed for.  
17 So I want to be clear that what somebody is removed for and  
18 what children make later disclosures of, sometimes that comes  
19 out. Once children are safe, sometimes they make later  
20 disclosures. So --

21 Q And Yarely did make a disclosure that she was beat  
22 with a belt in her biological home by the mother's boyfriend;  
23 correct?

24 A Yes.

25 Q Okay. And Yarely also disclosed that her aunt never

1 spanked her and that she lied because she was mad at her aunt  
2 who at one point was involved at the relative placement;  
3 correct?

4 MS. BLUTH: Judge, I'm sorry. I'm going to object  
5 and asked to approach.

6 THE COURT: Sure.

7 (Conference at the bench not recorded)

8 THE COURT: Ms. Bluth, is --

9 Ma'am, we're going to have to take our evening  
10 recess.

11 Rather than take a 10-minute break and coming back  
12 for five minutes, which would be silly, we're going to go ahead  
13 and take our recess in a minute.

14 Ms. Bluth, did you just want to confer with the  
15 witness briefly on scheduling?

16 MS. BLUTH: Yeah. Either way we'll have witnesses  
17 here, Your Honor.

18 THE COURT: Okay. All right.

19 MS. BLUTH: So you can just --

20 THE COURT: All right. Well, the Court does not have  
21 a calendar on any unrelated matters tomorrow morning. So for  
22 that reason we'll be able to start at 9:00 a.m., 9:00 a.m.

23 So during the evening recess, I must remind you that  
24 you're not to discuss the case or anything relating to the case  
25 with each other or with anyone else. You're not to read, watch

1 or listen to any reports of or commentaries on the case, person  
2 or subject matter relating to the case. Do not do any  
3 independent research by way of the Internet or any other  
4 medium, and please do not form or express an opinion on the  
5 case.

6 Please place your notepads in your chairs and follow  
7 the bailiff through the double doors.

8 And, ma'am, during our evening recess, you are not to  
9 discuss your testimony with anyone.

10 (Jury recessed for the evening 4:47 p.m.)

11 THE COURT: The Court is in recess.

12 Court is in recess.

13 MR. FIGLER: Your Honor, just one thing. Just the  
14 Court made an admonition to the witness to not discuss her  
15 testimony with anyone. I would assume that includes the State  
16 because she's still on redirect.

17 THE COURT: Right. Because she still on  
18 cross-examination.

19 MR. FIGLER: Or cross-examination rather, yes.

20 THE COURT: So she can't discuss her testimony  
21 because you're not finished with your cross-examination.

22 MR. FIGLER: Thank you, Your Honor.

23 THE COURT: They can talk about scheduling obviously.

24 MR. FIGLER: Scheduling I have no issue with.

25 THE COURT: To the, well, actually to both of the

1 camera operators, when I was following on the computer, I  
2 noticed that some of the filming started before the jury comes  
3 back in. So just make sure that we don't film at the breaks  
4 like when we are just setting up and stuff like that, just when  
5 I say court is in session, that's all that should be broadcast.  
6 If we argue legal matters out of the presence of the jury,  
7 that's on the record. So you can film that, but just when, you  
8 know, we're waiting for the lawyers to come in and, you know,  
9 milling about, that is not to be filmed because that's not part  
10 of the official proceedings, okay. I know some of that went on  
11 the record -- went on the computer on the lawandcrime.com.

12 MEDIA REPRESENTATIVE: Right. They have control  
13 there, and so --

14 THE COURT: I'm just telling you don't have it  
15 recording because we're going to --

16 MEDIA REPRESENTATIVE: Okay. I'll just -- yeah, I'll  
17 tell them.

18 THE COURT: -- kick you out if you do because I know  
19 we were talking about -- the reason I know this is we were  
20 talking about people making their comments, and then people  
21 were making their comments about us talking about making their  
22 comments, and so that should not be. I mean, I'm just telling  
23 you do not record when we're like right now on an informal  
24 break.

25 Again, if we're out of the presence and we're arguing



1 a legal matter, that's part of the formal proceedings, and you  
2 can record it.

3           Also, when, this is to both of you, when you film the  
4 desk, I know you're trying to get the defendant and counsel,  
5 make very sure that you are not capturing their notes. So just  
6 be aware of that. Like, film up from the table because I don't  
7 want you to capture, like, Mr. Figler's notes or  
8 Ms. McAmis's notes or anything like that. So it's fine to  
9 shoot the defendant. Just make sure you're not shooting -- you  
10 know, you're shooting up high enough where their notes to one  
11 another or whatever are not being captured.

12           MR. FIGLER: Thank you, Your Honor. We appreciate  
13 that. I mean, work product is not waived because there happens  
14 to be a good angle.

15           THE COURT: I know. I didn't see --

16           Look, I didn't see anything on the computer, but I'm  
17 just making sure that you don't film counsel, the notes, the  
18 legal pads and stuff on counsel table because those are their  
19 notes to themselves. It could be privileged communication  
20 between Ms. Solander and her counsel, which, you know, that's,  
21 like, sacrosanct. That is privileged. Nobody gets to see  
22 that. So I need to make sure that none of that is captured.  
23 So just film a little bit higher, you know what I mean, so  
24 you're just getting their bodies or whatever. Do you  
25 understand what I'm saying?

1 MEDIA REPRESENTATIVE: Yeah.

2 THE COURT: Okay. And for the -- you know, I didn't  
3 see anything captured.

4 MR. FIGLER: We appreciate that.

5 THE COURT: I just want to make sure that, like,  
6 there's not some, you know, note or something that is captured,  
7 and this is to, you know, the main -- I guess the TV media as  
8 well as the computer media. Just don't film the table and  
9 their work on it.

10 Okay. Back tomorrow, except for Mr. Figler.

11 MR. FIGLER: I won't be here tomorrow. Ms. Wildeveld  
12 will be.

13 THE COURT: Okay.

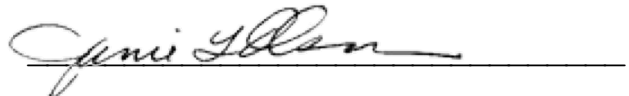
14 (Proceedings recessed for the evening 4:52 p.m.)

15 -oOo-

16 ATTEST: I do hereby certify that I have truly and correctly  
17 transcribed the audio/video proceedings in the above-entitled  
18 case.

19

20



21

Janie L. Olsen  
Transcriber

22

23

24

25

<p><b>BY MS. BLUTH:</b> [20] 90/1 100/1 100/25 101/13 102/14 105/14 106/18 108/14 113/15 115/18 117/2 117/18 120/22 122/9 131/16 133/8 133/17 135/22 136/21 139/3 <b>BY MS. MCAMIS:</b> [6] 139/21 157/19 160/4 165/19 167/7 175/4 <b>MEDIA</b> <b>REPRESENTATIVE:</b> [3] 178/12 178/16 180/1 <b>MR. FIGLER:</b> [47] 3/4 3/9 3/11 4/8 34/18 40/14 45/10 45/16 45/19 46/23 46/25 47/10 47/13 47/16 49/22 49/24 50/7 64/18 65/1 65/7 65/10 71/11 75/23 77/7 77/9 81/13 82/23 83/9 83/12 84/1 85/7 102/13 105/10 116/24 117/14 120/12 122/3 135/18 135/21 136/14 177/13 177/19 177/22 177/24 179/12 180/4 180/11 <b>MR. HAMNER:</b> [9] 85/11 85/13 85/16 85/19 85/22 86/7 86/19 87/25 88/23 <b>MS. BLUTH:</b> [67] 4/5 4/19 4/21 27/19 34/21 40/17 40/24 46/20 47/8 49/21 50/2 64/16 64/25 65/2 65/4 72/16 72/19 73/11 74/12 74/15 74/19 75/5 76/15 77/2 77/20 78/6 78/10 79/1 80/3 80/7 81/10 84/24 85/4 85/8 85/12 85/17 86/3 86/8 87/2 87/12 88/11 88/25 89/15 99/24 100/15 100/22 101/9 101/11 102/12 108/11 117/16 120/15 122/1 133/10 136/20 138/2 138/7 138/12 138/15 138/19 139/15 159/17 159/19 165/12 176/4 176/16 176/19 <b>MS. MCAMIS:</b> [32] 71/15 72/4 74/14 75/12 75/17 75/19 79/11 80/15 81/16 82/3 82/6 82/9 82/12 82/16 88/18 100/19 106/15 113/13 115/11 115/15 121/25 122/2 131/14 133/6 136/11 138/1 139/19 157/17 159/23 160/1 160/3 165/16 <b>THE CLERK:</b> [2] 81/11 89/20</p>	<p><b>THE COURT:</b> [125] 3/8 3/10 4/10 4/12 27/17 34/19 40/15 44/15 44/18 45/8 45/13 46/22 46/24 47/9 47/12 47/14 49/23 50/4 50/6 64/17 65/3 65/5 65/8 70/18 71/8 71/12 71/16 72/15 72/18 73/10 74/11 74/13 74/17 74/20 75/6 75/16 75/18 75/22 76/22 77/3 77/8 77/21 78/7 78/24 79/10 79/12 80/6 80/12 80/25 81/12 81/15 81/25 82/4 82/8 82/10 82/13 83/8 83/10 83/25 84/23 85/3 85/6 85/15 85/18 85/21 87/1 87/11 88/7 88/13 88/20 89/1 89/4 89/24 100/18 100/20 100/23 101/6 105/12 106/16 108/13 113/14 115/13 115/16 117/1 117/17 120/17 122/4 122/7 131/15 133/7 133/11 135/20 136/13 136/15 136/17 138/5 138/9 138/13 138/16 138/21 139/17 157/18 159/25 160/2 165/14 166/22 167/1 167/3 174/23 175/2 176/6 176/8 176/18 176/20 177/11 177/17 177/20 177/23 177/25 178/14 178/18 179/15 180/2 180/5 180/13 <b>THE WITNESS:</b> [13] 89/22 101/7 101/10 101/12 106/17 115/14 120/18 133/14 138/23 159/18 166/24 167/2 167/5</p> <p>'</p> <p><b>'13</b> [1] 53/23</p> <p>-</p> <p><b>-oOo</b> [1] 180/15</p> <p><b>1</b></p> <p><b>1 and</b> [1] 35/7 <b>1/23/14</b> [1] 78/16 <b>1/30/2014</b> [1] 78/18 <b>10</b> [13] 15/7 37/25 44/20 83/4 83/4 149/2 158/22 159/8 159/11 166/2 166/4 166/8 174/24 <b>10-minute</b> [1] 176/11 <b>100 percent</b> [1] 72/20 <b>101</b> [5] 99/25 100/6 100/16 100/16 101/1 <b>101-107</b> [1] 100/21 <b>107</b> [6] 99/25 100/6 100/16 100/17 100/21 105/24 <b>10th</b> [1] 114/3 <b>11</b> [1] 63/9</p>	<p><b>11/16/13</b> [1] 78/16 <b>11/5/13</b> [1] 78/16 <b>11:05</b> [1] 3/1 <b>11:10 a.m</b> [1] 4/11 <b>12</b> [1] 50/15 <b>12:00</b> [1] 33/4 <b>12:00 o'clock</b> [1] 16/12 <b>12:00 p.m</b> [1] 31/16 <b>12:23 p.m</b> [1] 45/7 <b>12:30</b> [1] 44/21 <b>12:31 p.m</b> [1] 45/11 <b>12th</b> [3] 22/9 127/7 172/25 <b>13</b> [4] 78/15 78/16 78/16 84/4 <b>13th</b> [1] 34/16 <b>14</b> [3] 78/16 95/3 104/7 <b>15</b> [3] 1/14 3/1 84/4 <b>15th</b> [1] 44/2 <b>18th</b> [1] 21/9 <b>19</b> [1] 53/16 <b>19th</b> [3] 8/15 52/4 126/21 <b>1:18 p.m</b> [1] 71/7 <b>1:41 p.m</b> [1] 89/2</p> <p><b>2</b></p> <p><b>20</b> [1] 68/10 <b>2004</b> [1] 90/9 <b>2005</b> [1] 117/25 <b>2008</b> [16] 93/1 93/1 93/2 94/1 99/14 102/8 103/5 103/8 104/16 155/4 156/19 157/10 160/8 161/3 164/9 166/19 <b>2009</b> [5] 167/9 172/25 173/4 173/23 174/16 <b>2010</b> [5] 55/10 112/17 118/4 122/13 122/14 <b>2011</b> [17] 8/15 8/24 21/9 22/9 25/22 52/4 53/16 54/6 54/10 76/13 90/10 103/3 103/8 104/17 112/18 126/23 127/7 <b>2012</b> [2] 43/20 44/2 <b>2013</b> [8] 30/22 33/13 33/22 38/5 63/9 68/9 76/13 80/21 <b>2014</b> [15] 8/25 34/17 34/22 38/18 53/23 62/20 75/25 76/2 77/18 78/18 78/19 78/19 79/8 80/24 92/7 <b>2018</b> [2] 1/14 3/1 <b>20th</b> [1] 33/13 <b>21</b> [2] 33/19 34/4 <b>24 pounds</b> [1] 122/13 <b>26th</b> [1] 30/22 <b>28th</b> [2] 78/19 79/8 <b>2:00 o'clock</b> [1] 11/22 <b>2:30</b> [5] 70/21 81/11 81/12 88/25 89/1 <b>2:39 p.m</b> [1] 89/2</p> <p><b>3</b></p> <p><b>3 and</b> [1] 35/7 <b>30</b> [6] 97/5 98/8 103/9</p>	<p>103/19 147/6 148/4 <b>30th</b> [9] 33/13 38/14 102/8 155/4 156/19 157/10 160/8 164/8 166/19 <b>31st</b> [1] 33/22 <b>35</b> [2] 95/16 117/20 <b>3:00 o'clock</b> [1] 11/23 <b>3rd</b> [1] 112/17</p> <p><b>4</b></p> <p><b>40</b> [3] 95/16 117/20 142/25 <b>45</b> [1] 119/14 <b>4:00 o'clock</b> [1] 11/24 <b>4:47 p.m</b> [1] 177/10 <b>4:52 p.m</b> [1] 180/14 <b>4th</b> [1] 38/5</p> <p><b>5</b></p> <p><b>50-some-odd</b> [1] 52/12 <b>500</b> [1] 158/24 <b>55</b> [1] 80/9 <b>5th</b> [2] 38/18 78/18</p> <p><b>6</b></p> <p><b>600</b> [1] 158/24 <b>6:00 p.m</b> [2] 16/10 29/2</p> <p><b>7</b></p> <p><b>7 and</b> [1] 108/17</p> <p><b>8</b></p> <p><b>8/21/13</b> [1] 78/15 <b>80</b> [1] 60/23 <b>800</b> [1] 159/2 <b>85 percent</b> [1] 83/23</p> <p><b>9</b></p> <p><b>9 years</b> [1] 34/6 <b>9-year-old</b> [1] 39/4 <b>90</b> [2] 147/25 154/20 <b>90 percent</b> [2] 83/23 91/20 <b>9:00 a.m</b> [4] 16/10 29/2 176/22 176/22</p> <p><b>A</b></p> <p><b>a.m</b> [6] 3/1 4/11 16/10 29/2 176/22 176/22 <b>abandoned</b> [2] 102/18 169/5 <b>Abandonment</b> [2] 151/7 151/8 <b>abbreviated</b> [1] 111/13 <b>abdominal</b> [5] 25/18 25/21 26/15 106/13 129/21 <b>ability</b> [3] 65/24 152/4 154/22 <b>able</b> [20] 3/5 21/6 27/23 86/5 92/20 94/23 99/3 99/4 99/5 99/7 101/18 107/11 109/13 152/23 154/2 157/13 171/2 171/16 172/6 176/22 <b>abnormal</b> [1] 11/10 <b>abortion</b> [1] 161/12</p>	<p><b>about</b> [209] <b>above</b> [2] 119/24 180/17 <b>above-entitled</b> [1] 180/17 <b>abruptly</b> [1] 128/19 <b>absence</b> [2] 159/16 162/13 <b>absolute</b> [2] 53/10 127/11 <b>absolutely</b> [8] 19/9 25/19 42/1 42/3 58/6 164/14 168/21 169/3 <b>abuse</b> [51] 4/24 5/5 5/9 5/13 5/25 8/23 9/1 16/25 18/10 34/13 34/25 43/9 47/5 47/22 48/12 51/2 52/4 53/11 53/12 54/15 55/16 55/25 56/3 58/12 60/25 61/20 63/7 63/11 63/12 64/11 65/15 66/21 67/9 69/11 75/24 76/7 77/5 77/10 78/15 79/18 81/2 81/6 90/15 90/16 91/15 91/25 144/23 145/8 145/13 155/19 156/2 <b>abuse-neglect</b> [1] 91/25 <b>abused</b> [11] 5/11 9/3 21/2 21/5 102/19 102/22 116/12 135/5 146/13 146/13 171/12 <b>abuser</b> [4] 52/23 52/25 53/6 53/7 <b>abuses</b> [1] 56/8 <b>Academy</b> [3] 21/10 41/19 41/20 <b>access</b> [1] 16/4 <b>accident</b> [8] 12/23 14/7 16/18 17/4 25/8 25/8 36/19 107/3 <b>accidental</b> [1] 91/25 <b>accidentally</b> [1] 100/10 <b>accidents</b> [11] 13/2 14/25 15/5 35/19 35/21 36/9 36/21 37/9 37/11 39/17 43/24 <b>according</b> [1] 36/21 <b>account</b> [1] 113/21 <b>accredited</b> [1] 62/17 <b>accuracy</b> [2] 97/24 98/1 <b>accurate</b> [4] 97/21 100/12 156/21 165/4 <b>accusation</b> [1] 67/17 <b>accusations</b> [3] 47/23 56/17 56/18 <b>accused</b> [4] 35/24 35/25 55/16 60/25 <b>achieve</b> [2] 93/20 107/9 <b>achieved</b> [2] 93/19 94/12 <b>acknowledge</b> [2] 152/21 169/3 <b>across</b> [1] 112/25 <b>act</b> [1] 28/9 <b>acted</b> [1] 36/12</p> <p>0818</p>
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<p><b>A</b></p> <p><b>acting</b> [7] 56/14 56/16 56/21 59/8 59/18 60/9 60/23</p> <p><b>action</b> [1] 146/15</p> <p><b>actions</b> [3] 38/1 59/11 68/23</p> <p><b>active</b> [3] 68/13 107/22 146/21</p> <p><b>actively</b> [2] 146/13 146/13</p> <p><b>acts</b> [1] 72/8</p> <p><b>actual</b> [6] 55/16 69/22 75/25 76/1 98/23 135/10</p> <p><b>actually</b> [39] 32/23 48/3 54/25 70/10 72/12 75/17 81/16 82/3 86/8 86/11 95/19 97/3 97/22 98/7 112/16 116/14 119/24 120/2 122/20 125/12 128/4 130/15 140/4 140/14 142/20 143/23 146/15 147/9 147/16 147/17 147/18 148/18 149/8 149/18 150/12 165/8 168/15 173/1 177/25</p> <p><b>ad</b> [1] 28/15</p> <p><b>ADAIR</b> [1] 1/12</p> <p><b>adapt</b> [1] 111/14</p> <p><b>add</b> [1] 11/17</p> <p><b>addition</b> [3] 90/18 114/19 169/4</p> <p><b>Additionally</b> [2] 11/17 119/11</p> <p><b>address</b> [1] 170/19</p> <p><b>adequate</b> [2] 149/20 149/22</p> <p><b>adjust</b> [1] 61/20</p> <p><b>adjusting</b> [1] 8/2</p> <p><b>administration</b> [4] 32/19 91/4 91/9 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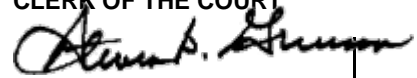
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TRAN

DISTRICT COURT  
CLARK COUNTY, NEVADA  
\* \* \* \* \*

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C299737-3
	)	
vs.	)	DEPT NO. XXI
	)	
JANET SOLANDER,	)	
	)	
Defendant.	)	<b>Transcript of</b>
	)	<b>Proceedings</b>

BEFORE THE HONORABLE VALERIE ADAIR, DISTRICT COURT JUDGE

**JURY TRIAL - DAY 5**

FRIDAY, FEBRUARY 16, 2018

APPEARANCES:

FOR THE STATE:

JACQUELINE M. BLUTH, ESQ.  
CHRISTOPHER S. HAMNER, ESQ.  
*Chief Deputy District Attorneys*

FOR THE DEFENDANT:

CAITLYN L. McAMIS, ESQ.  
KRISTINA WILDEVELD, ESQ.

RECORDED BY: SUSIE SCHOFIELD, COURT RECORDER  
TRANSCRIBED BY: JULIE POTTER, TRANSCRIBER

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1       LAS VEGAS, NEVADA, FRIDAY, FEBRUARY 16, 2018, 9:09 A.M.

2                   (Outside the presence of the jury)

3               MS. WILDEVELD: Your Honor, I want to -- I want to  
4 make -- I don't have a DA here, but I want to make something  
5 about the record about the live feed, the comments on the live  
6 feed and people commenting as the 13th juror.

7               THE COURT: Oh, I know. I saw that. As long as the  
8 jurors don't read the --

9               MS. WILDEVELD: So my -- I was like the 13th juror is  
10 responding? But then I got it later --

11              THE COURT: Right. That that's --

12              MS. WILDEVELD: -- that it's probably --

13              THE COURT: -- like their idea that they're the 13th  
14 juror, like --

15              MS. WILDEVELD: But the initial reaction of that was  
16 frightening.

17              THE COURT: Oh, like they were --

18              THE MARSHAL: Oh, I get what you're saying. You  
19 thought the actual --

20              MS. WILDEVELD: Yes.

21              THE MARSHAL: -- Juror No. 13 was --

22              MS. WILDEVELD: Yes.

23              THE MARSHAL: -- commenting on the -- got you.

24              THE COURT: Well, they -- they -- I was astonished at  
25 how few of the comments actually pertained to the trial. Like,

1 obviously, these people have nothing better to do but to comment  
2 to one another.

3 MS. WILDEVELD: And they're discussing other trials  
4 and --

5 THE COURT: Right.

6 MS. WILDEVELD: -- drinking games. But have we  
7 admonished all the jurors not to -- I mean, all the witnesses  
8 that they can't go online and watch it?

9 THE COURT: Oh, I haven't admonished the witnesses,  
10 but I -- I don't tell the jurors specifically particular things.  
11 I just tell them you can't go on the Internet and you can't --  
12 just the general. Because I didn't want to say well, there's  
13 going to be an article in the Review Journal, and then this  
14 other thing is online. Personally, my opinion is most people  
15 have never heard of [inaudible]. I mean, I didn't know until  
16 they were in. And everybody keeps saying it's Dave Abrams.

17 MS. McAMIS: Dan Abrams.

18 THE COURT: Who the hell is Dan Abrams?

19 MS. McAMIS: Dan Abrams? He was a commentary. He's  
20 -- yeah, he's -- he's great.

21 THE COURT: Who is he?

22 MS. McAMIS: He was on -- used to be on some -- he  
23 used to have a CNN show or --

24 MR. HAMNER: I think like a --

25 MS. McAMIS: What did Dan Abrams have before?

1 UNKNOWN SPEAKER: I believe he was on CNN.  
2 MS. McAMIS: Yeah.  
3 UNKNOWN SPEAKER: I think he's on ABC now. He's  
4 like --  
5 MR. HAMNER: Good Morning, America.  
6 MS. McAMIS: Younger guy, short --  
7 UNKNOWN SPEAKER: -- a reporter.  
8 MS. McAMIS: -- nice hair.  
9 UNKNOWN SPEAKER: He's a lawyer guy.  
10 MS. McAMIS: Yeah.  
11 UNKNOWN SPEAKER: Good looking.  
12 THE COURT: In the sea --  
13 MS. McAMIS: He's on Nancy Grace a lot as one of the  
14 commentators.  
15 THE COURT: In the sea of lawyer guys that comment, I  
16 don't know who he is. I mean, Dayvid Figler, no offense to  
17 David, he's a commentator. I see him from time to time on TV  
18 and they say ex-judge, David Figler.  
19 MS. WILDEVELD: So given the fact that the State has  
20 contact with all their witnesses, they're telling them not to --  
21 I mean, we can inquire, but it seems that Jacqueline has been  
22 through this before with War Machine.  
23 THE COURT: Okay. I don't know what --  
24 MS. WILDEVELD: So I don't know --  
25 THE COURT: -- they're telling their --

1 MS. WILDEVELD: -- if they did or not.

2 THE COURT: -- witnesses. I mean, I always give the  
3 general admonishment to the jurors.

4 MR. HAMNER: As far as --

5 THE COURT: I mean, you can ask them to do it.

6 MR. HAMNER: -- witness --

7 MS. WILDEVELD: Witnesses watching it.

8 MR. HAMNER: Oh.

9 MS. WILDEVELD: Because the --

10 THE COURT: She doesn't --

11 MS. WILDEVELD: -- exclusionary rule --

12 THE COURT: -- want them --

13 MS. WILDEVELD: -- is invoked.

14 THE COURT: -- watching --

15 MR. HAMNER: Oh, sure. I mean I --

16 THE COURT: -- the testimony of other witnesses and  
17 then being able to conform.

18 MR. HAMNER: I don't think they're even -- I mean, I  
19 can go -- I will go tell her. This particular woman I don't  
20 think even does a lot of --

21 THE COURT: Well, because it would be like a  
22 violation --

23 MR. HAMNER: Sure. No, I --

24 THE COURT: -- of the exclusionary --

25 MR. HAMNER: I get it.

1 THE COURT: -- rule if they're watching.

2 MR. HAMNER: I don't even think they're aware that  
3 this is even happening, but I will go admonish the witness right  
4 now.

5 THE COURT: Are the jurors all here?

6 THE MARSHAL: Yes, Judge.

7 MS. WILDEVELD: So I was shocked because I -- I just  
8 learned this yesterday, but I did have the opportunity to watch  
9 everything and go back and watch everything that I wasn't here  
10 for during my parole hearings and everything.

11 THE COURT: Oh, you did?

12 MS. WILDEVELD: Yeah. That's what I spent my night  
13 last night doing.

14 THE COURT: Oh. I couldn't figure out how to go back,  
15 but --

16 MS. WILDEVELD: On YouTube as well now.

17 THE COURT: Oh. The whole thing is on YouTube?

18 MS. WILDEVELD: And that's frightening that I can go  
19 back and get all that.

20 THE COURT: Okay. What I only saw was when they're  
21 filming it on a break like this.

22 MS. WILDEVELD: Yeah, I read about that, too, but no.

23 THE COURT: What do you search?

24 MS. WILDEVELD: I mean, I know that like Ted Binion,  
25 the Binion trial everything was live, OJ's trial they were live.

1 They were a live coverage, but it wasn't --

2 THE COURT: Right. Right. Well, and Court TV is more  
3 geared towards professionals like lawyers and stuff.

4 MS. McAMIS: Your Honor, we did have one brief matter  
5 outside the presence --

6 THE COURT: All right.

7 MS. McAMIS: -- of the jury.

8 THE COURT: We're on the record, go ahead.

9 MS. McAMIS: Thank you. Good morning, Your Honor.  
10 Yesterday our office lodged an objection as far as any hearsay  
11 as to Dwight's statements. There was an objection about Ms.  
12 Richardson testifying as to the contents of Dwight's email. We  
13 objected on hearsay grounds.

14 We anticipate that throughout the trial more such  
15 statements might -- might be offered or potentially introduced.  
16 And instead of just interjecting and it being disruptive, we  
17 would ask for a continuing objection to any hearsay statements  
18 offered by Dwight. He's -- he's a co-defendant, so -- and he's  
19 a non-sentence co-defendant, so he's unavailable for  
20 cross-examination.

21 We think it's a violation of the Bruton rule. He's --  
22 he's not a party opponent because he's not in these proceedings.  
23 Anything that Janet says, you know, she is a party opponent, so  
24 that would be admissible. So we just wanted to ask for a  
25 continuing objection so that way we don't have to be so

1 disruptive in the middle of testimony.

2 THE COURT: Ms. Bluth?

3 MS. BLUTH: So any of the statements that we have  
4 gotten in so far that we plan to get into would deal with the  
5 conspiracy. And so actually Bruton doesn't apply to statements  
6 of co-conspirators as long as it's a statement in furtherance of  
7 the conspiracy.

8 So whenever he talks about why they have to do the  
9 toileting issues and the children's illnesses, it's the State's  
10 position that that was a conspiracy that he was in with the  
11 co-defendant, and that that comes in as a) an exception to the  
12 hearsay rule, and also Bruton does not -- Bruton does not apply  
13 because it is in furtherance of the conspiracy. As long as it's  
14 within that context, which we understand the parameters of that,  
15 then there wouldn't be a valid hearsay objection. We don't  
16 intend on going any further than that, so, yeah, we'll leave it  
17 at that.

18 MS. McAMIS: And it's -- it's our position that the  
19 conspiracy in this case is just so ill-defined. And it's not an  
20 actual charge, it's one of the alternate pleadings of a theory  
21 of liability. But with that we would submit.

22 THE COURT: Well, first of all, it doesn't need to be  
23 an actual charge in order for it to be a statement in  
24 furtherance of the conspiracy, which I think the statements in  
25 question clearly are, so I think they're admissible. All right.

1 Anything else?

2 MS. McAMIS: No. Nothing, Your Honor.

3 MR. HAMNER: No, Your Honor.

4 THE COURT: All right. Thank you.

5 (Inside the presence of the jury)

6 THE COURT: All right. Court is now back in session.

7 The record should reflect the presence of the State through the  
8 Deputy District Attorneys, Ms. Bluth and Mr. Hamner, the  
9 presence of the defendant, Ms. Solander, along with her counsel,  
10 Ms. Wildeveld and Ms. McAmis, the officers of the court, and the  
11 ladies and gentlemen of the jury.

12 And, ladies and gentlemen, due to some scheduling  
13 issues with the witness who was in the middle of her testimony  
14 yesterday, the State is going to call another witness.  
15 Obviously, you are required to keep an open mind until you hear  
16 all of the testimony from all of the witnesses, so the order in  
17 which the testimony comes in doesn't really matter.

18 So, State, call your next witness.

19 MR. HAMNER: Thank you, Your Honor. The State calls  
20 Jan Finnegan to the stand.

21 THE MARSHAL: What was the last name, counsel?

22 MR. HAMNER: Finnegan.

23 THE MARSHAL: Finnegan.

24 JAN FINNEGAN, STATE'S WITNESS, SWORN

25 THE CLERK: Thank you. Please have a seat. State and



1 spell both your first and last names for our record.

2 THE WITNESS: My first name is Jan, J-A-N, and my last  
3 name is Finnegan, F-I-N-N-E-G-A-N.

4 THE COURT: All right. Thank you.

5 Mr. Hamner.

6 DIRECT EXAMINATION

7 BY MR. HAMNER:

8 Q Okay. Good morning, Ms. Finnegan. How are you doing?

9 A Doing good, thank you.

10 Q Okay. Do you know someone by the name of Janet  
11 Solander?

12 A Yes.

13 Q Do you see Ms. Solander here in the courtroom today?

14 A Yes, I do.

15 Q Could you please point out where she is and maybe  
16 describe an article of clothing that she's wearing?

17 A She's over there. She looks like she has a pink  
18 article of clothing on.

19 MR. HAMNER: Okay. Let the record reflect the witness  
20 has identified the defendant, Ms. Solander.

21 THE COURT: It will.

22 BY MR. HAMNER:

23 Q Now, I want to turn your attention to January of 2013.  
24 Did you come into contact with the Solander family around that  
25 time?

1           A     I did.

2           Q     And -- and if you could explain to the jury, how did  
3 you kind of meet up with them or -- or start to get to know  
4 them?

5           A     I answered an ad on Craigslist. They had placed an ad  
6 for a temporary nanny, and I was working in Kingman at a  
7 homeless shelter there, a faith -- a place for women. Anyway, I  
8 replied to the ad, and then I went to meet them on a Friday  
9 afternoon, got some correspondence. In the meantime, I spoke to  
10 her husband and I went up to Vegas, I live in Laughlin, went up  
11 to Vegas to meet with her and her husband on a Friday afternoon.

12          Q     Okay. What was her husband's name?

13          A     Dwight.

14          Q     When you went there and you met them, where did you  
15 meet them at?

16          A     I met them in their -- the den of their home.

17          Q     Okay. And that was --

18          A     At their -- at the --

19          Q     -- here in Clark County?

20          A     Yes, in North Las Vegas, I believe.

21          Q     All right. When you had that meeting with the  
22 Solanders at first, what did they want you to do? What was kind  
23 of the -- what did the job entail, at least in the first  
24 meeting?

25          A     Basically, stay with the children Monday through

1 Friday, and homeschool them and fix their meals.

2 Q Okay.

3 A And told -- they also told me there was two other  
4 foster children in the home.

5 Q Did they explain to you -- and when you say the  
6 children, who are you talking about, the home -- the  
7 homeschooling the children, who are those children?

8 A Yeah. I'm talking about three of the Solander's  
9 children.

10 Q Okay. Do you remember what their names were?

11 A Their names were Amaya, Ava, and Anastasia.

12 Q Okay.

13 A Maybe I'm not pronouncing it right, but I always had  
14 trouble with her name.

15 Q And you also mentioned that you might have to take  
16 some of -- a foster child to school?

17 A I used to have to take her to the bus stop, yes.

18 Q Do you remember the name of those girls?

19 A Autumn and Ivy.

20 Q Okay. When you -- when you met with them, and they  
21 said that you needed to kind of be there for those five days,  
22 Monday through Friday, where did they tell you Janet was going  
23 to be?

24 A She told me, because I sat with them in the den, that  
25 she was going to Ohio to be with her daughter. I guess her

1 daughter was going to have a baby --

2 Q Okay.

3 A -- from what I believe.

4 Q And what about Dwight, what was Dwight's kind of  
5 schedule like?

6 A His schedule, he told me he would leave home on a  
7 Monday and come back Friday. He told me he worked with Target  
8 and he -- he was out of town during the week.

9 Q And so you needed to basically live at the house?

10 A Live at the house Monday through Friday, yes.

11 Q Five days of a seven-day week.

12 A Five days, yes.

13 Q I want to ask you about the house for a second. How  
14 many levels was the house?

15 A It was two levels.

16 Q How many bedrooms were in the house?

17 A There was four.

18 Q Okay. Do you remember how many bathrooms there were?

19 A From my perspective, I think there was two, but that's  
20 not counting the master bedroom, of course, because I --

21 Q So maybe you're assuming there's a bathroom --

22 A Yeah.

23 Q -- in the master --

24 A In the master bedroom.

25 Q -- bedroom.

1           A     Right.

2           Q     Where was one of the bathroom -- of the two bathrooms  
3 that you kind of were most familiar with, where were they  
4 located?

5           A     One was downstairs, and the other was upstairs. Yeah.

6           Q     Do you remember any cameras around the house?

7           A     Oh, yes.

8           Q     Tell us about that.

9           A     The main camera was downstairs. It's hard to  
10 describe. It was almost between the pantry and the lower  
11 bathroom and it would face towards the kitchen.

12          Q     So this camera had a field of view from what you could  
13 observe of the pantry and the bathroom downstairs?

14          A     It --

15               MS. McAMIS: Objection. Calls for speculation as to  
16 what the camera field.

17               THE WITNESS: It -- it faced the kitchen, and so --

18               MS. McAMIS: There's an objection.

19               THE COURT: Overruled.

20 BY MR. HAMNER:

21          Q     Let me -- well, I'm not going to rephrase, but let me  
22 restate the question. From your perspective, from what you  
23 could see, was the camera was angled in the direction of a  
24 pantry and the bathroom on the first floor?

25          A     It was facing mostly towards the kitchen, so they

1 could see everything that was going on in the kitchen area --

2 Q Okay.

3 A -- that I was doing in the kitchen.

4 Q Where's the bathroom in relation to the kitchen in the  
5 first floor?

6 A On the first floor, it's really down -- down at the  
7 bottom of the stairs to the left, as you went downstairs, and  
8 opposite the bathroom over here, the kitchen would be over here.

9 Q Okay. So from what you could observe, was the pantry  
10 in that field of view of the camera?

11 A From what I could observe, I really didn't know it  
12 covered the pantry. I mean, if it -- because the pantry was on  
13 the opposite side of the camera --

14 Q Okay.

15 A -- over here.

16 Q But it -- it -- as far as you could see, the kitchen  
17 was within its --

18 A Oh.

19 Q -- field of view?

20 A Yes.

21 Q Okay. Let's talk about the upstairs area you  
22 mentioned. Where's that second bathroom, is that upstairs?

23 A Right as you go up the two flights of stairs, the  
24 bathroom was right there, yeah.

25 Q Is it on the -- if you -- if you were to come up to

1 the stairs, is it on your left or your right?

2 A It was on your left, yes.

3 Q Okay. Were there any cameras up on the second level?

4 A Right. Right as you -- right as you went to the top  
5 of the stairs, there was a camera right there.

6 Q So the bathroom is right at the top of the stairs, and  
7 there's a camera there?

8 A And the camera -- well, once you got up to the flight  
9 of the stairs, the camera is kind of right up here, like kind of  
10 on the ceiling looking down on -- looking down at you.

11 Q Is it looking down towards the entrance of the  
12 bathroom?

13 A Of the bathroom, yes.

14 Q Had you ever seen something like that before in a  
15 house?

16 A Never in my life. Never.

17 Q When you met with Janet, what did she tell you she did  
18 for a living?

19 A She didn't tell me.

20 Q Okay. What did -- did anyone tell you what she did  
21 for a living?

22 MS. McAMIS: Objection. Calls for hearsay.

23 MR. HAMNER: Well, I --

24 THE COURT: Sustained.

25 MR. HAMNER: Okay.

1 BY MR. HAMNER:

2 Q Let's talk about Amaya, Anastasia, and Ava for a  
3 second. I know there's other kids in the house, but let's first  
4 focus on those kids, okay?

5 A Uh-huh.

6 Q And do you mind if we kind of call them the Solander  
7 girls if we --

8 A No, not at all.

9 Q All right. Let's talk about the Solander girls. When  
10 you first met them, how did they appear to you physically?

11 A Physically, not good.

12 Q In what way?

13 A Well, the first day I was there, by afternoon,  
14 watching the girls, the 11-year-old appeared very malnourished,  
15 very thin, and to me --

16 MS. McAMIS: Objection. Calls for a medical opinion.

17 MR. HAMNER: No, it doesn't. It's --

18 THE COURT: Overruled.

19 BY MR. HAMNER:

20 Q Please continue.

21 A Her body, just the arms and her skin, everything, she  
22 had no -- it was just all bone and just -- I just felt they were  
23 -- they were malnourished and --

24 Q From what you could see?

25 A From what I observed.



1 Q Did that apply to all three girls, or just one girl?

2 A Well, to me, it applied initially to her, to the older  
3 one. The middle girl was a little heavier, so -- but --

4 Q Okay. When you started working there, did you see  
5 anything or observe anything where Dwight or Janet were  
6 concerned about the girls' weight?

7 A I did. The very first morning I was there, right  
8 before he left, Mr. Solander was on his phone to his wife. She  
9 was apparently in Ohio. And they -- he brought the scales down  
10 and put Ava on the scales and said, apparently, she was so many  
11 pounds overweight. And I don't remember exactly how many  
12 pounds.

13 A Okay.

14 Q And it just seemed very unusual to me.

15 Q And when you say she was on the phone, was it like a  
16 regular phone call, was it like Skype?

17 A He -- he had a smart phone and he's taking a picture  
18 of Ava as he's talking to his wife.

19 Q Okay. And -- and could you hear Janet on the phone?

20 A I really couldn't hear --

21 Q Okay.

22 A -- anything on the phone, no.

23 Q What was Dwight's demeanor when the child was weighing  
24 herself, you know, when finding how much pounds she gained?

25 A Well, he didn't seem happy, but he wasn't angry. But

1 she was overweight, he determined, you know. Apparently, she  
2 got some sweets the previous week and they said she was  
3 overweight.

4 Q Let me ask you this, from what you could see, did she  
5 appear overweight?

6 A No way. No. Definitely not.

7 Q Tell me about their -- kind of their color. You know,  
8 sometimes people have color in their cheeks, you've heard that  
9 kind of saying. Tell me about these kids, how did they kind of  
10 seem?

11 A No color. Actually, the middle one really --

12 Q Which one's that?

13 A Amaya.

14 Q Okay.

15 A She was very pale all the time. It -- it -- even  
16 though I'm not a doctor, to me, she seemed like she was either  
17 diabetic or something.

18 MS. McAMIS: Objection.

19 THE COURT: That's sustained.

20 BY MR. HAMNER:

21 Q Let -- let's not -- let's just try to focus on the  
22 things you could see, okay?

23 A Okay.

24 Q But she didn't look very good, she seemed very pale to  
25 you?

1           A     Right.

2           Q     I want to turn your attention about these girls and  
3 talk a little bit about how talkative they were when they were  
4 around Dwight or Janet.

5           A     Around Dwight or Janet, I really didn't see them  
6 around Janet very much because she left that -- apparently left  
7 that evening or the next day, so --

8           Q     All right. Well then let's focus on the time that  
9 they're around Dwight. How talkative were they?

10          A     Not very talkative because I got there -- sometimes I  
11 would get there on a Sunday night because I didn't want to  
12 tackle the traffic on a Monday morning. I didn't really see  
13 many -- much communication between them, and when he left on a  
14 Monday morning, there was absolutely no physical contact of any  
15 kind.

16          Q     Okay. And you see any hugs?

17          A     No hugs, no --

18          Q     Kisses?

19          A     -- nothing.

20          Q     Pats on the head, anything?

21          A     Nothing.

22          Q     Did you ever see Dwight play with the kids?

23          A     No.

24          Q     And when I say the kids, I'm talking about the  
25 Solander girls.

1           A     Right.  Not at all.

2           Q     All right.  The limited time that you saw Janet, let's  
3 just talk about that beginning, that first day I know you said  
4 you saw her.  Did you see any hugs or kisses or things like that  
5 with --

6           A     Nope.

7           Q     -- those girls?

8           A     Not at all.

9           Q     When you started to work there, let's just talk about  
10 week one, how talkative were these girls?

11          A     Well, not -- not very talkative, but I got the  
12 impression they were afraid to talk very much.

13          Q     What were you seeing -- what were you seeing about  
14 these girls that made you feel like that?

15          A     I got the feeling --

16               MS. McAMIS:  Objection.  Calls for speculation.

17               MR. HAMNER:  It's about her observations.

18               THE COURT:  What did you observe?  You can answer.

19               THE WITNESS:  I observed these children as being  
20 brainwashed.  The children reminded me of children that were  
21 afraid to say how they really felt.

22 BY MR. HAMNER:

23          Q     Can you tell us a little bit about body positioning,  
24 the tone of their voice, eye contact, what were you seeing with  
25 these kids?

1           A     The tone of voice, they were very afraid, and the  
2 older one would confide in me. The children and I got along  
3 fine. They had lovely smiles and all this, but the older one  
4 would confide in me and --

5           Q     Who is that?

6           A     -- stuff like that.

7           Q     Which -- which girl was that?

8           A     Ava. The older -- the older child, yes.

9           Q     Okay. Did Ava ever talk to you about how she felt  
10 about living there?

11          A     Oh, yeah.

12          Q     What did she tell you?

13          A     It's hard to say because Ava wanted to come home with  
14 me, and I believe I'm not allowed to say, but she said to me  
15 more than once, she said --

16               MS. McAMIS: Objection. Calls for -- it's hearsay.

17               MR. HAMNER: It's state of mind of the declarant.

18               THE COURT: Overruled.

19               THE WITNESS: She begged me to take her home to  
20 Laughlin with me and --

21 BY MR. HAMNER:

22          Q     Okay. Do you remember anything about a teddy bear?

23          A     I do.

24          Q     Tell us about that.

25          A     Amaya had told me, I know it's hearsay, she had been

1 in the hospital before Christmas. She'd had a -- she had a  
2 seizure. And I asked her, I was making conversation, did your  
3 mom go see you in the hospital? And she said yes. And I said  
4 did she bring you? She said she bought be a teddy bear. So I  
5 asked where the teddy bear was, and she said it's locked in the  
6 bedroom with everything else, in her parent's bedroom.

7 Q Okay. Did -- did --

8 A None of the kids had any --

9 Q Let me ask you this, did you -- did you observe -- did  
10 they have a lot of toys in the house?

11 A No. The kids had no toys.

12 Q Let's talk about schooling for a little bit. Did  
13 these children, the Solander girls, go to public school or any  
14 sort of schooling outside the home?

15 A No.

16 Q Okay. So they were homeschooled. Walk us through  
17 what your instructions were. When was school supposed to start  
18 for the girls?

19 A School should -- was supposed to start approximately  
20 about 9:00, after they eat -- they've eaten breakfast. And  
21 there was a schedule for each week for each child, you know, and  
22 that's --

23 Q So 9:00 for all three girls to start?

24 A Yes.

25 Q Okay. What time were they supposed to stop?

1           A     Generally, they stopped maybe 1:00 or 2:00 when they  
2 got done. If they older one got done earlier, they were allowed  
3 to read a book, but they only -- she only had one book. She  
4 didn't have much to read or anything else.

5           Q     So how many times did they get breaks for like recess,  
6 to go outside and play during this --

7           A     Never.

8           Q     -- this --

9           A     Never.

10          Q     Never?

11          A     Never.

12          Q     So you were not -- instructed not to let them out for  
13 any breaks?

14          A     Right.

15          Q     How many breaks did they actually get during a day?

16          A     They didn't get breaks, probably, until after 2:00,  
17 2:30. And then I would -- they walked with me to the bus to  
18 pick up the other children.

19          Q     So the break was picking up Autumn?

20          A     Right, from the -- the break was picking up, then they  
21 would come back and play with the other children.

22          Q     Okay. So from 9:00 to, essentially, 2:00 --

23          A     Yes.

24          Q     -- they're just sitting and working?

25          A     They're working or -- yeah.

1           Q     Okay. And these were the instructions given to you by  
2 the Solanders?

3           A     Right.

4           Q     Were there any instructions about whether or not if  
5 they were having difficulties with some work or a problem  
6 whether you could try to help them with that?

7           A     They would ask me for help and I would give it.  
8 Mostly with the -- Amaya would need help, and she'd be very  
9 frustrated with the -- with the work.

10          Q     Okay.

11          A     And I would try to help her as best I could.

12          Q     Did any of the children express any concerns about the  
13 fact you were helping them at times?

14          A     No, but they expressed they weren't allowed to help  
15 each other.

16          Q     Okay.

17          A     Ava stressed she was told she should not be helping  
18 Amaya if one of the other had a problem.

19          Q     What did she say might happen?

20          A     She didn't tell me what would happen. She just said I  
21 will get in trouble.

22          Q     Did she -- did she explained how anyone would find out  
23 or how they would know?

24                 MS. McAMIS: Objection.

25                 THE WITNESS: I mean --



1 MS. McAMIS: Calls for --  
2 THE WITNESS: -- the cameras were right there.  
3 MR. HAMNER: State of mind.  
4 THE WITNESS: The cameras were watching --  
5 THE COURT: Oh. I'm sorry.  
6 THE WITNESS: -- everything.  
7 MR. HAMNER: One second. Let her make her ruling.  
8 THE COURT: Overruled.  
9 MR. HAMNER: State of mind of the declarant. Was it  
10 overruled? I didn't hear the --  
11 MS. McAMIS: She overruled it.  
12 THE COURT: I said overruled.  
13 MR. HAMNER: Okay. I'm sorry.  
14 BY MR. HAMNER:  
15 Q Did she -- did she explain to you why she thought she  
16 might -- they might find out or how she could be in trouble or  
17 anything like that?  
18 A They were afraid to say very much because they kept  
19 pointing, the camera is watching you.  
20 Q And that camera is --  
21 A Every move.  
22 Q So which camera, the upstairs camera or the  
23 downstairs?  
24 A No, this is downstairs. They watch the kitchen --  
25 Q Oh.

1           A     -- area.

2           Q     I didn't ask you that.  Where did these children to  
3 their homework?

4           A     In the kitchen.

5           Q     Okay.

6           A     Well, the dining room, the kitchen area, yes.

7           Q     Was that area that they worked within that general  
8 field of view of that camera?

9           A     Yes.

10          Q     Let's talk a little bit about the bathroom, okay?  
11 Were the Solander children allowed to just go use the bathroom  
12 if they needed to use the bathroom?

13          A     No.

14          Q     Who gave you that instruction?

15          A     Ava.

16          Q     Okay.  And --

17          A     Well -- yeah.

18          Q     So Ava said they weren't allowed to go the bathroom if  
19 they wanted to?

20          A     No.  And they couldn't use the downstairs bathroom.

21          Q     So you're not allowed to use the downstairs  
22 bathroom --

23          A     Right.

24          Q     -- and you couldn't go when you wanted to.  So what's  
25 the routine?  If someone had to go to the bathroom, what

1 happened in the house?

2       A     The routine -- approximately, maybe about 10:00, if  
3 one of them had to go, she said I'm sorry, I got to go to the  
4 bathroom. I said no problem, but we're not allowed to go by  
5 ourselves. So all four of us would go up two flights of stairs.  
6 And I know the first time I thought it was unusual, but go to  
7 the bathroom. And I would suggest, you know, to the other  
8 girls, let's stand back and give her any -- some privacy. They  
9 weren't allowed to shut the door when they went to the bathroom.

10       Q     They weren't allowed to shut the door. So where would  
11 these other kids be standing?

12       A     They were standing by the bannisters there, and  
13 they're laughing and joking with me, because the camera is right  
14 watching me, and I didn't know if the camera had voice recording  
15 on it. And the girls would be standing along the bannisters  
16 here, outside the master bedroom, and they're giggling and  
17 laughing at me, and --

18           MS. McAMIS: Objection.

19           THE WITNESS: -- got their --

20           MS. McAMIS: Nonresponsive.

21           THE WITNESS: -- telling me to be quiet.

22           MS. McAMIS: Narrative at this point.

23           THE COURT: Basis?

24           MS. McAMIS: Nonresponsive.

25           MR. HAMNER: It's responsive.

1 THE COURT: Overruled.

2 BY MR. HAMNER:

3 Q Please continue if you -- if you have more to add, if  
4 not, I can move on.

5 A Well, I just found it as highly unusual. They said  
6 they're only allowed to use a certain amount of paper in the  
7 bathroom and they weren't allowed to shut the door, and I would  
8 ask them to stand back to give the other girl some privacy.

9 Q You mentioned something about toilet paper. What was  
10 that about?

11 A They told me they were only allowed to use two sheets  
12 of toilet paper.

13 Q Have you ever heard that before?

14 A Never. Never.

15 Q There were other kids, though, living in that house;  
16 right?

17 A Yes.

18 Q Autumn and Ivy?

19 A Right.

20 Q What were the bathroom rules for those kids?

21 A There was no bathroom rules. They used the bathroom  
22 downstairs and they went to the bathroom when they wanted.

23 Q Did they have to stand in a group on the upstairs  
24 bathroom like the --

25 A No. Nope.

1 Q -- Solander children?

2 A No.

3 Q Okay. Did Janet or Dwight explain why the difference  
4 to you?

5 A No, not at all. No.

6 Q Do you remember the first time you ever did laundry at  
7 the Solander house?

8 A Yes.

9 Q Tell us about that.

10 A I decided to do a load of maybe socks and children's  
11 underwear just to be helpful, you know. He's gone all week.  
12 And Ava said, well, you'll probably get in trouble. And I said  
13 why? And she said, well, my dad inspects our panties. And I  
14 was just astonished and bewildered, a man inspecting children's  
15 panties. So in disbelief, I just thought maybe she's making  
16 this up, but I did -- did a load of laundry. And when he came  
17 home he asked me not to do anymore laundry, he likes to see  
18 their underwear.

19 Q Okay.

20 A Just --

21 Q Let me ask you this, did he ever want to see Autumn  
22 and Ivy's underwear?

23 A No.

24 Q Okay. He just wanted to see the Solander kids?

25 A Right.

1 Q Did he explain to you why he needed to do that?

2 A Very little explanation. At the time he said to fight  
3 infections and said sometimes they soil their pants or trouble  
4 urinating or something like that.

5 Q So I want to take you back that first day you were in  
6 that house alone with those kids, the Solander girls. Can you  
7 -- do you remember that -- that -- that day, generally?

8 A I do.

9 Q So you were with them from -- from when to when? When  
10 did you get there for that first day?

11 A The first day I believe I got there on a Sunday night.

12 Q Okay. So you were there kind of that night, and then  
13 the next morning Dwight leaves; is that right?

14 A Next morning he leaves.

15 Q So Monday morning, you have them from --

16 A Monday morning, yeah.

17 Q -- the beginning of Monday morning? No --

18 A When I first -- yeah.

19 Q No Dwight in the house?

20 A No, he was there because the first morning before he  
21 left, he was showing me how to make their evening meal and what  
22 they got for breakfast.

23 Q Okay. And we'll get -- we'll get to that.

24 A That -- he was there for that.

25 Q What time does Dwight leave?

1           A     Hard to say.  Maybe -- maybe 8:00, 9:00 --

2           Q     In the morning?

3           A     -- depending on where he was going that -- that week,  
4 I suppose.

5           Q     So when you got up in the morning on Monday morning,  
6 did Ava pee all over herself?

7                   MS. McAMIS:  Objection.  Leading.

8                   MR. HAMNER:  It's not leading.  It doesn't suggest the  
9 answer.

10                   THE COURT:  She can

11 BY MR. HAMNER:

12           Q     Did Ava pee --

13                   THE COURT:  What did you observe that Monday morning?

14 BY MR. HAMNER:

15           Q     Did Ava pee on herself --

16           A     No.

17           Q     -- in the morning?

18           A     No.

19           Q     How about Amaya?

20           A     No.

21           Q     How about Anastasia?

22           A     None of them.

23           Q     How about Autumn?

24           A     No.

25           Q     How about Ivy?

1 A No.

2 Q Okay. Anybody poop on themselves?

3 A Nope.

4 Q Okay. Dwight then leaves; right?

5 A Yes.

6 Q Okay. And then you're with these kids for the entire

7 day for Monday. Did any of the Solander girls have an accident

8 in terms of peeing on themselves?

9 A Never.

10 Q How about pooping?

11 A Nope.

12 Q Vomiting?

13 A No.

14 Q When Autumn came home from school, she have any issues

15 with peeing or pooping on herself?

16 A No.

17 Q How about Ivy?

18 A No, none of the children.

19 Q Let's talk Tuesday of the first week. Any peeing and

20 pooping issues --

21 A No.

22 Q -- with any children?

23 A No.

24 Q Wednesday?

25 A No.



1 Q Thursday?

2 A No.

3 Q Friday?

4 A Never. No.

5 Q How about the second week?

6 A I never had anything -- they never had any problem in  
7 that area for the whole three weeks I was there.

8 Q So for the three weeks you were there, when they were  
9 in your exclusive care --

10 A Yes.

11 Q -- Ivy never peed and pooped herself?

12 A No.

13 Q Autumn never peed --

14 A No.

15 Q -- and pooped herself? Anastasia never peed and  
16 pooped herself?

17 A No.

18 Q Amaya never peed and pooped herself?

19 A No.

20 Q And Ava didn't poop -- pee and poop herself?

21 A No.

22 Q And these are the things that you saw, right, because  
23 you were there?

24 A Yes.

25 Q Okay. This is not a rumor or anything, these are the

1 things you observed with your eyes?

2 A Right.

3 Q Let's talk, again, that first day that you're there.  
4 Did any of the Solander girls have a severe tantrum in the  
5 house?

6 A No.

7 Q Any -- anything you observed, any disturbing emotional  
8 behavior, see anything like that?

9 A Nothing at all.

10 Q Nothing like that on Monday?

11 A Nothing. They were very -- no, very calm.

12 Q How about Tuesday?

13 A Nope.

14 Q Wednesday?

15 A No.

16 Q Thursday?

17 A No.

18 Q Friday?

19 A Nope.

20 Q How about week two?

21 A No.

22 Q How about week three?

23 A No.

24 Q But you were there the whole time; right?

25 A I was there the whole time. I -- they worked out with

1 me, I would play with them, and they never had any tantrums.

2 No.

3 Q I mean, you were watching the girls; right?

4 A Of course.

5 Q Okay. Just checking. Let's talk meal time. First,  
6 let's just talk about the -- the foster girls, Autumn and Ivy.  
7 What were the instructions for breakfast for them?

8 A They had a bowl of cereal for breakfast. That's what  
9 they --

10 Q What was the instructions for lunch for them?

11 A I had to make lunch for one of the children, she was  
12 going to school, so the instructions were just make a peanut  
13 butter and jelly sandwich and carrots and --

14 Q Okay.

15 A -- that was it.

16 Q So was that for Monday --

17 A Yes.

18 Q -- the PB and J? How about for Tuesday, what were  
19 you --

20 A Every day it was the same thing.

21 Q Every single day --

22 A Every day it was the same lunch.

23 Q So for three weeks, that was the lunch that child  
24 got --

25 A Every day.

1 Q -- PB and J and carrots?

2 A Every day.

3 Q Let's talk dinner for Autumn and Ivy. What did they  
4 get for dinner?

5 A The same thing, a Banquet dinner every night --

6 Q What's --

7 A -- and they would cry when they had to eat it.

8 Q What is a Banquet dinner for people who don't know?

9 A Unfortunately, it's a TV dinner.

10 Q Okay. How much does it cost, do you know?

11 A I honestly don't know. Maybe a dollar, maybe 79 cents  
12 at the store. I don't buy them, so I don't know.

13 Q Okay. How many days of the three weeks you were there  
14 did you serve that dinner to Autumn and Ivy?

15 A Every day.

16 Q Okay. Where did Autumn and Ivy eat their dinner?

17 A They ate their dinner at a small table and chairs over  
18 in different section of the --

19 Q So they sat down at their table and --

20 A They sat down at their --

21 Q -- chairs?

22 A -- table and chairs, yes.

23 Q Where would they eat their breakfast?

24 A The same place. A small -- there was a small table  
25 and chairs for them.

1           Q     And for the little one who would stay and maybe have  
2 lunch, where would she have her lunch?

3           A     Right there at the table and chairs, yes.

4           Q     Now I want to talk about the Solander girls. What did  
5 they have for breakfast?

6           A     They had oatmeal which was mixed with quinoa. Is that  
7 how you say it?

8           Q     And explain how that is -- how that meal is prepared.

9           A     Well, I made oatmeal mixed with quinoa, I'm not saying  
10 it right, but anyway, mixed it up, heated it up, and I had to  
11 pour it in three plastic cups for the girls and they have to  
12 stand in three different places in the kitchen.

13          Q     Where were their chairs?

14          A     They didn't have any chairs.

15          Q     So they would eat breakfast standing up?

16          A     Yes.

17          Q     While the other girls sat at a table with chairs?

18          A     Yes.

19          Q     Let me ask you this, were there other chairs available  
20 to sit in the house?

21          A     Yes. Yes.

22          Q     Did Dwight or Janet explain to you why these three  
23 girls needed to stand for breakfast?

24          A     No.

25          Q     Did they explain -- did they offer some sort of

1 medical diagnosis that would require them to stand while eating  
2 their breakfast?

3 MS. McAMIS: Objection. Asked and answered. She  
4 already said they didn't.

5 THE COURT: Overruled.

6 MR. HAMNER: It's a different question.

7 THE COURT: Overruled.

8 BY MR. HAMNER:

9 Q Let me repeat the question for you. Did Janet or  
10 Dwight explain to you that there was a doctor, diagnosis, or  
11 treatment that required them to stand while eating breakfast?

12 A Absolutely not. No.

13 Q Well, let's talk about lunch. What did the girls have  
14 for lunch?

15 A Nothing.

16 Q Did they get a snack for lunch?

17 A No. Nothing.

18 Q So they got not lunch?

19 A No lunch.

20 Q So they worked -- they just worked through lunch?

21 A Right.

22 Q Okay. Did Janet or Dwight explain to you why they  
23 were not allowed to have lunch?

24 A No.

25 Q Did Janet or Dwight explain to you that there may have

1 been some sort of medical treatment that would require them not  
2 to have a lunch?

3 A No.

4 Q Did they explain to you why they couldn't have a  
5 peanut butter and jelly sandwich like Autumn or Ivy?

6 A No.

7 Q But you followed these instructions?

8 A I just followed the instructions.

9 Q Let's talk about dinner for the Solander girls.  
10 Explain to this jury what their meals were like.

11 A Dinner -- I had to get a large can of refried beans or  
12 something similar, mostly a can of refried beans, a large can of  
13 vegetable, maybe a green vegetable or something, and if there  
14 was hamburger, there wasn't hamburger every day, and cook this,  
15 mix it all up in a blender. And after it's mixed up in a  
16 blender, put it in three cups, and that's all they ate for  
17 dinner every night. Every night.

18 Q So Monday that's what they had to eat, first week  
19 Monday?

20 A Yes.

21 Q Tuesday?

22 A Yes.

23 Q Wednesday?

24 A Yes.

25 Q Thursday?

1           A     Yes.

2           Q     Friday?

3           A     Yes.

4           Q     All of week two?

5           A     Yes.

6           Q     And all of week three?

7           A     Yes.

8           Q     Where would they sit when they had dinner?

9           A     They weren't allowed to sit.

10          Q     So where would they be?

11          A     They each had a certain place in the kitchen, and they

12 had to stand there and eat their meal.

13          Q     In front of the --

14          A     They had to drink it, excuse me.

15          Q     In front of the camera?

16          A     Well, the camera was facing on them, yes.

17          Q     Did Janet or Dwight explain to you why they needed to

18 have that meal every single day for essentially three weeks?

19          A     No.

20          Q     Did they offer you any sort of variation?

21          A     No variation. The first morning, when Dwight showed

22 me how to use this -- they had a commercial blender and all the

23 stuff that went into the food, he just said they had to eat this

24 because he said they had intestinal problems.

25          Q     Okay.



1 A That's what he said.

2 Q Did he explain any sort of medical diagnosis?

3 A No. Nothing.

4 Q Okay. Just that there was some sort of intestinal  
5 issue?

6 A Yeah.

7 Q Okay. And that they couldn't have solid foods,  
8 essentially?

9 A Right. That's basically right.

10 Q Okay. We'll get back to that in a second. But before  
11 we get to that, let's just talk about having something to drink  
12 in the house. How much milk did you give them?

13 A None.

14 Q How much juice did you give them?

15 A Nothing.

16 Q You gave them water though; right?

17 A No, they weren't allowed.

18 Q How often would they get water, as far as you  
19 remember?

20 A Hardly ever.

21 Q Okay. Could they have water with dinner?

22 A No.

23 Q Could they have water during the middle of the day?

24 A No.

25 Q Was there like a cutoff time or anything like that

1 that you can remember?

2 A They just weren't allowed water. Sometimes I would  
3 give the older girl a glass with a little bit of water, and she  
4 said I'm not allowed to have a glass, so she would just drink a  
5 little bit of water.

6 Q What was her kind of body -- what was her body  
7 language like when you were offering her a little amount of  
8 water?

9 A Well, like she was afraid.

10 Q Of water, drinking water? She was afraid of having --

11 A Because she would get in trouble, yes.

12 Q All right. Did Dwight or Janet explain to you why  
13 these children could not have water?

14 A No.

15 Q Did they explain to you that there was some sort of  
16 treatment plan from a doctor that required these children not to  
17 have water?

18 A No.

19 Q Did any of the kids ever tell you what they would do  
20 because they may have been thirsty in the house?

21 A Yes.

22 Q Tell us, and tell us which one, if you remember.

23 A I remember the older one, Ava, at the time she was  
24 probably 11 and a half, she was a smart girl, but I was  
25 horrified. She'd tell me that she would take liquid aspirin,

1 and go take liquid aspirin, just so she would have some liquid  
2 in her mouth, because they would get dehydrated.

3 Q These kids get any fruit, anything like that in the  
4 house?

5 A Absolutely nothing.

6 Q Do you ever remember, whether it's on one of these --  
7 you mentioned Janet sometimes would be on like a -- like a phone  
8 or something like that. Would she ever be like on Skype or  
9 things like that, too, in the house?

10 A Not in the house. Only to her daughter in her  
11 daughter's room. Yes.

12 Q Do you ever remember Janet being concerned or upset  
13 about meal times or dinner or anything like that while you were  
14 there at the house, if you remember?

15 A I don't remember.

16 Q Okay. How often were they allowed to go outside and  
17 play in the backyard?

18 A They weren't. I took them outside to play ball and  
19 stuff like that on a -- on a warm day.

20 Q Okay.

21 A This was in January, of course.

22 Q But generally, they were not allowed?

23 A Right.

24 Q And did that apply to both the Solander girls and the  
25 -- to Autumn and Ivy Stark?

1           A     Right.

2           Q     Were you working there, around Valentine's day --

3           A     I was.

4           Q     -- in 2013? Remember anything about that day in  
5 particular?

6           A     I do.

7           Q     Please tell this jury.

8           A     Valentine's Day I thought maybe, well, these children  
9 missed out because they don't go to public schools, they missed  
10 out on all the usual stuff. So after I got the other child from  
11 the bus stop, I parked my car near the gate and we managed to  
12 get all the five children in my car. And I took them up to -- I  
13 can't remember where, but anyway, the closest Dollar Store. And  
14 I let the children pick out whatever they wanted and wished them  
15 happy Valentine's Day. And I had hoped that one of the parents  
16 would call their children and wish them happy Valentine's Day,  
17 but none of that happened. And I wanted just to give the  
18 children a little joy for that day, as much as I could, but that  
19 was -- that was what I did.

20          Q     And did any of the kids say anything to Janet or  
21 Dwight about that?

22          A     I believe the older one said something to Janet, yes.

23          Q     And what was the reaction?

24          A     She -- Janet called the next day, and I answered the  
25 phone and she spoke to me. And initially she was very nice to

1 me and all this, and in my mind I'm thinking there's something  
2 behind this, and she -- she went on to tell me that her husband  
3 had flown to where -- he was in Ohio, apparently, that -- no,  
4 she was in Ohio. But wherever he was, he had flown to have  
5 dinner with her on Valentine's night, and she shared that with  
6 me that she had a lovely date, her and her husband got together.  
7 Then inside of me I'm saying to this, what about these children.

8           But so the next day, she call -- and so after she said  
9 can I speak to Ava, she says. I said sure, so I gave the phone  
10 to Ava. So Ava shared this with Janet, her mother. And her  
11 mother got really upset with her that I'd taken her to the  
12 store. And she called just to tell the daughter just to take  
13 the garbage can out at night, and I was just horrified, one of  
14 those big carts that you take out at night. I could have taken  
15 that out. It was dark at night at 7:00. And she ended up  
16 crying, and I just put my arm around her and I just shook my  
17 head again, but there was no mention of anything about  
18 Valentine's Day to any one of the children.

19           Q     Okay. Did they call on that day, did Dwight or Janet  
20 call --

21           A     No.

22           Q     -- on that day?

23           A     No.

24           Q     You mentioned that sometimes Janet's daughter would  
25 talk with Janet over Skype.

1           A     Yes.

2           Q     Do you remember a time where Amaya went up into an  
3 area where Danielle was on the phone with her mother?

4           A     I do.

5           Q     Okay. Tell us about that.

6           A     When I first got there the younger daughter was not  
7 there the first week. Apparently, she was out of town  
8 somewhere, but she came back and she would spend most of her  
9 time in the room. And I had been helping Amaya that morning two  
10 or three times with her homework -- with her schoolwork. She  
11 got a little frustrated and she cried a little bit, and I said  
12 it'll be okay. But much to my -- I didn't know everything is  
13 being watched on the camera from upstairs, and she was telling  
14 all this stuff to her mother. Well, then they pulled Amaya  
15 upstairs. And I went up there, went into my bedroom to listen,  
16 and she slapped her in the face. And that night I called the  
17 husband and I said, look, this stuff -- this kind of stuff can't  
18 go on. But instead of dealing with it, he just called his wife  
19 and --

20          Q     Okay. Let me stop you there.

21          A     I'm sorry.

22          Q     When you -- when you got to see Amaya, did you see  
23 Amaya after she had left that --

24          A     When she came out of the room?

25          Q     Tell me what her face looked like.

1           A     Her face was very red, and you could tell she'd had  
2 tears in her eyes, yes.

3           Q     Did kids ever talk to you -- the Solander kids ever  
4 mention anything about hot water?

5           A     Yes.

6           Q     Who -- who told you about that?

7           A     Well, all three mentioned little bits here and there,  
8 but initially when they mentioned some of the stuff, it was hard  
9 to believe.

10          Q     Okay. Well, let me -- and I'm going to stop you  
11 there. Tell me about these kids' demeanor when they're sharing  
12 this with you.

13          A     They're telling me in fear that they'll get in  
14 trouble.

15          Q     Where are you guys, do you remember where you would  
16 be?

17          A     We're upstairs, and they told me that the mother had  
18 poured boiling water, and I can't remember which child it was,  
19 but poured boiling water over their head and scalded their head.

20          Q     All right. Do you ever remember a time where Amaya  
21 was like sick with like -- like a sinus infection or something?

22          A     Yes.

23          Q     What do you remember about that day? Was that --  
24 which week was that, do -- if you remember?

25          A     It was the second week, and --

1 Q Okay.

2 A -- I got there on a Sunday night and I said where's  
3 Amaya? And he had said --

4 Q And wait, let me just -- before -- I want to stop you  
5 right here. Let's just set the stage for a second. What --  
6 what time of year is this?

7 A This is the end of January, probably. Maybe the  
8 first --

9 Q It's winter time?

10 A -- week of February. It's winter time, yes.

11 Q Okay. Please continue. Go ahead.

12 A So I got there Sunday night, and I said to the  
13 children, where -- where's Amaya? And then he had said when  
14 he's around -- oh, and he said he had taken her to the emergency  
15 room over the weekend, she had sinuses. I said, well, where is  
16 she? She was outside in the cold, and it was bitterly cold out  
17 there that Sunday night, I remember. She's outside picking up  
18 dog poop, and she's white as a ghost. So I just put my arm  
19 around her and I said why don't you come inside. I told her to  
20 quit what she was doing and brought her inside.

21 Q I want to turn your attention now to sleeping  
22 arrangements.

23 A Yes.

24 Q Let's talk about the foster kids, Autumn and Ivy.  
25 Where did they sleep?



1           A     They had a nice room. They had their own room. They  
2 had a Winnie the Pooh TV and a -- and a regular bed and nice --

3           Q     What do you mean by a regular bed?

4           A     A regular bed that we all sleep in, like a regular  
5 twin bed with Winnie the Pooh sheets and a cover, you know --

6           Q     So it had -- it had --

7           A     -- and Winnie --

8           Q     -- like a duvet --

9           A     -- the Poo TV.

10          Q     -- cover on it?

11          A     Pardon?

12          Q     Like a comforter?

13          A     Yes. Yes.

14          Q     So it had sheets?

15          A     Sheets, yes.

16          Q     Comforter?

17          A     Pillows and -- yes.

18          Q     And a normal twin sized bed?

19          A     Right.

20          Q     They had a TV in their room?

21          A     It had a Winnie the Pooh TV.

22          Q     What other sort of things were in that room?

23          A     There was also a closet, obviously, with all the kids'  
24 clothes and stuff like that.

25          Q     Okay. Any decorations and wallpapers?

1           A     Yep.

2           Q     What sort of decorations, if you remember?

3           A     Honestly don't remember, but I think they were Winnie

4 -- I think most of the stuff was Winnie the Pooh, whatever.

5           Q     And so did they each have their own bed?

6           A     That I don't remember because it was twin bed, and I

7 don't remember where the little one --

8           Q     But you remember --

9           A     -- slept.

10          Q     -- there at least being a bed?

11          A     Well, of course. Yeah. Because -- yeah.

12          Q     Okay. Tell me a little bit about where the Solander

13 girls slept.

14          A     Down the hall there was a large room, and I guess it

15 was a large bedroom, they slept in there. And to my

16 astonishment, they all slept on little cots on the floor.

17          Q     How many of them had regular beds like --

18          A     None of them.

19          Q     -- Autumn and Ivy?

20          A     None of the children.

21          Q     Not one?

22          A     Not one.

23          Q     These are the adopted kids?

24          A     Yes.

25          Q     Their own children?

1           A     Their own children.

2           Q     Did not have regular beds?

3           A     Not one bed.

4           Q     Well, let me ask you this. Was there even room in  
5 that room for a twin sized bed?

6           A     Oh, definitely.

7           Q     Where there room for two?

8           A     Yes. There was room for --

9           Q     How about three?

10          A     There was room for three.

11          Q     Were there room for bunk beds?

12          A     Yes. But there was room for three individual twin  
13 beds, yes.

14          Q     So instead, what did they sleep on?

15          A     There was even room for dressers, but there was none  
16 there.

17          Q     So they had no dressers even in that room?

18          A     No.

19          Q     What did they sleep on again?

20          A     Cots on the floor.

21          Q     Oh. How many -- how many comforters did they have?

22          A     None.

23          Q     Well, I mean, let's take them one at a time. How many  
24 comforters did Amaya have?

25          A     None.

1 Q How many comforters did Ava have?

2 A None.

3 Q How many comforters did Anastasia have?

4 A None.

5 Q Did Dwight or Janet explain to you why they didn't  
6 have comforters, but the -- Autumn and Ivy did?

7 A No.

8 Q Did Dwight or Janet offer you an explanation that  
9 maybe there was a medical diagnosis and part of the treatment  
10 plan was to not have a comforter on their beds?

11 A No.

12 Q Okay.

13 A They just had a little thin blanket. They had a thin  
14 blanket on their bed and a small pillow, and that was it.

15 Q Did you notice any differences between the clothing or  
16 kind of the quality of clothing that Autumn and Ivy wore versus  
17 the Solander kids?

18 A Yes.

19 Q Tell us what the difference is that you noticed.

20 A My first day there, when I had to walk to the bus stop  
21 and the Solander children went to, because this was my first  
22 time, go get their coats and shoes, and it was just like, I  
23 shouldn't use this expression, it was, to me, I felt like I was  
24 walking three urchins down the street. Little Amaya had to walk  
25 with a pair of cowboy boots, she didn't have any sneakers. And

1 it just -- it was just horrifying for me.

2 Q Did they fit those shoes?

3 A No.

4 Q Did you tell Dwight or --

5 A I did. At the end of the first week I told Dwight she  
6 needed a pair of shoes. He -- oh, we'll go get some. She never  
7 got any the whole time --

8 Q And -- and --

9 A -- I was there.

10 Q -- and let me just -- and maybe it's just I didn't  
11 hear you, when -- when did you notice this thing with shoes that  
12 didn't fit? How early into this, first week, second --

13 A I noticed it the very few -- first few days I was  
14 there.

15 Q The very first few days?

16 A Yeah.

17 Q So he tells you, within the very few --

18 A As we were walking to bus stop and she -- she's  
19 walking with a pair of cowboy -- cowgirl boots, whatever, flip,  
20 flop, flip, flop, and you know these things don't --

21 Q So let me ask you this. So you mentioned it to Dwight  
22 kind of immediately as you noticed it?

23 A Yes, I did.

24 Q And he tells you we're going to get --

25 A Well --

1 Q -- her some new shoes?  
2 A -- I'll get her some this weekend.  
3 Q Okay.  
4 A Yes.  
5 Q So that first weekend Dwight comes home?  
6 A Yes.  
7 Q And then did you show up the following Monday of week  
8 two?  
9 A I did.  
10 Q Were -- were there any new shoes in the house?  
11 A No.  
12 Q Okay. Dwight then goes away for a week, right, or for  
13 five days?  
14 A Yes.  
15 Q But he comes back for weekend number two; right?  
16 A Yes.  
17 Q That Monday of week three, kid have any new shoes?  
18 A Nope.  
19 Q Okay. And then you leave by the end of the third  
20 week?  
21 A Yes.  
22 Q Okay. Were there any morning chores for the Solander  
23 girls when they get up in the morning before they started their  
24 work day homeschooling?  
25 A Yes. I used to wonder in the mornings why it took so

1 long for the little one, Anastasia, to come downstairs. And  
2 then Ava would say, well, she's doing her chore. And I said --  
3 because she was only seven at the time, I think it was seven.  
4 And I said what does she have to do? She had to get a bucket of  
5 water with Pine-Sol and go in there and clean the bathroom every  
6 morning.

7 Q How many times did --

8 A And --

9 Q Well, let me just stop you there for a second. How  
10 many times did Autumn have to do that chore?

11 A Not at all.

12 Q How about Ivy?

13 A None. They didn't have any chores.

14 Q Did Dwight or Janet explain why that child --

15 A No.

16 Q -- had to do that?

17 A They told me nothing. No.

18 Q You mentioned those -- those beds that Autumn and Ivy  
19 had, those nice beds with the comforters and stuff, was one of  
20 the chores for Autumn and Ivy to make their own beds?

21 A No.

22 Q Did the beds get made?

23 A Yes.

24 Q Who made the beds?

25 A Ava.

1 Q Ava made Autumn and Ivy's beds?

2 A Ava's chore was to go make the -- the beds of Autumn  
3 and Ivy. There was only one bed in there, as far as I can  
4 remember.

5 Q Dwight and Janet explain that at all?

6 A Nope.

7 Q Let's talk about the times that you kind of would see  
8 Dwight in the house, okay. Because, I mean, there were times  
9 that you guys would overlap a little bit; right?

10 A Yes.

11 Q Okay. Would he ever give you an explanation about why  
12 these rules were in place very much? What would he say about  
13 that, if anything?

14 A There wasn't a lot said. When he first came home one  
15 day, I approached him about the rules. Are you talking about  
16 the panties or about the rules, why they were --

17 Q Oh. Please, just cover whatever rules you can  
18 remember.

19 A Well, he just told me the reason he -- he -- about the  
20 panties, that he inspects their panties to look for infections  
21 and stuff of that nature.

22 Q How about food stuff, any explanation on that?

23 A He just said they had intestinal problems.

24 Q Okay. You ever see Dwight take any photographs of the  
25 kids, the Solander kids, when he'd be in the house?



1           A     No, I didn't.

2           Q     Okay. Do you ever remember him photographing any of  
3 like the underwear or anything like that?

4           A     No.

5           Q     Okay. After the first couple of days, were you  
6 concerned about the things you were seeing inside the house with  
7 respect to the Solander girls?

8           A     Definitely.

9           Q     It -- as -- as the days and weeks continued, did your  
10 concern grow, or did it lessen, or did it stay the same?

11          A     Oh, no. It grew.

12          Q     Why'd you stay?

13          A     I stayed -- I stayed mainly for the children's sake.  
14 I couldn't see children going through what they were going  
15 through. My heart ached for these children. They were  
16 brainwashed, and nobody was helping them.

17          Q     You mentioned that one of the little girls wanted you  
18 to take them away; is that right?

19          A     They wanted to get in my car to come home to Laughlin  
20 and I knew I couldn't do that.

21          Q     Did it cross your mind, though?

22          A     It did cross my mind. It even crossed my mind to go  
23 to the nearest police station, but they wouldn't have helped.

24          Q     And what were you worried about would happen if you  
25 picked up those girls and went to the police? What were you

1 worried might happen?

2       A     I could have been arrested. I had a child kidnapped  
3 of my own, so I know. My child was gone for 9 years.

4       Q     There's a point, though, that when -- that you leave.

5       A     Yeah.

6       Q     At the end of about three weeks. Tell us about kind  
7 of what the breaking point is for you. Why did you leave?

8       A     By then -- well, I felt like it was letting the  
9 children down. I'd -- I'd had enough. And the 19-year-old, who  
10 is their older daughter --

11      Q     Danielle?

12      A     Danielle. I'd had some issues with her. And you  
13 know, she finally -- shut up this, shut up that, and she was --  
14 oh, the -- the -- I forgot, the Friday morning I'm leaving,  
15 Janet Solander called --

16      Q     Uh-huh.

17      A     -- to talk to me. It was about -- I think about 9:00,  
18 9:30.

19      Q     Uh-huh.

20      A     And Dwight was there at that time. I can't remember  
21 if he'd come home early the night before or what, but he called  
22 to talk to me, and I think she was trying to get me to realize,  
23 she said the girls are all lying to you, and not -- for me not  
24 to believe all their lies. She said how they've lied to  
25 everybody, and all these -- they were telling me a bunch of lies

1 and I'm being manipulated by their lies.

2 Q Let me -- let me -- I want to stop you right there for  
3 a second, okay. You -- you've -- you've -- you said that you --  
4 you have -- you were mentioning you had a child. How many kids  
5 do you -- do you have?

6 A I have two sons.

7 Q Okay. So in the course of raising your own kids, have  
8 you ever seen kind of -- caught a kid telling a lie, just  
9 meaning your own kind of experience?

10 A Well, yeah. Yes, of course.

11 Q Okay. So forget about the stuff that Janet told you  
12 about. I just want you to focus on those three five days -- the  
13 -- those five-day weeks that you had, the three five-day weeks  
14 that you had. Did you see these kids, the Solander girls,  
15 perpetually lying to you about everyday things in the house?

16 A Never.

17 Q Are you sure?

18 A I am sure. Those --

19 Q Okay. I mean, because you've had experiences where  
20 you'd catch kids lying, right, in your own past, maybe your own  
21 kids or whatever?

22 A Of course.

23 Q Okay. So you've had those experiences before. And  
24 you're saying in the three weeks that you were there, you didn't  
25 really see these kids lying to you on a regular basis?

1           A     No, I did not. Some of the things they told me, you  
2 wanted to believe they were not true.

3           Q     Okay.

4           A     But --

5           Q     And when you're saying things like the hot water  
6 and --

7           A     Or the -- the issues, like I had to do with the food,  
8 and is this really true?

9           Q     Okay.

10          A     And as the week went on, it was so deplorable, it's  
11 just -- yeah.

12          Q     Okay. So I didn't mean to cut you off. So you were  
13 -- let's take you back to what you were saying. You were saying  
14 Janet was telling you, well, you know, don't believe all their  
15 lies, blah blah blah. Please continue.

16          A     She was -- and this is in the atrium as you first go  
17 in the house and she's telling me all this. Well, then the  
18 conversation -- I said I don't need to listen to all this. I've  
19 -- I've had enough. And the daughter was standing in the -- the  
20 doorway, too, and she said just shut up. And I thought, I don't  
21 need to listen to this, you know. And those little three girls  
22 are standing there looking at me and listening to all this, and  
23 they're crying.

24                 And so it went on, and I said I just can't listen to  
25 any more of this. They're making excuses, look, they're all

1 telling a bunch of lies. And I said I'm not going to listen to  
2 another thing, and I'm standing there just shaking. I was  
3 literally shaking, and then I start to cry and I said I've got  
4 to leave. And I went out the door, and I was tempted right then  
5 to go to a police station, and I didn't know. I was shaking. I  
6 was afraid to drive, even. I really was. I was afraid to  
7 drive.

8           And -- oh, and I said to Dwight right before I left, I  
9 said can I please give these children a hug before I leave? And  
10 he said yes. And I went over to give each child a hug, and I  
11 told them I'd be praying for them and they were crying as I  
12 walked out the door. I will never forget it in my life. And I  
13 wanted to take them with me. I could have gone into Laughlin.  
14 I know officers there. But what could they have done? And I  
15 was letting the children -- I felt I let these children down.

16           Q     So you leave?

17           A     I leave.

18           Q     Did you call CPS to tell them about the things that  
19 you saw?

20           A     I can't remember when I called, but I called a few  
21 weeks later, yes.

22           Q     And did -- did you describe the things that you've  
23 been kind of telling us about?

24           A     I did.

25           Q     Do you get a call back from CPS?

1           A     Nothing.

2           Q     But do you hear from Dwight again?

3           A     I did.

4           Q     How does he contact you?

5           A     He sent me an email letter, and also they sent me a  
6 letter from Janet. They served me a letter for defamation of  
7 character.

8           Q     You got a letter from Janet saying --

9           A     Apparently, I got a -- fortunately, they couldn't find  
10 my apartment, apparently --

11          Q     Okay.

12          A     -- but I was -- I had all kinds of TV stations contact  
13 me and that's how they found out, apparently, I was there. But  
14 I got a letter in the mail, which I received later to say she  
15 was suing me for defamation of character.

16          Q     Oh. So she tried to sue you, or at least the letter  
17 said they were going to?

18          A     Right. Right.

19          Q     Okay. What do you remember Dwight saying in his  
20 letter at -- if anything?

21          A     Well, most of the letter he said -- explained why he  
22 checked the girls' panties for -- and all this, and he explained  
23 about the eating and their intestinal orders and stuff like  
24 that. Most of the letter he was just very defensive in there  
25 about everything. But the one thing that got to me mostly, he

1 never had not one good thing to say about any three of the  
2 girls. And he said they did not -- he said he'd never  
3 celebrated Valentine's Day, but yet I knew he went and had  
4 dinner with his wife Valentine's night.

5 Q Because you heard that from Janet?

6 A Yes, but he put that in the letter that he wrote to  
7 me. Yeah.

8 Q So Janet had told you before that Dwight literally  
9 came to visit her for Valentine's Day --

10 A Yes, they had dinner that night.

11 Q -- and he told you --

12 A Yes.

13 Q -- I never celebrated. That's right. I forgot about  
14 something and I want to go back. Let's go back to meal time for  
15 a second. So these -- these -- this had to be like liquid;  
16 right? No solids.

17 A Right.

18 Q And they had told you that they had intestinal issues;  
19 right? Let me ask you this, Janet. You ever sneak them some  
20 solid food?

21 A I did.

22 Q Okay. What sort of solid food did you give them?

23 A Occasionally, in the morning, because I brought food  
24 with me from home, okay. Occasionally, in the morning I'd give  
25 them a piece of toast. But I had to be real careful, because

1 let's say --

2 Q Did you blend --

3 A Pardon?

4 Q Did you blend the toast?

5 A Did I what?

6 Q Blend up the toast?

7 A No, of course not. But I'd --

8 Q Okay. So just served --

9 A -- be making toast --

10 Q -- regular toast.

11 A -- for myself, so, you know, one of them would turn

12 and smile, hey, where's my toast. So I gave a -- gave a piece

13 of toast. But I had to be very careful, because anything I gave

14 from my hand to her, the camera was watching, okay.

15 Q Watching those cameras, huh?

16 A So I would slide it in my hand down my side, and I

17 hand it to her, and I said look, you better eat it over here, so

18 part of your food.

19 Q So --

20 A And --

21 Q So let me stop you there.

22 A And at night time, I would bring them stuff upstairs.

23 Q What sort of things did you bring?

24 A After they were up there in their room, and they'd

25 wait, and I'd make a peanut butter and jelly sandwich.



1 Q Peanut butter and jelly?

2 A Sometimes -- sometimes I had to make sure I had

3 pockets, because I put them in a cellophane bag or a --

4 Q Uh-huh.

5 A -- bag, and I would bring them sandwiches and --

6 Q So you gave -- you gave Ava sandwiches?

7 A Yes. And Amaya --

8 Q Amaya sandwiches?

9 A Yes.

10 Q Anastasia sandwiches?

11 A Yeah.

12 Q Okay. Week one, are you doing this?

13 A I am after the --

14 Q How -- like how many days into week one did you start

15 giving them solid food?

16 A Probably the third day. You know --

17 Q Day three.

18 A -- it wasn't until I was familiar with what was going

19 on --

20 Q Sure. Sure.

21 A -- in the home.

22 Q Makes sense. How about day four, you giving them

23 solid food?

24 A Yeah.

25 Q Day five?

1           A     Yes.

2           Q     Okay. Week two, Monday, you giving them solid food?

3           A     Yes.

4           Q     Tuesday?

5           A     Yes.

6           Q     Wednesday?

7           A     Yes.

8           Q     Thursday?

9           A     Yes.

10          Q     Friday?

11          A     Yeah.

12          Q     Week three, giving them solid food?

13          A     I was.

14          Q     Okay. Well, every day for week three? Okay.

15          A     I would bring them stuff upstairs at night time, yes.

16          Q     Okay. Well Janet, here's what I want to ask you.

17 When you gave them the toast and the peanut butter and jelly

18 sandwiches on that first day, that Wednesday, did they

19 uncontrollably start pooping all over themselves?

20          A     Absolutely not.

21          Q     Peeing accidents?

22          A     No.

23          Q     Throwing --

24          A     Nothing.

25          Q     -- up uncontrollably?

1 A Nothing.

2 Q How about -- how about Thursday with the solid food,  
3 any --

4 A No.

5 Q -- any bathroom or GI issues?

6 A No. Nothing.

7 Q Friday, any issues with --

8 A Never --

9 Q -- anyone?

10 A -- had any issues like that.

11 Q I -- I -- but I just want to make sure the record's  
12 clear, so from what --

13 MS. McAMIS: Objection. Asked and answered.

14 BY MR. HAMNER:

15 Q Week two, with respect --

16 THE COURT: Overruled.

17 BY MR. HAMNER:

18 Q -- to the solid food, any accidents --

19 A No.

20 Q -- after giving solid food?

21 MS. McAMIS: Objection. Asked and answered.

22 THE COURT: Overruled. Go on.

23 BY MR. HAMNER:

24 Q For week two let me repeat the question. For --

25 THE COURT: I think now it's asked and answered.

1 BY MR. HAMNER:

2 Q Okay. Week three, any issues?

3 A No.

4 Q How disobedient were the Solander kids when you would  
5 watch them?

6 A They weren't.

7 Q Have you ever dealt with kids who were disobedient  
8 before at some point in your life?

9 A Well, kids are disobedient at some stage, you know --

10 Q Okay.

11 A -- all of us.

12 Q So how badly behaved, in terms of watching --

13 A They --

14 Q -- them, were these Solander girls?

15 A They weren't. Upstairs I had to tell them sometimes  
16 to be quiet because they'd be outside the bathroom and giggling  
17 and laughing and telling me don't talk, the camera is up there.  
18 And just -- but just silly stuff, you know. They were otherwise  
19 well behaved because they just -- they were always glad to see  
20 me, and we got along, you know.

21 Q Okay. Did Ava ever talk to you about other rules that  
22 you didn't even know about?

23 A No, I don't think so. I would ask her stuff about --  
24 like, for example, I explained that the bedroom was very large.

25 Q Okay.

1           A     But she -- she would go up there at night and I'd  
2 wonder what the music -- the upstairs in the bedroom, there was  
3 a radio on the floor. That was the only form of communication  
4 they had with the outside world. And she'd be lying on the  
5 floor and listening to either a favorite song or something like  
6 that, that was the only thing. There was no -- they weren't  
7 allowed to watch TV or anything.

8           Q     Was there a particular child of the Solander girls  
9 that Dwight and Janet complained about the most?

10          A     Yes.

11          Q     Which --

12          A     Amaya.

13          Q     -- one was that? What would they say?

14          A     That she had everybody buffaloed with her lies. And  
15 the letter he wrote to me, he's, oh, with those crocodile tears  
16 and puppy dog eyes, that's how he described his daughter he  
17 adopted. And I said how in the world, these children are -- had  
18 been through so much, and when you adopt a child, you should  
19 adopt a child. They become part of your family.

20          Q     And did Dwight ever tell you that Janet was a nurse?

21          A     Yes.

22          Q     Before you even started working at the Solanders, did  
23 you know that Janet wrote a foster care book?

24          A     No.

25          Q     When you were working there for those three weeks, did

1 you know that Janet wrote a foster care book?

2 A No, I didn't.

3 Q When you went and called CPS, did you know that Janet  
4 wrote a foster care book?

5 A No. No idea.

6 Q Have you even read this book?

7 A No.

8 Q Do you even know what its title is?

9 A No. I remember seeing it on the news, but I don't  
10 remember.

11 Q Okay. But that's like much later down the road.  
12 Okay. And when you did your interview with the police, did you  
13 know about the book?

14 A No.

15 Q Okay.

16 MR. HAMNER: Court's indulgence.

17 BY MR. HAMNER:

18 Q I'll clarify as to time frame. So you went and  
19 started there in January of 2013; is that right? And you worked  
20 for three weeks; is that right?

21 A Correct.

22 Q And you worked through at least Valentine's Day?

23 A I did. Well it could have been four --

24 Q Of 2013?

25 A -- but yes, I was there on -- I think it was the two

1 days after Valentine's Day is when I left, on that week.

2 Q Okay. So from -- so three weeks walking back from  
3 February 16 of 2013?

4 A Yes.

5 Q Okay.

6 MR. HAMNER: I have no further questions at this time.

7 THE COURT: All right. Thank you.

8 Cross.

9 MS. McAMIS: Yes, Your Honor.

10 CROSS-EXAMINATION

11 BY MS. McAMIS:

12 Q Good morning, Ms. Finnegan.

13 A Good morning.

14 Q Now you interviewed to respond to a job from a  
15 Craigslist posting; correct?

16 A Yes, I did.

17 Q Okay. And so in response to that Craigslist posting  
18 -- well, let's start with this. At the time that you responded  
19 to the ad, you were not a professional nanny; right?

20 A No.

21 Q Okay. You were just responding to a Craigslist ad and  
22 agreed to accept a position to be paid under the table cash?

23 A Correct.

24 Q And you were paid for that under the table --

25 A Yes.

1 Q -- cash? And you were paid \$450 per week --

2 A Yeah.

3 Q -- for the three weeks that you were there?

4 A Correct.

5 Q And -- and you are acknowledging that you were  
6 actually paid for your services; right?

7 A Yes.

8 Q Okay. Now, when you met with the Solanders, they  
9 indicated to you that they needed a part-time nanny because Mrs.  
10 Solander had to be away in Ohio to help her daughter who just  
11 had a baby?

12 A Correct.

13 Q Okay. And Mr. Solander worked, so the children had to  
14 have --

15 A Yes.

16 Q Okay. So he was gone during the week?

17 A Yes.

18 Q Okay. And you understood that the children were  
19 homeschooled?

20 A Yes. Yes.

21 Q Okay. And so one of your duties would be to ensure  
22 that they were actually completing all of their homeschooling  
23 tasks?

24 A Right.

25 Q Okay. And you did that?



1           A     Yes.

2           Q     So, Monday through Friday, the girls would begin their  
3 schoolwork, approximately 9:00 or 9:30?

4           A     Right.

5           Q     And they would continue until about 2:00 or 2:30, is  
6 that your memory?

7           A     Approximately.

8           Q     Okay. And then they would get a break?

9           A     Right.

10          Q     And then everyone would go take that break and either  
11 use the restroom or you could go and pick up the -- the foster  
12 child --

13          A     Right.

14          Q     -- from the school bus?

15          A     Correct.

16          Q     Okay. And part of their homeschooling was making sure  
17 that they did all of their assignments; right?

18          A     Correct.

19          Q     Okay. Now your instructions for the week were given  
20 to you every Monday by Dwight?

21          A     Yes.

22          Q     And, in fact, he told you this is their food schedule  
23 for the week?

24          A     Yeah. But it didn't differ from the first week to the  
25 second week.

1           Q     My question to you was the instructions came from  
2 Dwight as to what the children would eat for the week.

3           A     Correct. Yes.

4           Q     Okay. And the instructions were also from Dwight as  
5 to what schoolwork needed to be completed for the week?

6           A     Yes. Yeah

7           Q     Okay. Those instructions did not come from Janet?

8           A     No.

9           Q     In fact, you did not have contact with Janet on a  
10 daily basis for those --

11          A     I did not.

12          Q     -- three weeks?

13          A     No. I did not.

14          Q     And she didn't give you instructions as far as food or  
15 schoolwork for the weeks?

16          A     No.

17          Q     For any of those three weeks?

18          A     Correct.

19          Q     Okay. And then you were also instructed that part of  
20 your duties for the homeschooling included grading the  
21 children's homework?

22          A     Yeah. Yes. Yes.

23          Q     Okay. So you had to spend time in the evenings doing  
24 that?

25          A     Yes.

1 Q Okay. So let's talk about the children's schedules  
2 for the days. There were a total of five children that you were  
3 charged with taking care of in this home?

4 A Uh-huh.

5 Q Okay. Is that a yes?

6 A Yes. I'm sorry.

7 Q I acknowledge --

8 A Yes.

9 Q -- that you nodded for the record.

10 A I'm -- I'm sorry. Yes.

11 Q No, that's fine, it's just this is a recorded  
12 proceeding, so they don't see the nodding. Okay. So they had  
13 the five children, and three of them were the Solander girls,  
14 their actual children?

15 A Yes.

16 Q Okay. And their ages were varied from approximately 7  
17 through 10 -- or, I'm --

18 A 7, 9, and 11 --

19 Q 7 --

20 A -- at the time I was there.

21 Q Thank you. That's what I was remembering. Thank you.  
22 7, 9, and 11.

23 A Right.

24 Q So they were older children? They were able to dress  
25 themselves in the morning?

1           A     Oh. Of course.

2           Q     You didn't have to put clothes on them?

3           A     No. I went looking and helping them find clothes,

4 but --

5           Q     My question to you is you didn't have to dress them?

6           A     No. No, I did not have to --

7           Q     Thank you.

8           A     -- dress them.

9           Q     Okay. They could dress themselves?

10          A     Right.

11          Q     They could feed themselves?

12          A     Yes.

13          Q     Okay. They went and took showers by themselves?

14          A     Yes.

15          Q     They didn't have to ask permission to go take showers

16 in the mornings?

17          A     No, they showered.

18          Q     No. That was just part of their morning routine --

19          A     They showered, yeah.

20          Q     -- they would get up and they would shower?

21          A     Yes.

22          Q     And then they would come downstairs for breakfast?

23          A     Right.

24          Q     And then after breakfast, they would start their

25 schoolwork; right?

1           A     After breakfast, yes.

2           Q     Right. Now, the other two children in the home were  
3 foster children?

4           A     Right.

5           Q     And they were younger, they were -- one was like  
6 kindergarten or first grade age; right?

7           A     Correct.

8           Q     And then the other was a stay at home age, she was --

9           A     Preschool.

10          Q     -- pre-preschool.

11          A     Right.

12          Q     Okay. So she would have been maybe four?

13          A     Something like that. I don't remember, she was small,  
14 yes. Kindergarten

15          Q     Okay. So that was a child that you had to take a  
16 little more initiative on and -- and help her with more --

17          A     Right.

18          Q     -- personal care tasks, like getting dressed in the  
19 morning? Is that a right?

20          A     That's right. Yes.

21          Q     Okay. You would have to make sure and -- and help her  
22 make sure that she had her baths in the evenings?

23          A     Right.

24          Q     Because the foster children were on a separate  
25 schedule; right?

1           A     They were on a complete separate schedule, yes.

2           Q     Okay. Because one went to school during the day --

3           A     Right.

4           Q     -- and the other one was able to play because she  
5 couldn't participate in the homeschooling?

6           A     Right.

7           Q     Just not age appropriate?

8           A     Right.

9           Q     Okay. So she would, you know, play, there were other  
10 things for her to do. Sorry about that. And then in the  
11 evenings, that's when the foster children would take their  
12 baths?

13          A     I guess, yes.

14          Q     Okay that's -- but you recall giving a statement in  
15 this case --

16          A     They would take --

17          Q     -- to --

18          A     -- the shower in the evening, yes.

19          Q     Okay.

20          A     Yeah.

21          Q     They would take the showers in the evening. Okay. So  
22 let's talk a little bit about this -- this disclosure that Amaya  
23 had a seizure. So the middle child was Amaya?

24          A     Correct.

25          Q     Okay. And when you first took the job, you were

1 informed she had a seizure?

2 A I was not informed she had a seizure.

3 Q Okay. That's --

4 A The -- the child told me that.

5 Q Okay.

6 A Amaya told me.

7 Q All right. But you learned as -- you learned that as  
8 a result of taking care of her. And you actually had to give  
9 her, at least for the first week --

10 A Medication.

11 Q -- seizure medication?

12 A Yes, I did. Yes.

13 Q Okay. And that's something that came from the  
14 parents?

15 A Yes. Yes.

16 Q Okay. So Dwight instructed you to make sure that she  
17 had her --

18 A Yes.

19 Q -- medication?

20 A Yes, of course.

21 Q And then, as -- as a nanny, you absolutely gave it to  
22 her?

23 A Right.

24 Q Okay. So you were nannying for the -- a three-week  
25 period from the end of January through, roughly, the middle of

1 February of 2013; right?

2 A Yes.

3 Q Okay. And Amaya had just had a seizure and been  
4 hospitalized the -- the Christmas week of December of 2012?

5 MR. HAMNER: Objection. Assumes facts not in  
6 evidence.

7 MS. McAMIS: It's my recollection she testified --

8 THE COURT: You can ask the question differently.  
9 That's sustained.

10 BY MR. HAMNER:

11 Q To your knowledge, Amaya was in the hospital Christmas  
12 week in December of 2012 because of a seizure?

13 A I didn't know which week of December she was in the  
14 hospital, I just knew it was before Christmas.

15 Q Okay. So --

16 A Because I had asked the children, did you have a nice  
17 Christmas, and Amaya said I was in the hospital, I had a  
18 seizure. And that's how I found out about the seizure.

19 Q Okay. Now, you testified that the girls had no toys,  
20 and it was just very sad in the house. That's what you had --

21 A There was Lego and --

22 Q -- testified to on direct.

23 A -- stuff, coloring books, and Lego, and the Lego  
24 belonged to the older children the -- Amaya and Ivy, yes.

25 Q Okay. You -- let me see if I can get this correct.



1 You testified that there were no toys in the house, there was  
2 nothing for the girls to do; correct?

3 A I said that earlier, but that's all there was, was the  
4 Lego and there was coloring books, but other than that --

5 Q Okay. So there were actually toys.

6 A -- there were no toys.

7 Q There were coloring books?

8 A Yes.

9 Q There was, you know, the -- the -- there was a TV with  
10 Winnie the Pooh?

11 A Up in the -- yes, up in the girls' bedroom, there was.

12 Q Okay. And then there was a family room; right?

13 A Yes.

14 Q And there was a big TV in the family room; right?

15 A There was.

16 Q Okay. And you were a nanny only Monday through  
17 Friday; right?

18 A Yes.

19 Q So you have no knowledge of what happened on the  
20 weekends in this house?

21 A I have a knowledge, only from what the kids told me,  
22 yes.

23 Q So you have no personal knowledge about what happened  
24 in that house on the weekends?

25 A No.

1 Q Okay. Now, you also testified that the girls had only  
2 one -- or one of the Solander girls only had one book to read,  
3 and that was her break?

4 A Yes.

5 Q Okay. But isn't it true that after all of the dinner  
6 time and the schoolwork was done, the kids would play together?

7 A All of the kids played together. Yeah.

8 Q Okay.

9 A They played together. And I played with them, too.

10 Q Okay.

11 A I used to teach the kids how to juggle, because I  
12 juggle, and they had a lot of fun. Yes.

13 Q Okay. So they weren't just sitting around or standing  
14 around in the kitchen for the entire period that you were in the  
15 home for the three weeks?

16 A No. Ava helped me in the kitchen, in fact. Yes.

17 Q Okay. And Ava was the eldest; right?

18 A Yes.

19 Q Okay. Now you -- you shared with us you're a parent;  
20 right?

21 A Pardon?

22 Q You shared with us you're a parent, as well.

23 A Yes.

24 Q Okay. Children have chores as part of being a member  
25 of a household; right?

1           A     Of course.

2           Q     Okay. And part of that is making sure that they, you  
3 know, help with things like the dishes; right?

4           A     Yes.

5           Q     And help with things like cleaning up after themselves  
6 in the bathroom; right?

7           A     Right.

8           Q     Okay. And if there is a dog in the home, there are  
9 chores like making sure that there's turns take -- picking up  
10 the dog poop; right?

11          A     Right, but not in ice cold weather when the child is  
12 sick.

13          Q     Okay. We can get to that in a minute. But part of  
14 being a member of the household is having chores for the  
15 children --

16          A     Of course.

17          Q     -- right?

18          A     Of course.

19          Q     Okay. So the children were not required to vacuum and  
20 clean and mop -- mop and dust; right?

21          A     Right.

22          Q     Okay. They weren't grading their own homework; right?

23          A     No.

24          Q     They weren't tasked with taking Autumn to the bus stop  
25 on their own; right?

1           A     No.

2           Q     Okay. They weren't taking the dog out or -- or  
3 walking them or doing anything like that; right?

4           A     Right.

5           Q     Okay. Now, you talked about how the children never  
6 went outside to play in the backyard. I want to direct your  
7 attention to the backyard. The backyard was full of rocks;  
8 right?

9           A     No, there was grass there too because the dog would go  
10 out occasionally, and there was dog poop in the backyard. Okay.

11          Q     Okay. So the backyard was reserved for the dogs;  
12 right?

13          A     Correct.

14          Q     Okay. And the Solanders lived in a gated community;  
15 right?

16          A     They did.

17          Q     Okay. And in that gated community, they lived in  
18 basically like a cul-de-sac; right?

19          A     Yes.

20          Q     Okay. And one of the houses was -- was vacant; right?  
21 It just wasn't used. The one near the end of the cul-de-sac;  
22 right?

23          A     I don't -- I don't remember a vacant house --

24          Q     Okay.

25          A     -- because the only place I walked to the gate, to

1 take the child the school. I didn't go down that street.

2 Q Okay. But there was a -- a street with a cul-de-sac;  
3 right?

4 A I think so. I don't remember that because I would  
5 just come in and park my car, and so I don't remember it having  
6 a cul-de-sac anywhere.

7 Q Okay. Well, you were only there for three weeks, to  
8 be fair.

9 A I don't remember a cul-de-sac, to be honest with you.

10 Q Okay. But you know that the children had bicycles;  
11 right?

12 A I do.

13 Q Okay. Let's talk about these cameras. Okay. So you  
14 testified on direct that you'd never seen anything like that.  
15 Are you familiar with nanny cams?

16 A Of course.

17 Q Okay. Are nanny cams illegal?

18 A No, they're not illegal.

19 Q Okay. And you're aware that Amaya had just had a  
20 seizure?

21 A Yes.

22 Q In December?

23 A Yes.

24 Q And Janet was not home for a period of three weeks  
25 when you were nannying; right?

1           A     Right.  What --

2           Q     That's just my question.  I'll ask another.

3           A     Yeah.

4           Q     Okay.  You have no knowledge about whether or not the  
5 cameras were working?

6           A     Oh, I do.

7           Q     You don't have any knowledge about whether or not they  
8 were working because you didn't actually run the cameras; right?

9           A     No.  I did not run the cameras, no.

10          Q     Okay.  You don't know if they were plugged in?

11          A     They were plugged in because they were in use.  Yes.

12          Q     If they were plugged in -- you don't have any personal  
13 knowledge about whether or not they were running all the time?

14          A     No, I don't.

15          Q     You don't have any personal knowledge about whether  
16 they were recording anything?

17          A     No.

18          Q     You don't have any personal knowledge about whether  
19 they had audio enabled, either --

20          A     I don't.

21          Q     -- way.  You don't.  You just visually saw that there  
22 were nanny cams in the home, two of them?

23          A     I know more than that because the daughter used to  
24 communicate with --

25          Q     I'm not asking --

1           A     -- her mother.

2           Q     -- what the daughter told you. I'm asking --

3           MR. HAMNER: Objection. I'd ask that my witness be  
4 allowed to finish her answer. She's -- she's explaining how she  
5 has personal knowledge.

6           THE COURT: Well --

7           MS. McAMIS: She's explaining hearsay.

8           MR. HAMNER: Well --

9           THE COURT: That wouldn't be personal knowledge --

10          THE WITNESS: Not hearsay. Not hearsay.

11          THE COURT: Excuse me, ma'am. So that's sustained.

12 BY MS. McAMIS:

13          Q     You didn't actually have any knowledge of that --

14          MR. HAMNER: Your Honor, can my witness finish her  
15 answer --

16          THE COURT: I'll see counsel.

17          MR. HAMNER: -- or be asked if she could --

18                   (Off-record bench conference)

19          THE COURT: All right. Ms. McAmis, state your  
20 question again.

21                And, ma'am, just try to answer the question before  
22 you, and then Mr. Hamner will have an opportunity on redirect  
23 examination if he feels like you need to explain --

24          THE WITNESS: Sure.

25          THE COURT: -- some of your answers.

1 THE WITNESS: Sure.

2 THE COURT: All right. Go on, Ms. McAmis.

3 MS. McAMIS: Thank you, Your Honor.

4 BY MS. McAMIS:

5 Q Ms. Finnegan, just quite simply, you don't have any  
6 personal knowledge about how the cameras worked in that house?

7 A No.

8 Q Okay. Now you were asked about a lot of rules that  
9 may have been in the Solander home. As a parent yourself, you  
10 understand that there are rules for children?

11 A Of course.

12 Q Okay. And that they didn't have to ask to go take  
13 showers; right?

14 A No.

15 Q None of the children, in fact, not one of the five of  
16 them ever had to ask to actually go in and take a shower; right?

17 A No, but I would check to make sure that they had taken  
18 a shower.

19 Q Okay. Well, sure, because that's one of your tasks  
20 that you had to do --

21 A Right.

22 Q -- is make sure that they were bathed, make sure that  
23 they at least bathed themselves.

24 A Right.

25 Q Okay. In the mornings they went to the bathroom



1 without permission; right?

2 A Yes.

3 Q And, in fact, they only had -- the Solander girls only  
4 had to ask for permission to use the bathroom while they were  
5 doing their homeschool studies between 9:00 and 2:00 or 2:30?

6 A No, it was most of the -- most of the time during the  
7 -- during the time I was there, they asked permission to go to  
8 the bathroom.

9 Q Okay.

10 A Yes.

11 Q But in the mornings they got up and they went to the  
12 bathroom without asking?

13 A Yes. They went when they first got up, I guess. I  
14 was told to go in there and wake them up approximately 7:30 a.m.

15 Q Okay. To get them going so they could take their  
16 showers?

17 A Yes.

18 Q But they didn't ask you for permission to get out of  
19 the bed?

20 A No, of course not.

21 Q They didn't ask you for permission to leave the room?

22 A No.

23 Q They didn't ask you for permission to enter from the  
24 -- the loft bedroom into the bathroom to go take a shower?

25 A No.

1 Q Okay. You testified that you did not give any of the  
2 Solander girls water during the day?

3 A Correct.

4 Q So for three Mondays, three Tuesdays, three  
5 Wednesdays, three Thursdays, and three separate Fridays, when  
6 you were there 24/7, you never gave the children water?

7 A I gave the older one water, yes.

8 Q You gave the older one water once?

9 A Maybe once or twice, maybe twice. I don't remember  
10 exact the number of the times.

11 Q So for 15 days, between five children, you gave water  
12 to one twice?

13 A I probably gave the younger one water, but I don't  
14 remember exactly how many times I gave them.

15 Q Okay. So for --

16 A I could not give them much water because the cameras  
17 were on me all the time.

18 Q Oh, okay. So you said I couldn't give them much  
19 water, so you actually did give them water?

20 A I gave them a little bit of water, yes.

21 Q Because water goes with their meals?

22 A Water did not go with their meals.

23 Q Okay. So if it's your testimony that you were under  
24 specific instruction to withhold water when -- let's -- let's  
25 just go with the first Monday. The first Monday of the first

1 week. If you were under specific instruction not to give the  
2 children water, and that raised a red flag to you, did you call  
3 CPS that day?

4 A No, I did not.

5 Q Did you call the police that day?

6 A No, I did not.

7 Q Okay. So let's move to the second Tuesday of the  
8 first week. If you were under specific instructions not to give  
9 any of the children water at all, did you call CPS that day?

10 A I did not.

11 Q Okay. Did you call the police that day?

12 A I did not.

13 Q What about that full first week, did you call the CPS  
14 or the police about not being able to give those children water  
15 at all the first week?

16 A I did not.

17 Q Okay. What about the second week, at any point during  
18 the second week, did you call CPS or the police about how bad  
19 these girls were treated?

20 A I did not.

21 Q Okay. What about the third week, that third week of  
22 work, did you call CPS or the police after that on that third  
23 week?

24 A I did not. I wanted to. I did not until --

25 Q But you did not?

1           A     I did not.

2           Q     Okay. Now, the children got a breakfast, all five of  
3 them got breakfast?

4           A     Yes.

5           Q     Okay. And in order to prepare the oatmeal for the  
6 Solander girls, you had to use some sort of water or milk  
7 source; right?

8           A     Yes.

9           Q     Okay. And you did so?

10          A     Of course.

11          Q     Okay. Because there was there was water and milk in  
12 the fridge?

13          A     I just made it with water.

14          Q     Okay. But the other girls had cereal?

15          A     Yes.

16          Q     And they had cereal with milk; right?

17          A     Yes, they did.

18          Q     Okay. So there was milk in the fridge?

19          A     There was milk.

20          Q     Okay. Now, it's your testimony that you had to  
21 prepare their dinner in a blended fashion; right?

22          A     Yes.

23          Q     Okay. And that you had to blend a meat, a vegetable,  
24 and some sort of grain, like a bean?

25          A     Yes.

1 Q Okay. So they got basic food groups; right?

2 A Yes.

3 Q Okay. And you testified that they have the same thing  
4 every day, you had such a problem with it you didn't call the  
5 police, you didn't call CPS; right?

6 A I did not.

7 Q Okay. Now, you also testified about how upsetting it  
8 was to you about how Valentine's Day was handled, so I want to  
9 direct your attention to that. Valentine's Day is not a major  
10 holiday; correct?

11 A Correct.

12 Q It's not a religious holiday; right?

13 A Right.

14 Q It's not a birthday; right?

15 A Nope.

16 Q It's not Christmas?

17 A No.

18 Q It's not Easter; right?

19 A Nope.

20 Q Okay. It has nothing to do with religious  
21 observation; right?

22 A Right.

23 Q Okay. And both of the parents were not physically  
24 home on Valentine's Day?

25 A That's right.

1 Q Dwight was at work; right?

2 A Correct.

3 Q And Janet had been away for the three-week period,  
4 because she had family --

5 A They have telephones, though.

6 Q -- to attend to in Ohio? We -- we have to --

7 A Yes.

8 Q -- take turns to speak --

9 A Yes.

10 Q -- just because we can't both speak, okay? All right.  
11 So and Janet wasn't there?

12 A No.

13 Q Okay. Oh, and just to be clear, you were testifying  
14 about, you know, you would run loads of laundry in the house;  
15 right?

16 A Yes.

17 Q Okay. And that none of the children had a major  
18 pooping, peeing, or vomiting episode; right?

19 A Yes.

20 Q That was your testimony that none of the children?

21 A None.

22 Q Okay. Isn't it true that Autumn actually vomited one  
23 night?

24 A She did.

25 Q And she vomited all over her hair?

1 A She did.

2 Q And she had -- she's darling, but long blonde hair?

3 A Yes.

4 Q And she's five or six years old?

5 A She's about six, yes.

6 Q She's about six. Okay. So you had to actually get up  
7 in the middle of the night for Autumn?

8 A Yes.

9 Q And you had to shower her?

10 A Yes.

11 Q You had to try to get all of the vomit out of her  
12 hair?

13 A Uh-huh.

14 Q Is that a yes?

15 A Yes. It's a yes.

16 Q I appreciate that.

17 A It was about 11:00 at night, in fact.

18 Q Right. The -- the only reason I said is that yes, is  
19 because you said uh-huh --

20 A Yes.

21 Q -- the recording doesn't discern between uh-huh and  
22 huh-uh, so just yes or no, please.

23 A Yes.

24 Q Thank you. Okay. And -- and you had to change her  
25 sheets; right?

1           A     Yes.

2           Q     Okay. And there were sheets in the house?

3           A     Hard to find. No.

4           Q     Okay. But there were sheets, at least, on the bed?

5           A     There were sheets on the bed, but I needed --

6           Q     There were sheets on her bed, and you had to wash  
7 them?

8           A     I -- it was --

9           Q     You had to run --

10          A     -- maybe 1:00 in the morning, there was not even a big  
11 towel to wrap this little girl in after I washed the -- there  
12 was no big -- well, there was small little towels. It's 1:00 --  
13 11:00 or 12:00 at night, and she's covered. And the poor little  
14 girl is cold.

15          Q     My question to you was that you laundered her sheets  
16 that night after she vomited.

17          A     No, I did not. I stood in there and looked for clean  
18 sheets to put on the bed. The sheet -- the vomit, all that kind  
19 of stuff, was in her hair and everywhere --

20          Q     Okay.

21          A     -- changed the bed, and then looked for clean sheets,  
22 and I had a hard time finding clean sheets to put on the bed.

23          Q     Okay. Well -- it's -- isn't it true that Autumn had  
24 school the next day?

25          A     Yes.



1 Q Okay. And so you had a hard time getting all of the  
2 vomit out of the hair; right?

3 A No, I did not. I washed the hair really good that  
4 night --

5 Q Okay.

6 A -- and the poor kid was standing in the shower late,  
7 late at night.

8 Q Okay. So late at night you did as best as you could  
9 to clean all of the vomit out of the hair. So the next day,  
10 Autumn had to go to school; right?

11 A She did go to school.

12 Q Okay. Isn't it true that the next day Janet was upset  
13 and called you because Autumn had gone to school with -- and  
14 still had vomit in her hair?

15 A No, she did not call me. Nope.

16 Q Oh. She did not?

17 A She did not.

18 Q You were not confronted at all about you let her go to  
19 school like that and you didn't wash her hair?

20 MR. HAMNER: Objection, Your Honor. Hearsay.

21 THE WITNESS: Absolutely not.

22 MR. HAMNER: No.

23 THE COURT: It's overruled.

24 MR. HAMNER: It's a statement from the defendant.

25 THE COURT: I don't think it's being offered for the

1 truth of --

2 MS. McAMIS: It's not. It's for impeachment.

3 THE COURT: All right.

4 BY MS. McAMIS:

5 Q So it's your testimony --

6 A Yes.

7 Q -- that Janet did not call and confront you about the  
8 vomit in her hair?

9 A She did not call because when -- when the little girl  
10 got done with her shower, as a mother, I would not allow a  
11 little girl to go back to bed. The vomit was all out of her  
12 hair, and I got all the tangles out of her hair, she had  
13 beautiful blonde, blonde hair. And why would I let a little  
14 girl go back to bed with vomit in her hair?

15 Q That's right, why would you?

16 MS. McAMIS: Permission to --

17 THE WITNESS: She did not.

18 THE COURT: All right.

19 MR. HAMNER: Objection. It's argumentative.

20 THE COURT: That's sustained.

21 MS. McAMIS: Permission to approach.

22 THE COURT: Sure.

23 BY MS. McAMIS:

24 Q Now, you made a statement to police in this case;  
25 right?

1 MR. HAMNER: Can I see what she's --  
2 THE WITNESS: I did.  
3 MR. HAMNER: -- approaching the witness with?  
4 MS. McAMIS: Of course.  
5 THE COURT: Show it to Mr. Hamner.  
6 MS. McAMIS: It's voluntary, page 50.  
7 MR. HAMNER: Page 50? Okay.  
8 BY MS. McAMIS:  
9 Q You made a statement to police in this case; right?  
10 A Yes, I did.  
11 Q And you talked about the incident with Autumn's hair;  
12 right?  
13 A I talked about her having vomited that night, yes.  
14 Q Okay. So I'd like you to read this to yourself. I  
15 have an underlined passage to direct your attention to.  
16 A Okay.  
17 Q When you're done reading that, look up and I'll ask  
18 you --  
19 A Okay.  
20 Q -- more questions.  
21 A She did not call me --  
22 Q I -- I have not asked you a question.  
23 THE COURT: Okay. Ms. McAmis will now ask you a  
24 question. So just look at it --  
25 MS. McAMIS: I'm going to need the statement back.

1 THE COURT: -- quietly to yourself.

2 BY MS. McAMIS:

3 Q Okay. Now, did that give you an opportunity to  
4 refresh your memory about what statement you provided to police  
5 about the Autumn vomiting incident?

6 A It can refresh my memory only to the point. That  
7 night, when she went back to bed --

8 Q I'll ask you another question.

9 A Yes.

10 Q My question was if it refreshed your memory and you  
11 said it did. So, in your statement to police, you said but the  
12 mother called and started cussing me out on the phone and said  
13 you let her go to school like that and you didn't wash her hair;  
14 right?

15 A I washed her hair for 10 minutes --

16 Q My question --

17 A -- in the shower.

18 Q -- to you was you gave a statement to police, and in  
19 that statement to police you indicated that Janet called you on  
20 the phone, started cussing me out on the phone, and said you let  
21 her go to school like that, you didn't wash her hair.

22 A I did not give a statement to police like that because  
23 that's not even -- my statement came back. I give -- I did not,  
24 and I did not talk to her on the phone. She did not call,  
25 cussing me out.

1 Q Okay.

2 A I first --

3 Q So it's your --

4 A -- heard about that when the daughter --

5 MS. McAMIS: Well, objection. Unresponsive.

6 BY MS. McAMIS:

7 Q I'll ask you another question.

8 A Sure.

9 Q It's your testimony that you did not give that  
10 statement to --

11 A Correct.

12 Q -- police?

13 A Correct.

14 Q Okay. Now, you testified about the layout of this  
15 house. It was a two-story house --

16 A Yes.

17 Q -- right?

18 A Yes.

19 Q Okay. And you said that there were approximately  
20 three bathrooms, to your knowledge, right?

21 A To my knowledge, yes.

22 Q Okay. Now, on the first floor there was one bathroom;  
23 right?

24 A Correct.

25 Q But it's actually a half-bathroom; right?

1           A     Yes.

2           Q     Means it's a toilet only?

3           A     Yes. Toilet and wash hand basin, yeah.

4           Q     Oh, sure, and wash basin. So no one could take  
5 showers in that bathroom?

6           A     Right.

7           Q     Okay. Now, the upstairs bathroom, that was the main  
8 bathroom everyone used, that's a full bathroom; right?

9           A     Yes.

10          Q     And it has actually two wash basins; right?

11          A     Yes.

12          Q     So it's a larger, full-sized bathroom.

13          A     Yes, it did.

14          Q     Okay. And it has a full tub and shower; right?

15          A     Yes.

16          Q     Okay. And a toilet?

17          A     Yes.

18          Q     And that's the one that primarily the Solander girls  
19 used; right?

20          A     No, it's not. I think there was another bathroom down  
21 the hall. Because they went to the -- they would use the  
22 bathroom in a different place than where they took the shower.

23          Q     Okay. So they --

24          A     There was another bathroom --

25          Q     -- had two different bathrooms--

1           A     -- down -- down --

2           Q     -- then?

3           A     -- the hall, okay.

4           Q     Okay. So my question is they had two bathrooms, then,  
5 that they could use?

6           A     Yes.

7           Q     Okay. Oh, you testified on direct that during your  
8 job interview, there were no hugs or kisses of the children.  
9 Now, your job interview didn't last all day; right?

10          A     No, I was only there for about an hour and a half.

11          Q     Okay. And in that hour and a half, the Solanders were  
12 focused on trying to interview you; right?

13          A     Yes.

14          Q     They wanted to asses to make sure that you would be a  
15 good fit for them; right?

16          A     Correct.

17          Q     That you were qualified to actually take care of five  
18 different children, including two foster children; right? That  
19 you would be able to understand the different needs that would  
20 be required of you; right?

21          A     Right.

22          Q     Okay. So for the other 22 and a half hours of the  
23 day, you don't know what contact those parents had with their  
24 children?

25          A     Correct.

1           Q     Okay. All right. So you testified that the children  
2 didn't get to play outside. When you working there, it was  
3 January; right?

4           A     January, February, yes.

5           Q     Okay. And so they had to do homeschooling during the  
6 day; right?

7           A     Correct.

8           Q     So it's not an -- well, strike that. Then afterwards,  
9 it would have been dark in the evenings after dinner; right?

10          A     Yes.

11          Q     So play time was done inside, in the warm; right?

12          A     Yeah. I took them outside sometimes and played --  
13 played ball with them.

14          Q     Okay.

15          A     They needed to get some fresh air, so I took them  
16 outside.

17          Q     Okay. So you took them outside?

18          A     Yes.

19          Q     Okay. Did you make sure that they had their jackets  
20 on?

21          A     Of course.

22          Q     Okay. So they had jackets to keep them --

23          A     Yeah.

24          Q     -- warm? They were properly dressed when you took  
25 them outside?



1           A     Of course.

2           Q     Okay. This is a house that had working electricity;  
3 right?

4           A     Correct.

5           Q     So in the winter, the heater was working; right?

6           A     Yes.

7           Q     Okay. Now, you testified on direct examination about  
8 the beds that the Solander girls slept in. You identified them  
9 as cots; right?

10          A     Yes.

11          Q     Now, they were full-sized cots for the girls; right?

12          A     Yes, but these were things you sleep on camping.

13          Q     My question to you was they were full-sized; right?

14          A     Yes. They were full-sized.

15          Q     They -- they weren't like, you know, the little  
16 kindergartner ones; right?

17          A     They were not. No.

18          Q     Okay.

19          A     I've never seen any like that.

20          Q     Okay. Fair enough. I'm only asking for your  
21 knowledge.

22          A     Yeah.

23          Q     If you don't know, you don't know, and that's --

24          A     Right.

25          Q     -- fair. So the girls had full-sized cots, and they

1 had bedding on those cots; right?

2 A Right.

3 Q They had sheets?

4 A Yes.

5 Q They had pillows?

6 A There was a pillow on there, yes.

7 Q So each one had their own bedding?

8 A Yes.

9 Q Okay. And you are aware that the -- at least Dwight  
10 said that the girls had wetting issues; correct?

11 A No, he didn't tell me they had wetting issues.

12 Q Okay. But you are aware that he reviewed their  
13 underwear before it went into the laundry for potential --

14 A Yes.

15 Q -- soiled underwear?

16 A Yes. Yes.

17 Q Okay.

18 A Excuse me.

19 Q All right. Ms. Finnegan, you testified about a  
20 slapping incident involving Danielle and, I believe, Amaya.

21 A Yes.

22 Q All right. So Danielle was the -- the older  
23 biological sibling; right?

24 A Yes.

25 Q Okay. Danielle was probably college age, early

1 college age?

2 A Correct.

3 Q She didn't live in the home regularly, but you did see  
4 her at -- at some point, one of the weeks she came back; right?

5 A She came back the second week I was there, yeah.

6 Q Second week, okay. Now -- did you need some water?

7 A Please.

8 Q Of course.

9 A Excuse me.

10 Q Ms. Finnegan, if you need to take a drink of water,  
11 just do it.

12 A Thank you.

13 Q Of course. Now you testified about this slapping  
14 incident. You didn't actually witness a slapping; right?

15 A I did not.

16 Q Okay. You weren't in the room for that?

17 A No.

18 Q You don't know what conversation happened leading up  
19 to that?

20 A Right.

21 Q You don't have any personal knowledge of whether or  
22 not that was even condoned by either Janet or Dwight; right?

23 A No, I don't.

24 Q Because it's your testimony that was Danielle who  
25 slapped the child; right?

1           A     It was.

2           Q     So you weren't present for any potential -- well, that  
3 -- I won't ask you to speculate, but you weren't there to see  
4 what led up to that conversation, or Janet's responses, if any?

5           A     I was not.

6           Q     Okay. You spent a fair amount of time with these  
7 girls, 15 separate days, the whole day; right?

8           A     Yes.

9           Q     Okay. So you testified about how worried you were for  
10 them and -- and how upsetting this was for you just in  
11 retrospect, and you -- you know, you were very emotional; right?

12          A     Correct.

13          Q     Okay. And that the girls begged to come home with  
14 you; right?

15          A     They did.

16          Q     Okay. The girls never disclosed anything about being  
17 beaten; right?

18          A     The -- right, they didn't.

19          Q     Never told you that they were beaten?

20          A     No.

21          Q     You did not see any bruising or just physical  
22 indications that they had been beaten with anything --

23          A     I did not.

24          Q     -- right? Okay. And because you're a compassionate  
25 person, had you seen that, would you have called the police,

1 would you have called CPS?

2 A I would have called CPS.

3 Q Okay. The girls never disclosed to you anything about  
4 being whipped with paint sticks; right?

5 A No.

6 Q Okay. They never disclosed to you anything about  
7 having catheters inserted into them; right?

8 A Right.

9 Q Okay. They never disclosed anything about when they  
10 had accidents in their pants that they had to parade around like  
11 babies; right?

12 A Right.

13 Q They never said anything about having to put their  
14 underwear either on their head or in their mouths; right?

15 A Right.

16 Q They never said anything about their mother  
17 threatening them with anything; right?

18 A Right.

19 Q Okay. Instead, what they told you is that when they  
20 would get into trouble, their mother would yell at them; right?

21 A Yes.

22 Q Okay. And the slapping incident involving Danielle,  
23 Amaya had been called up because she'd been -- she'd done  
24 something that was deemed to be in trouble; right?

25 A Correct.

1           Q     Okay. And the mother wanted to talk to her  
2 ostensibly? If you know.

3           A     Over the computer, because she wasn't in the home.

4           Q     Exactly.

5           A     Yes.

6           Q     All right. Now you acknowledged that the Solanders  
7 tried to file a civil lawsuit against you; right?

8           A     Correct.

9           Q     For defamation of character?

10          A     Correct.

11          Q     Because they were upset that you had -- or said --  
12 made statements in the neighborhood about them; right?

13          A     Correct.

14          Q     Okay. They found it very offensive; right?

15          A     Correct.

16          Q     And your parting with them was not on good terms;  
17 right?

18          A     Correct.

19          Q     In fact, they fired you; right?

20          A     No, they did not. I decided to leave.

21          Q     Okay. You decided to leave, but you left all of your  
22 stuff there?

23          A     No, I did not. I left a robe behind is what I left  
24 there.

25          Q     You left a robe behind.

1           A     That was all. I did not leave my stuff.

2           Q     Okay. So the -- so Mr. Solander actually had to mail  
3 you your items --

4           A     He did.

5           Q     -- and FedEx them to you --

6           A     He did.

7           Q     -- right? And it wasn't just your robe. He had to  
8 FedEx a number of items that you had --

9           A     No, I --

10          Q     -- left in the home?

11          A     -- left my robe there.

12          Q     Okay. Now, you and Mr. Solander had email  
13 correspondence about what was left in the home; right?

14          A     Yes, we did.

15          Q     And you kept saying -- and emailed him and said I need  
16 the tracking number; right?

17          A     I did.

18          Q     Okay.

19          A     Because he had FedExed the stuff to me, and I received  
20 it fine.

21          Q     Okay.

22          A     I told him I received it.

23          Q     And he did, he followed up --

24          A     Yeah.

25          Q     -- and you -- you were paid, even though the parting

1 was not amicable?

2 A Yes.

3 Q Okay. And he returned your items --

4 A Yes, of course.

5 Q -- to you; right?

6 A He did.

7 Q Now this -- this blowup at the end that caused you to  
8 leave on whatever terms you're indicating, that had to do with  
9 the way that you spoke to Danielle; right?

10 A Not entirely. That morning, Janet had called me that  
11 morning.

12 Q Okay. But in your interactions with Danielle, she  
13 was, you know, a college aged student, and she was home all day  
14 long for the last week?

15 A Yes.

16 Q Okay. And you told her that she needed to get up and  
17 get a job and stop being lazy; right?

18 A Correct.

19 Q And that started a verbal confrontation between the  
20 two of you; right?

21 A That morning, but I had tried --

22 Q Okay.

23 A -- prior to that to --

24 Q But that's my question to you.

25 A Oh. That morning, yeah. Correct. Right.



1 Q And both Dwight and Janet did not want you speaking to  
2 -- to Danielle in that way; right?

3 A She told me to shut up, yes.

4 Q Okay. She didn't want you speaking to Danielle in  
5 that way?

6 A Right.

7 Q Her child?

8 A Yeah. Yes.

9 Q Okay.

10 MS. McAMIS: Court's indulgence. Court's indulgence.

11 BY MS. McAMIS:

12 Q All right. Ms. Finnegan, just a few more questions.  
13 We are almost done. So when I was approaching you and I had you  
14 read that -- that statement that I asked about for the police,  
15 it's your testimony that if it's in this statement, it's a lie?

16 A Correct.

17 Q Okay. Now, redirecting your attention to the issue of  
18 whether or not the girls could have water. The girls could  
19 drink water in the bathroom; right?

20 A I don't know if they drank water in the bathroom or  
21 not.

22 Q Okay. So you just have no knowledge about --

23 A Correct.

24 Q -- that? They didn't have to ask permission to have  
25 water; correct?

1           A     Correct.

2           Q     Okay.  Now, you testified on direct about how upset  
3 you were that Amaya was outside, or one of the children, I  
4 believe it was Amaya, was outside picking up the dog poop.

5           A     Yes.

6           Q     Okay.  And that it was so offensive to you, or  
7 objectionable to you, because it was night and it was cold;  
8 right?

9           A     Correct.

10          Q     Okay.  So under your care, the girls were allowed to  
11 play outside in the cold, but not pick up dog poop?

12          A     She was sick with a sinus infection, so it seemed  
13 inappropriate she should be outside at night.

14          Q     But her parents --

15          A     She was very pale and she was sick.

16          Q     But her parent, Dwight, took her to the doctor for  
17 that sinus infection; right?

18          A     Correct.

19          Q     So the parents had already attended to her medical  
20 needs as far as a sinus infection; right?

21               MR. HAMNER:  Objection.  Call -- it calls for  
22 speculation.

23               THE COURT:  State your question.

24               MS. McAMIS:  I said so the parents had already taken  
25 to -- the child for medical attention, and they had already

1 attended to the medical needs; right?

2 MR. HAMNER: That was the question.

3 MS. McAMIS: Yeah. It was the -- they had already  
4 attended to the medical --

5 THE COURT: If she knows.

6 MS. McAMIS: -- needs.

7 BY MS. McAMIS:

8 Q To your knowledge, the parent Dwight had already  
9 attended to the child's sinus medical needs?

10 A I don't know for sure. He said he did.

11 Q Okay.

12 A Don't know if that was the case or not.

13 Q Okay. But Amaya had prescription medicine for that  
14 sinus infection; right?

15 A No.

16 Q Okay.

17 A She wasn't taking anything.

18 Q Okay. But to the extent that Amaya had any medication  
19 that was prescribed by a doctor, you did give it to her?

20 A Yes.

21 Q Okay.

22 A Yeah.

23 Q After the -- after your statement to CPS, you  
24 eventually became aware through the media about the coverage of  
25 this case, and that the girls were removed; right?

1           A     Only through what I saw on TV a year later.

2           Q     Okay. Saw --

3           A     That's the only time I found out about it.

4           Q     Okay. And now you feel guilty about not coming  
5 forward sooner; right?

6           A     No. At the time when I left the home, I felt a little  
7 down, but, no, I don't feel guilty about --

8           Q     Okay.

9           A     No. I have no reason to feel guilty.

10          Q     All right. So let's talk about that, when you left  
11 the home.

12          A     Yes.

13          Q     You left on a Saturday morning or afternoon; right?

14          A     It was a Friday morning.

15          Q     It was a Friday morning?

16          A     Yes. I think he came home Thursday night, but it was  
17 a Friday morning, yeah.

18          Q     Okay. So you didn't actually report anything to CPS  
19 until the Tuesday morning afterwards?

20          A     I'm not sure what day of the week it was when I  
21 called.

22          Q     Okay. But it wasn't the weekend, you didn't report  
23 anything over the weekend?

24          A     I did not.

25          Q     And you didn't report anything the same day that you

1 left Friday, then?

2 A I did not.

3 Q Okay. So you waited until a weekday to make that  
4 report?

5 A Of course.

6 Q Okay. And you called and wanted follow-up on what had  
7 happened; right?

8 A Correct.

9 Q Okay. You knew that the CPS investigation --  
10 investigated your allegations, and that it was unsubstantiated;  
11 right?

12 MR. HAMNER: Objection. Calls for speculation.

13 MS. McAMIS: I said to -- you knew, so to your  
14 knowledge, CPS investigated.

15 THE COURT: If she knows.

16 BY MS. McAMIS:

17 Q To your knowledge, CPS --

18 A Correct, to my knowledge.

19 Q -- investigated, and it was unsubstantiated?

20 A Yes.

21 Q Okay.

22 MS. McAMIS: Pass the witness.

23 MR. HAMNER: I don't think -- I think she has a lack  
24 of personal knowledge as to that.

25 THE COURT: Well, that would be --

1           MR. HAMNER: I think speculation. She wouldn't know  
2 that.

3           MS. McAMIS: Well, she's --

4           THE COURT: That --

5           MS. McAMIS: -- testified --

6           THE COURT: Well, it's hearsay anyway. It would be  
7 sustained.

8           MR. HAMNER: Move to strike.

9           THE COURT: Jury will disregard.

10           Ladies and gentlemen, before I move into the redirect  
11 examination, we're going to take just quick break, just about a  
12 little over 10 minutes, which would put us -- well, let's just  
13 go to 11:10.

14           During the brief recess, you're reminded that you're  
15 not to discuss the case or anything relating to the case, with  
16 each other or with anyone else, you're not to read, watch, or  
17 listen to any reports of or commentaries on the case, person, or  
18 subject matter relating to the case. Do not do any independent  
19 research by way of the Internet or any other medium. Please  
20 don't form or express an opinion on the trial.

21           Please place your notepads on your chairs and follow  
22 the bailiff through the double doors.

23           And, ma'am, please don't discuss your testimony with  
24 anyone during our break.

25           THE WITNESS: Okay. And I can go use the restroom?

1 THE COURT: Yes. Yes.

2 (Court recessed at 10:59 a.m., until 11:12 a.m.)

3 (Inside the presence of the jury)

4 THE COURT: All right. Court is now back in session.

5 And, ma'am, you are still under oath.

6 THE WITNESS: Sure.

7 THE COURT: Mr. Hamner, redirect.

8 MR. HAMNER: Thank you very much.

9 REDIRECT EXAMINATION

10 BY MR. HAMNER:

11 Q All right, Jan. We're going to go back to the  
12 beginning of cross, okay?

13 A Okay.

14 Q So you remember at the very beginning of  
15 cross-examination counsel was asking you about, you know, the  
16 instructions came from Dwight, questions like that? Do you  
17 remember that?

18 A Correct.

19 Q Okay. And I think she kind of followed up but none of  
20 the instructions came from Janet. Do you remember something  
21 along those lines of questions like that, like whatever  
22 instructions you got, they were coming from Dwight, but not  
23 Janet?

24 A Right.

25 Q You remember those questions?

1           A     I do.

2           Q     Okay. Let me ask you this. During the three weeks  
3 you had opportunities to talk with Janet; right? I mean, there  
4 were times that she called; correct?

5           A     Sometimes she called.

6           Q     Okay. When she called, did she ever complain about  
7 any of the instructions Dwight was giving?

8           A     No.

9           Q     Did she ever send any emails or anything saying, hey,  
10 look, I'm not -- I don't want you to do "x" as Dwight  
11 instructed, please --

12          A     No, never.

13          Q     -- do something different?

14          A     Never. No.

15          Q     No complaints about any instructions Dwight has given  
16 you?

17          A     No.

18          Q     During your interactions with her, was Janet someone  
19 who was shy about wasting her opinions?

20          A     No, not to my knowledge. No.

21          Q     You were asked some questions about a time that one of  
22 the children said she had like a -- she told you she had a  
23 seizure or something along those lines. Did any of the kids  
24 ever talk to you about fainting or anything like that?

25               MS. McAMIS: Objection. Beyond the scope of direct or



1 cross.

2 MR. HAMNER: It's in relation to the seizure  
3 questions.

4 THE COURT: Overruled.

5 BY MR. HAMNER:

6 Q Did any of the children ever talk to you about  
7 fainting or feeling weak?

8 A Amaya did, yes.

9 Q Was this the same child who told you about the  
10 seizure?

11 A Ava used to tell me she would get weak, also.

12 Q Okay. Okay. Did they explain to you why they felt  
13 like they felt weak like this?

14 MS. McAMIS: Objection.

15 THE WITNESS: Ava felt like --

16 MS. McAMIS: It calls -- objection. It calls for  
17 speculation and hearsay as to the girls.

18 THE COURT: State your question.

19 MR. HAMNER: Did she explain to you why she felt like  
20 this? Our response is that it's not speculative. And if it's  
21 -- the objection is speculation. It's not speculative.

22 THE COURT: Right. That's overruled.

23 MS. McAMIS: Well, it's also hearsay and it --

24 MR. HAMNER: It's not. It's state of --

25 MS. McAMIS: -- calls for a medical opinion of two

1 girls.

2 MR. HAMNER: It's state of mind of the declarant.

3 It's not --

4 THE COURT: At the time she was feeling weak.

5 THE WITNESS: At the time she stated because she was  
6 hungry. She would get weak a lot.

7 BY MR. HAMNER:

8 Q Do you remember the portion of cross-examination that  
9 talked about all the toys that were in the house? Do you  
10 remember that part of cross-examination?

11 A Yes, I do.

12 Q Identified as Legos?

13 A Legos and --

14 Q And a coloring book; is that right?

15 A Maybe --

16 Q No, no, no. Let me -- I want to -- let me -- focus on  
17 my question for a minute. Do you remember opposing counsel  
18 telling you that the toys in the house were Legos and a coloring  
19 book?

20 A Right.

21 MS. McAMIS: Objection. Misstates the testimony. It  
22 was coloring books, plural.

23 MR. HAMNER: Oh, I'm sorry. Coloring books.

24 THE COURT: All right.

25 ///

1 BY MR. HAMNER:

2 Q In your experience, is a coloring book a toy?

3 A No, I don't believe it's a toy.

4 Q Okay. And whose Legos were they? Who -- who were the  
5 owners of the Legos as far as you knew?

6 A I believe they belonged to Autumn and Ivy.

7 Q Okay. So the foster girls.

8 A I might be wrong, but that's who I believe they  
9 belonged to.

10 Q How many personal Lego sets did the Solander children  
11 have?

12 A They didn't have any.

13 Q How many dolls did they have?

14 A Not one doll.

15 Q How many board games did they have as far as you knew?

16 A Well, I think there was some board games, but I didn't  
17 see them. They -- the children told me they were in their  
18 parents' room --

19 MS. McAMIS: Well, objection.

20 THE WITNESS: -- the board games.

21 MS. McAMIS: Hearsay and lack of personal knowledge.

22 THE COURT: Overruled.

23 THE WITNESS: Well, I didn't see any board games,

24 so --

25 ///

1 BY MR. HAMNER:

2 Q No, no. No, no. You please continue with your  
3 answer. Go ahead.

4 THE COURT: I think she --

5 MR. HAMNER: Okay.

6 THE COURT: You didn't see any board games?

7 THE WITNESS: I did not. No.

8 THE COURT: All right.

9 BY MR. HAMNER:

10 Q How many dolls -- did we talk about dolls?

11 A We did, and I said I had never --

12 Q Okay.

13 A -- seen any dolls.

14 Q Just making sure. You were also asked on  
15 cross-examination, well, there was a TV in the house; is that  
16 right?

17 A Correct.

18 Q When you were there when Dwight or Janet was present,  
19 how much TV did the Solander girls get to watch?

20 MS. McAMIS: Objection. Misstates the testimony. She  
21 didn't testify Janet was present.

22 MR. HAMNER: That's not a misstatement of the  
23 testimony.

24 THE COURT: Okay. They were -- your question is when  
25 both parents were present?

1 MR. HAMNER: Correct.

2 THE COURT: All right.

3 BY MR. HAMNER:

4 Q How much?

5 A I was only present when both of them were there right  
6 before it -- when I went for the interview, that's the only  
7 time --

8 Q Great.

9 A -- both parents were present.

10 Q Let's take that one. We'll take it one at a time. So  
11 that first time that Janet and Dwight are there, how much TV are  
12 the kids watching?

13 A I don't know because when I was there that afternoon,  
14 they were in the kitchen doing school work.

15 Q Okay. So they were not watching TV while you were  
16 there?

17 A They were not watching TV. They were doing school  
18 work. It was about 3:00 in the afternoon.

19 Q Did you ever see Janet again in person?

20 A In person? No.

21 Q Okay. Great. Now, let's talk about the times when  
22 Dwight would come home and there would be an overlap of you  
23 being in the house with Dwight. When you would come over and  
24 Dwight would be there, how often would those kids be watching  
25 TV?

1           A     They never watched TV.

2           Q     Okay. Were you given any instructions about TV?

3           A     I was not.

4           Q     Okay. Did they say they were allowed to watch TV?

5           A     They told me they weren't allowed to watch TV.

6           Q     Okay. On cross-examination you were asked about the  
7 fact that the Solander girls, when you were home with them,  
8 would get to play with the foster kids; correct? Now, that's  
9 after they had been doing school work from 9:00 to 2:00 or 3:00?

10          A     Right.

11          Q     Okay. And that's when you're present in the home?

12          A     Yes.

13          Q     Okay. And when you're alone in the home with them;  
14 right?

15          A     Yes.

16          Q     Let's talk about when that first time you went over  
17 and Janet and Dwight were there in the house together with all  
18 of these kids, are those Solander girls playing with the foster  
19 kids?

20          A     No.

21          Q     Okay. Let's talk about the times where you're in the  
22 home with Dwight and there's overlap, you're physically in the  
23 house when Dwight is in the house. Are those Solander girls  
24 playing with the foster kids?

25          A     No.

1 Q But when you're there alone, you allowed them to play  
2 together?

3 A Oh, definitely.

4 Q Then there was a litany of questions about children  
5 having chores. Do you remember that?

6 A I do.

7 Q And you were asked things like cleaning of the  
8 bathroom can be a chore; correct?

9 A Correct.

10 Q Cleaning of the dog poop can be chores. Do you  
11 remember those questions?

12 A Correct. Yes, I do.

13 Q Let's talk about the dog poop for a second. Whose dog  
14 was it? Who was the owner of the dog?

15 A I honestly don't know. The only dog --

16 MS. McAMIS: Objection. Lack of personal knowledge.

17 MR. HAMNER: Let her finish her answer.

18 MS. McAMIS: She just said I don't know. Lack of  
19 personal knowledge.

20 THE WITNESS: I remember the only dog --

21 MR. HAMNER: Hold on.

22 THE COURT: So you don't know whose dog it was?

23 THE WITNESS: I don't remember it being a family dog.  
24 I really don't.

25 THE COURT: Okay.

1 MR. HAMNER: Okay.

2 THE COURT: Go on, Mr. Hamner.

3 BY MR. HAMNER:

4 Q So you didn't believe it to be a family dog?

5 A Correct.

6 Q So you didn't believe it to actually be owned by any  
7 of the Solander girls?

8 A No, there was no --

9 Q Or the foster girls?

10 A Correct.

11 Q Okay. So -- so one of these children is picking up  
12 poop of a dog that doesn't belong to them?

13 MS. McAMIS: Objection. Misstates the testimony. She  
14 doesn't know whose dog it was.

15 MR. HAMNER: She stated --

16 THE COURT: Okay. That's overruled.

17 BY MR. HAMNER:

18 Q So this child is picking up a dog's poop to a dog that  
19 doesn't belong to them?

20 A Correct.

21 Q Did you ever see these children playing with this dog?

22 A No.

23 Q When Dwight is home and there's overlap, are you  
24 seeing any of these kids playing with this dog?

25 A No. If I remember, because I was only there for three



1 weeks, I think there was a dog in a cage. There was a cage in  
2 the dining room, but the cage -- the dog was never loose in the  
3 house regularly.

4 Q So to be clear, you're not seeing these children  
5 playing or interacting with the dog?

6 A Not with the dog. No.

7 Q But you are seeing one of these Solander girls picking  
8 up its poop?

9 A Picking up dog poop. Yes.

10 Q And I think some of the chores we also -- you were  
11 asked about cleaning up the bathroom could be a chore. And  
12 which -- how old was the child that was cleaning up the  
13 bathroom?

14 A Seven years old.

15 Q Okay. So not the older kids?

16 A No, the youngest.

17 Q Did -- did the -- did the foster kids ever share in  
18 that chore ever?

19 A Never. Never.

20 Q Let me ask you this. In your experience, is making a  
21 bed a chore the kids do?

22 A Oh, yeah.

23 Q Okay. Who -- and -- but the Solander kids were  
24 cleaning up or were making whose bed?

25 A The Solander -- the older Solander child had to make

1 -- I can't remember which, but the beds in the foster care's  
2 bedroom. They had to make their bed.

3 Q So they were making other children's beds?

4 A Correct.

5 Q Not their own. Other children's beds?

6 A Correct.

7 Q How many chores did Janet assign to the foster  
8 children as far as you know?

9 A None, as far as I know.

10 Q How many chores did Dwight assign to the foster  
11 children?

12 A None, as far as I know.

13 Q Then there were questions about nanny cameras,  
14 remember? Nanny cameras aren't against the law. Do you  
15 remember that?

16 A Correct.

17 Q Okay. Please describe for this jury what the  
18 Solander's children's reactions are to these cameras.

19 A They were frightened because they couldn't be  
20 themselves. They felt like the cameras, even for me, they'd  
21 tell me watch the -- the camera is watching you all the time. I  
22 have to be on the kind of -- not defensive, but I had to be  
23 careful of what I was doing all the time. I had to be careful  
24 not to give them food throughout the day, or anything I did I  
25 was watched.

1 MS. McAMIS: Objection. Narrative at this point.

2 MR. HAMNER: It's not narrative.

3 MS. McAMIS: Unresponsive.

4 THE COURT: All right.

5 MR. HAMNER: It's responsive.

6 THE COURT: Mr. Hamner, just ask your next question.

7 BY MR. HAMNER:

8 Q I mean, typically nanny cameras are there to watch the  
9 nannies; right?

10 A Correct.

11 Q But the children in the house are afraid of them in  
12 this house?

13 A And they're afraid of them. Yes, definitely.

14 Q Then you were asked questions about, well, you don't  
15 have personal knowledge about whether the cameras worked or not.  
16 Do you remember those series of questions?

17 A Oh, of course.

18 Q And at one point you said, no, I knew they were  
19 working. Do you remember when you said that?

20 A Yes.

21 Q You didn't really get a chance to expound, so please  
22 tell us what you meant. What did you see or observe that led  
23 you to believe that the cameras were working at least at some  
24 point in time while you're in that house?

25 A Because one morning when I was having an issue, I had

1 been helping Amaya with some school work, and she was getting  
2 very frustrated and she was crying. And I was not aware at the  
3 time that I had been helping her on a certain piece of homework  
4 two or three times that the cameras are on her, and Danielle was  
5 home this specific week. And that was the very, very same day  
6 that Danielle had slapped her in the face. She communicated  
7 with her mother through Skype in Ohio all the time, and Danielle  
8 was watching the downstairs, watching what was going -- well,  
9 she wasn't just watching. She was listening to what was going  
10 on.

11 Q Okay.

12 A So I knew they were working. There's no doubt they  
13 were working.

14 Q Do you remember there being a time where Janet started  
15 complaining to her about kind of the way she was doing her  
16 homework or getting help or things like that in relation to the  
17 cameras? Like Janet was away.

18 MS. McAMIS: Could you please restate that? You said  
19 her. I'm just --

20 BY MR. HAMNER:

21 Q Do you remember there being a time where Janet was  
22 upset with Amaya about homework that she was doing that could  
23 only be observed, I guess, if you're in that room or if you're  
24 looking on a camera?

25 A Well, from what I said just a second ago, it was that

1 same day. They would pick on Amaya most of the time, and Amaya  
2 had trouble doing the school work. And it was on that very  
3 specific day that -- that's when I knew somebody is watching us  
4 because --

5 Q And do you remember Janet kind of accusing her, saying  
6 you did this, you did that based off of things that were  
7 happening in that kitchen?

8 A Based off the things that were happening that very  
9 day. Yes, I do.

10 Q And to be clear, Janet is not physically in that room?

11 A Right.

12 Q But the camera was?

13 A The camera was, yes. Because she obviously saw that I  
14 had the frustration with Amaya that morning.

15 MS. McAMIS: Well, objection. She obviously saw?

16 MR. HAMNER: Well, we can --

17 THE COURT: Wait. State, you're moving on?

18 MR. HAMNER: We can move on.

19 THE COURT: All right.

20 BY MR. HAMNER:

21 Q So then you were asked these questions on cross about,  
22 well, they didn't have to ask permission to physically get out  
23 of their bed; is that correct?

24 A Correct.

25 Q You remember being asked that on cross? And you

1 weren't asked -- they weren't -- they didn't have to ask  
2 permission to take a shower. Do you remember those questions?

3 A Correct.

4 Q In your experience, have you had -- in your whole  
5 lifetime interacting with kids, have you ever had experiences  
6 where kids had to ask permission to get out of bed when they  
7 woke up in the morning?

8 A No.

9 MS. McAMIS: Objection. It's asking like an expert  
10 opinion on --

11 MR. HAMNER: No, it's not --

12 MS. McAMIS: --all of her interaction --

13 MR. HAMNER: -- expert opinion.

14 MS. McAMIS: -- with kids. Objection. Foundation.

15 THE COURT: All right. That's sustained on relevancy.

16 MR. HAMNER: Well, Your Honor, may I approach?

17 THE COURT: Sure.

18 (Off-record bench conference)

19 BY MR. HAMNER:

20 Q Okay. So they didn't -- they were free to get up and  
21 use the -- the -- to get out of the bed as far as you know;  
22 right? No permission to do that?

23 A Correct.

24 Q They were free to take a shower; right?

25 A Yes.

1           Q     But they weren't -- they had to ask permission to use  
2 the bathroom?

3           A     Correct.

4           Q     And to be clear, did the -- the -- the Solander girls  
5 had to ask permission?

6           A     Yes, they did.

7           Q     And they were also limited as to which bathroom they  
8 used?

9           A     Yes, and then they would --

10           MS. McAMIS: Well, objection. Misstates the  
11 testimony. She said that they had two.

12           THE COURT: Well, overruled. She can answer.

13 BY MR. HAMNER:

14           Q     Which bathroom were they allowed to use?

15           A     The one upstairs.

16           Q     Okay.

17           A     Oh, you --

18           Q     The one upstairs is the one that --

19           A     The Solander children had to use the one upstairs.

20           Q     Okay. And to be clear, there was some questions,  
21 well, it's a half-bath downstairs; right?

22           A     There is.

23           Q     Remember that?

24           A     Yes.

25           Q     But that means there's a toilet in the half-bath?

1           A     Yes.

2           Q     Okay. But they couldn't use the toilet on the first  
3 floor?

4           A     Correct.

5           Q     And to be clear, the bathroom on the second floor is  
6 right next to the camera?

7           A     Right. And I do remember the children, one of them --

8           MS. McAMIS: Objection. Nonresponsive.

9           MR. HAMNER: It's fine. We can move on.

10          THE COURT: All right.

11          THE WITNESS: It was sad because --

12 BY MR. HAMNER:

13          Q     No, ma'am. There's no question pending. You just  
14 have to wait until my next question, okay. Then there were  
15 these series of questions about, well, you didn't call the  
16 police after Day 1, you didn't call the police after Day 2.

17          A     Correct.

18          Q     Do you remember that?

19          A     I do.

20          Q     Okay. And you didn't call the police about the water.  
21 Do you remember these questions?

22          A     Correct.

23          Q     Here's -- here's my question to you. After Day 1, are  
24 you concerned?

25          A     Yes.



1           Q     After Day 2 is your concern growing or is it reducing  
2 or is staying the same?

3           A     No, it's growing.

4           Q     Okay.

5           A     Yeah.

6           Q     As each day goes by, where is your concern going, up,  
7 down, staying the same?

8           A     It's going up.

9           Q     Okay. And so ultimately you do call the police once  
10 you leave; is that right?

11          A     Yes.

12          Q     And when was your concern at its highest point in the  
13 three weeks? Is it the beginning, the middle, or at the very  
14 end when you leave? Where is your concern the highest for the  
15 safety and well-being of these kids?

16          A     My concern at the highest was probably even in the  
17 second week, also.

18          Q     Okay. But you don't call at that time?

19          A     I don't call. I --

20          Q     Go ahead. Why not? Just tell us. Why didn't you  
21 call at least in the second week?

22          A     The main reason I didn't call when I was there. I  
23 mean, honestly, the main reason I didn't call when I was there,  
24 I've seen children brainwashed. I knew if the police came over,  
25 they would see no signs of physical abuse and there would --

1 MS. McAMIS: Well, objection.

2 THE WITNESS: -- be nothing done. And I decided I  
3 would wait --

4 THE COURT: All right. Ma'am, when there's an  
5 objection, you need to stop talking so the Court can rule.

6 What's your objection?

7 MS. McAMIS: She's calling -- or she's offering  
8 medical opinion on brainwashing and what police would observe.

9 MR. HAMNER: It's a lay observation.

10 THE COURT: All right. Well, she can say why she  
11 didn't report it, which was the question. She can't give  
12 opinions as to whether they were brainwashed or not. So I think  
13 the question was why she didn't report it or something like  
14 that.

15 BY MR. HAMNER:

16 Q Were you -- okay. So let me ask you this. Because  
17 you couldn't see any physical marks on the children, was that a  
18 factor in whether you thought the police might believe you about  
19 some of the things that happened?

20 A Correct.

21 Q Okay. Did you -- but deep down, did you want to call  
22 the police?

23 A Oh, definitely.

24 Q Okay. So it's not a question did you think what was  
25 happening was a real concern to you, or did you not think it was

1 a big deal?

2 A No, it was a big deal and I knew I would call.

3 Q But you were worried just that without something more  
4 you may not be believed?

5 A Correct.

6 Q But ultimately you do reach out and contact --

7 A Yes.

8 Q -- once you leave?

9 A Yes.

10 Q You remember those questions about how Valentine's Day  
11 is not a major holiday. You remember those? It's not  
12 Christmas.

13 A Correct.

14 Q You know, it's not Thanksgiving, things along those  
15 lines?

16 A Yes.

17 Q Okay. Did Janet tell you that her husband went and  
18 flew all the way from wherever he was to go visit her on  
19 Valentine's Day?

20 A Correct.

21 Q Okay. So even though it's not a major holiday, Dwight  
22 goes to see her?

23 A Yes.

24 Q Okay. And then Dwight subsequently denies even doing  
25 anything on Valentine's Day?

1 A Yes, he said we don't celebrate. Yes.

2 Q But Janet actually told you the exact opposite?

3 A Yes.

4 Q Then there was the questions about, well, isn't it  
5 true that Autumn vomited? Do you remember those --

6 A I do.

7 Q -- questions? Let's just focus on that for a second.  
8 Because initially the questions were like, well, you said  
9 nothing happened, but Autumn did vomit; is that right?

10 A Correct.

11 Q Okay. So there were five children in that house that  
12 you were taking care of?

13 A Right.

14 Q You were there for three weeks; is that right?

15 A Correct.

16 Q And one child vomited once at night?

17 A Correct.

18 Q Okay. But no peeing accidents for any of the five  
19 kids?

20 A Absolutely not. No.

21 Q No pooping accidents for the five kids?

22 A No.

23 Q The Solander kids aren't vomiting anywhere?

24 A No.

25 Q Okay. One time vomit at night?

1           A     Yes.

2           Q     All right. And then there were a lot of questions  
3 about the cleaning of -- of her hair. Do you remember a lot of  
4 these questions about --

5           A     I do.

6           Q     Okay. And -- and then -- and a discussion or an  
7 argument you may have gotten into with Janet about that. Do you  
8 remember that?

9           A     I do not.

10          Q     Okay. So let me -- as you sit here today, do you  
11 recall having a discussion where Janet was upset about you  
12 supposedly letting Autumn go into school with vomit in her hair?

13          A     Absolutely not. There was --

14          Q     Okay. I'm not saying whether -- listen. And I want  
15 you to focus on my question. I'm not saying to you right now in  
16 my question that you did allow her to do it. I want you to  
17 focus about whether or not you remember there being a  
18 conversation where Janet was suggesting or accusing or  
19 commenting to you that Autumn went to school with vomit in her  
20 hair. Do you remember having a conversation with her?

21          A     I do not.

22          Q     Okay.

23          A     I do not.

24          Q     So as you sit here today, you don't remember that?

25          A     No.

1 Q Okay. So let me -- let me do this. You do remember  
2 giving an interview with the police; correct?

3 A I remember giving an interview with CPS or --

4 Q Okay.

5 A -- the police. Yes.

6 Q And do you -- and you remember there being someone  
7 from CPS. Was that around March of 2014?

8 A Yes.

9 Q Okay. I'm just going to approach with the voluntary  
10 statement.

11 MR. HAMNER: And I'll be referring to pages 48, 49,  
12 and 50, things around there, okay. Let the record reflect I'm  
13 showing the witness her voluntary statement. May I approach?

14 THE COURT: You may.

15 MR. HAMNER: Okay.

16 BY MR. HAMNER:

17 Q So, ma'am, I want to show you this for a second, okay.

18 A Sure.

19 Q Does this -- you remember kind of speaking to people,  
20 CPS and maybe law enforcement --

21 A I do.

22 Q -- around March of 2014?

23 A Yes.

24 Q Okay. So what I want you to do, if you could, maybe  
25 take a minute. Do you remember them indicating to you that when

1 you were being interviewed that they were going to record it?

2 A Yes. Yes.

3 Q Okay.

4 A I remember that. Yeah.

5 Q Okay. So this is a transcript of that interview, all  
6 right. So what I want you to do is I want you -- and every time  
7 there's a Q here, it's a question. And every time there's an A  
8 here --

9 A Right.

10 Q -- that's your answer. Starting with your answer on  
11 page 48, I want you to read this page. I want you to read page  
12 49, and I want you to read, in particular, page 50. And just  
13 read it, and then once you're done reading those three pages  
14 I'll ask you a question based on it. Don't say anything, but  
15 just if you could read those three pages.

16 A It's --

17 Q No, no. No, I --

18 THE COURT: No, no, no. Just quietly to yourself.

19 THE WITNESS: Oh, just quietly read it.

20 THE COURT: Just read it quietly to yourself.

21 BY MR. HAMNER:

22 Q Read it silently to yourself.

23 A Oh, okay. Okay. I'm sorry.

24 Q That's okay. You're fine.

25 A There.

1           Q     Now, after reading these three pages, is your memory  
2 refreshed about discussing that topic with the police? Does  
3 that refresh your memory that it actually --

4           A     Yeah. Yeah.

5           Q     Okay. So as you sit here today, do you now remember  
6 talking about that topic with the police department back in 2014  
7 in an interview?

8           A     Yes.

9           Q     Okay. Now, as you sit here today, do you have -- did  
10 that help refresh your memory about the circumstances about the  
11 vomiting that Ivy and maybe any --

12          A     Yes.

13          Q     Okay. Now that's clear. So after reading through and  
14 having your memory refreshed, do you now remember whether or not  
15 Janet said to you, hey, you let that girl go with like vomit in  
16 her hair?

17          A     Yes.

18          Q     Okay. Okay. And that's because reading this helped  
19 kind of refresh your memory.

20          A     Right.

21          Q     Okay. And that's something that happened, you know,  
22 back in 2013; right?

23          A     Correct.

24          Q     So almost around virtually almost five years ago?

25          A     Correct.



1 Q Okay. Okay. So let's -- let's kind of just go  
2 through it just so --

3 A Sure.

4 Q -- it's kind of clear. So she -- she said to you that  
5 you let her go to school like that; is that right?

6 A Yes.

7 Q And that you didn't wash her. She accused you of not  
8 washing her hair? Yes or no?

9 A No, I washed her hair.

10 Q No, no. Janet said to you you did not wash her hair?

11 A Oh, correct. Yes.

12 Q Did Janet say to you you didn't do this, you know, you  
13 didn't do that, things of that nature?

14 A Yes.

15 Q From what you remember, do you remember, in fact,  
16 washing her hair?

17 A Oh, definitely.

18 Q Okay.

19 A Because I've never had a little girl to do that for.

20 Q Okay. And at that point were you on the phone with  
21 Janet? How was that conversation --

22 A No.

23 Q -- if you remember?

24 A I don't know how she found out, even.

25 Q Well, I want you to focus on my question. When you're

1 having this conversation with Janet, is she in person with you,  
2 is she on the phone, is she on Skype? What do you remember?

3 A She would be on the phone.

4 Q Okay. And when you're having this conversation with  
5 Janet about this topic, where is Danielle? Do you remember  
6 Danielle being in the room?

7 A Danielle stayed mostly in her room.

8 Q No, no. When this conversation is happening about the  
9 vomit stuff, was Danielle present at all?

10 A No.

11 Q Okay. Do you remember saying that Danielle had  
12 relayed to Janet something about how you gave her a bath?

13 A Yes.

14 Q Okay. How did you learn that? Was that because Janet  
15 told you?

16 A I personally don't remember much about that phone  
17 call.

18 Q Okay. But the bottom line is you remember doing your  
19 darndest to wash the girl's hair?

20 A Oh, yes. Definitely.

21 Q And you remember now being accused by Janet of maybe  
22 not doing it thoroughly enough?

23 A Correct.

24 Q And there was just a disagreement as to --

25 A Yes.

1 Q Okay. So you were asked on cross before, well, if it  
2 says in your interview, that would be a lie, and I think you  
3 said yes. Do you now kind of -- now kind of reviewing it, do  
4 you now know that you did talk about this with the police?

5 A Oh, yeah.

6 Q Okay.

7 A We talked about it, yes.

8 Q All right. There was -- the next kind of portion of  
9 cross-examination was addressing the fact that the girls didn't  
10 talk to you about catheters. Do you remember being asked a  
11 question --

12 A I do.

13 Q -- like that? Or being hit with paint sticks, things  
14 like that?

15 A Yes.

16 Q Okay. Talk to -- tell this jury about from the kind  
17 of moment you met them, how open are these kids in terms of  
18 talking with you about generally anything? Just from a kind  
19 of --

20 MS. McAMIS: Objection. Objection. Calls for a  
21 narrative.

22 MR. HAMNER: It's not --

23 THE COURT: No, overruled.

24 BY MR. HAMNER:

25 Q How are they kind of when you first meet them? Are

1 these kind of open, talkative kids, or are they more reserved?  
2 What are these Solander girls like?

3 A No, they were -- they were open and talkative. Yeah.  
4 And they were very playful. I mean, I played. Yeah, they were  
5 talkative.

6 Q When it came to their parents, though --

7 A No.

8 Q Not open and talkative?

9 A No.

10 Q I know that you said they didn't mention catheters and  
11 sticks, but they did mention boiling water?

12 A Yes.

13 Q Okay. How far along in the time that you were there  
14 did they finally open up and tell you about that?

15 A Probably the end of the first week.

16 Q Did they tell you about their fear of the cameras?

17 A Yes.

18 Q Did they tell you about their fears of the homework,  
19 helping out with homework?

20 A Yes.

21 Q Did they tell you about their concerns or fears about  
22 having, you know, food other than the blended stuff?

23 A Oh, yes. Yeah.

24 Q Then I think kind of near the end you were asked some  
25 questions about kind of the sinus infection thing. Do you

1 remember this?

2 A I do.

3 Q And the child being out there at -- in the cold. Was  
4 your concern that she wasn't taking medicine, or was it  
5 something different?

6 A Well, it was just cold and she was very pale, so I was  
7 concerned about her. I gave her a hug and said --

8 Q What time of this year was it?

9 A It was approximately about 7:30 at night.

10 Q Okay. And what month --

11 A So I just gave her a hug and said let's go inside.

12 Q What -- what month was it?

13 A It was January, approximately the end of January.

14 Q Okay.

15 MR. HAMNER: Court's indulgence. I have no further  
16 questions at this time.

17 THE COURT: Any recross?

18 MS. McAMIS: Yes, Your Honor.

19 CROSS-EXAMINATION

20 BY MS. McAMIS:

21 Q Ms. Finnegan, you were asked generally about the  
22 instructions that you received from Dwight and -- versus Janet.  
23 So I want to redirect your attention to that. You met Janet in  
24 person one time?

25 A Correct.

1 Q And that was at the initial interview; right?

2 A Correct.

3 Q At her home?

4 A Yes.

5 Q Okay. And then you had one phone call with her  
6 afterwards?

7 A Yes.

8 Q Okay. And in that phone call there was a discussion  
9 about the Valentine's Day dinner?

10 A Correct.

11 Q And also Autumn's vomiting incident with the hair;  
12 right?

13 A Correct.

14 Q Okay. You did not receive instructions for her --  
15 from her in that phone call about any food or toilet paper or  
16 school work; right?

17 A I did not.

18 Q Okay. Okay. You were also asked questions about your  
19 observations as far as Dwight interacting with any of the  
20 children in the home?

21 A Yes.

22 Q I want to direct your attention to that. You were the  
23 live-in nanny while Dwight worked; right?

24 A Correct.

25 Q Okay. So Dwight was not home most of the time?

1           A     Correct.

2           Q     In fact, he would leave very early Monday mornings;  
3 right?

4           A     Yes.

5           Q     Okay. And so you would come generally Monday mornings  
6 to work, or sometimes very late Sunday; right?

7           A     Correct.

8           Q     Okay. So by the time that you would have arrived, you  
9 know, late Sunday, you weren't required to do any work those  
10 days; right?

11          A     Correct.

12          Q     Okay. So you would wake up in the morning to resume  
13 work; right?

14          A     Yes.

15          Q     And you would generally get up to get the children up  
16 at least starting around 7:00 or 7:30 was your --

17          A     Right.

18          Q     -- testimony; right? And Dwight was only there until,  
19 and correct me if I'm wrong, it was my memory you testified that  
20 Dwight was only there very early in the mornings for maybe until  
21 like 8:00 or 8:30?

22          A     About that. Sometimes a little later. But he was  
23 also there Sunday night when I got there.

24          Q     Okay. My question to you was about when Dwight left  
25 in the mornings on Mondays and it would be earlier --

1           A     Yes, it's early.

2           Q     -- so no more than an hour or so.

3           A     Correct.

4           Q     Okay. And then he would come home late Fridays?

5           A     Yes. Yes.

6           Q     And then when he was home, you would be discharged and  
7 able to go back to your home Friday evenings?

8           A     Yes.

9           Q     Okay. So there's just not a lot of overlap; right?

10          A     It wasn't a lot. I had some opportunities to talk  
11 with him, but there wasn't a lot.

12          Q     My question to you was there's just not a lot of  
13 overlap; right?

14          A     Correct.

15          Q     And it would have been very early morning hours or  
16 late evening hours; right?

17          A     Yes.

18          Q     Okay. And, again, those early morning hours coincided  
19 with the time where it was time for breakfast preparation;  
20 right?

21          A     Right.

22          Q     Okay. And then the early evening hours, that could  
23 also coincide with dinner preparation or bath time or play time  
24 for the kids; right?

25          A     Correct.



1           Q     Okay. You had no specific instructions from Dwight to  
2 not let the children watch TV; right?

3           A     The children told me -- not from Dwight.

4           Q     Not from Dwight.

5           A     They weren't allowed to watch TV.

6           Q     Okay. So Dwight did not specifically instruct you  
7 don't let the kids watch TV?

8           A     No.

9           Q     Janet did not specifically instruct you don't let the  
10 kids watch TV?

11          A     No.

12          Q     Okay. Now, you were followed up on some of my  
13 questions about the older kids in the home doing chores, and  
14 that the foster kids didn't do any chores. Let me direct your  
15 attention to that. The foster kids were four and six; right?

16          A     At the time, yes. I think so.

17          Q     Okay. And they were foster children?

18          A     Right.

19          Q     They were not the Solander's actual children?

20          A     Correct.

21          Q     Okay. But the Solander's actual children helped out  
22 and would make the -- one of them would make the beds for the --  
23 the little kids --

24          A     Yeah.

25          Q     -- the little foster kids? Okay. Ms. Finnegan, I