

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

2 JANET SOLANDER,                   )

CASE NO. 76228

3           Appellant,                   )

4 vs.                                    )

5 THE STATE OF NEVADA,           )

6           Respondent.               )

**VOLUME XVI**

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

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

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1 Q Well, Amaya, my question to you is about your prior testimony.  
2 A I know.  
3 Q Okay. Do you want to look at what you said before?  
4 A No.  
5 Q Okay. But you would agree, though, at the time of preliminary  
6 hearing, you were asked:  
7 And sometimes, though, you would pee or poop yourself to  
8 get out of having to do your homework, right?  
9 And you answered yes at that time.  
10 A Because you guys were making me feel guilty, that's why.  
11 Q And I'm not trying to make you feel anything, I'm just trying to  
12 ask some questions about your prior testimony. Okay?  
13 A [No audible response.]  
14 Q We can return to this if you want. Okay, Amaya?  
15 A Oh, my gosh.  
16 Q Okay. Would you like some water, maybe?  
17 A No.  
18 Q Okay. Amaya, can I ask you another question about some of  
19 the bathroom rules?  
20 A Go ahead.  
21 Q Okay. Now, you've testified that you were not allowed to use  
22 the bathroom at night, right?  
23 A No.  
24 Q Right, you're agreeing --  
25 A Yeah.



1 Q -- with me, that was -- okay.

2 Now, when you slept in the loft, there was a bathroom near  
3 the loft, right?

4 A Yeah.

5 Q Okay. And in that bathroom there was a night light in the  
6 shape of an angel; do you remember that?

7 A Yeah.

8 Q And because of that night light, you and your sisters could see  
9 at night to go into the bathroom, right?

10 A Yeah.

11 Q Okay. So if you needed to go to the bathroom, you and your  
12 sisters would get up and walk over to the bathroom, right?

13 A Yeah.

14 Q Okay. And you remember there was nothing preventing you  
15 from going to the bathroom at night, because you could see that angel  
16 night light, right?

17 A Yeah.

18 Q Okay. But there were still some times that you purposely wet  
19 the bed at night, right?

20 A It's not purposely. I did not know I peed myself and I would  
21 tell Janet that, and all she would do is smack me around, like I was her  
22 little -- like I was her rag doll.

23 Q So I understand that there were times where you had  
24 accidents and you just didn't know it, right?

25 A Yeah.

1 Q And I think you even testified you might have been a deep  
2 sleeper, right?

3 A Yeah.

4 Q Okay. So there were times where you wet the bed at night  
5 and you didn't notice it, right?

6 A Yeah.

7 Q Okay. But you remember testifying at the preliminary hearing  
8 in this matter and previously indicating that sometimes you still  
9 purposely wet the bed even at night, right?

10 A Would -- oh, my God. I swear. I don't know how to explain it  
11 to you.

12 Q Okay. That's okay. My question is about your prior testimony,  
13 that's all.

14 A I know, but I don't know how to explain it to you so, like, you'll  
15 know what I mean.

16 Q But at the time of the preliminary hearing, you remember  
17 testifying that you purposely still wet the bed at night sometimes?

18 A Like, are you asking me is that what I said?

19 THE COURT: Is that what you said?

20 THE WITNESS: Yes.

21 THE COURT: And then if Ms. Bluth wants to say, well, what  
22 did you mean by that? Or can you explain your answer? Then when  
23 Ms. Bluth comes back on redirect examination, she can ask you.

24 So I think what Ms. McAmis is saying, Is that what you said?  
25 Now, if you don't remember what you said, then just tell Ms. McAmis, I

1 don't remember what I said. And then she'll either show you something  
2 or move on or decide what she wants to do.

3 BY MS. McAMIS:

4 Q Okay. So with that clarification from the judge, are you able to  
5 answer my question? Do you remember?

6 A Yeah.

7 Q Okay. Do you remember testifying that there were times  
8 where you purposely wet the bed at night?

9 A Yeah.

10 Q Okay. Now, you testified -- let's change topics.

11 You testified about sometimes there was a nanny in your  
12 home, right?

13 A Uh-huh. Yeah.

14 Q Is that a yes?

15 A Yeah.

16 Q Okay. And if I could just ask you to answer out loud with  
17 words, just because this is recorded and the -- when they type it up they  
18 don't know uh-huh and uh-uh. That's all. Okay?

19 A Okay.

20 Q I know exactly what you're saying. I'm right here and I see  
21 you, and I'm listening to you. Okay? It's just because it's recorded.  
22 Okay.

23 And there were a couple of nannies that you guys have, right?

24 A Yeah.

25 Q And you had Andrea the longest, right?

1 A Yeah.

2 Q She was with you guys for, like, almost a year, right?

3 A Yeah.

4 Q Okay. And that was because Janet worked during the day at  
5 the Air Force Base, right?

6 A Yeah.

7 Q Okay. Now, Andrea would encourage all of you and your  
8 sisters to go to the bathroom when you needed, right?

9 A Yeah.

10 Q But sometimes you had accidents even when Andrea was  
11 babysitting, right?

12 A Yeah.

13 Q Okay. Now, I want to ask you questions about your testimony  
14 about you sleeping on these boards. Okay? Now, you testified that you  
15 slept on boards every day except when the nannies were there, right?

16 A Uh-huh. Yeah.

17 Q I did -- thank you. And Andrea was one of your nannies,  
18 right?

19 A Yeah.

20 Q And she was there for almost a year, right?

21 A Yeah.

22 Q So at that time you were not sleeping on boards, right?

23 A She wasn't there, like, when we would sleep. But we would  
24 sleep -- well, at the first house, she was our nanny. We slept on towels  
25 in different spots of the house.

1 Q Okay.

2 A Like, sometimes I would sleep on a towel in front of the front  
3 door. We didn't sleep in beds, because we had -- what's her name,  
4 Phoenix, one of the foster childs in the house, she took our beds -- well,  
5 one of our beds. But she -- we slept on the floor, basically.

6 Q Let me ask you this. When you lived at the first house, that  
7 was when you were still foster children, right?

8 A When we slept in beds?

9 Q I'm asking you -- yeah.

10 A Yeah.

11 Q Okay. So you're also saying now that you slept on towels at  
12 the first house?

13 A Yeah.

14 Q Okay. Is it your testimony that you never slept in cots?

15 A Slept in cots, like I said, when she wanted to be nice. That  
16 was very rare.

17 THE COURT: How many cots were there? Was it one --

18 THE WITNESS: There was three, because there's three of  
19 us.

20 THE COURT: Okay. And then at the first house, you said  
21 when there was another foster child, the three of you slept on towels?

22 THE WITNESS: Yeah. In different parts of the house, like,  
23 the family room, I would sleep by the door. It was -- door to the  
24 backyard, I would sleep by there sometimes, or I would sleep in front of  
25 the door. And then my sisters would sleep, like, in the hallway where

1 our rooms used to be.

2 THE COURT: Were there only two bedrooms at that other  
3 house? Or how many bedrooms were there?

4 THE WITNESS: There was three. Danielle's room, and then  
5 two of us shared a room, and then there was another room for just one  
6 of us.

7 THE COURT: And then did the Solander, Janet and Dwight,  
8 did they have a bedroom?

9 THE WITNESS: Yeah.

10 THE COURT: Ms. McAmis.

11 MS. McAMIS: Thank you, Your Honor.

12 BY MS. McAMIS:

13 Q Now, you told CPS back in March of 2014 that Janet would  
14 make you sleep on the floor on a towel by the front door if you had a  
15 bed-wetting accident, right?

16 A Yeah.

17 Q Okay. So that means that you would have had to wet the bed  
18 before going onto a towel, right?

19 A Yeah.

20 Q Okay. And then you also told CPS in March of 2014 that you  
21 and Ava slept on towels in the bedroom that you shared, right?

22 A Me and Ava didn't share a room.

23 Q Okay.

24 A I had my own room. Ava and Anastasia shared a room. And  
25 then me and Anastasia shared -- then Ava took my room, and then me

1 and Anastasia did end up sharing the room.

2 Q Okay. So kind of switched around --

3 A Yeah.

4 Q -- about who shared the rooms, right?

5 A Yeah.

6 Q Okay. But isn't it true that in March of 2014, you told CPS that  
7 sometimes you and Ava would sleep on towels on the floor at the  
8 bedroom?

9 A Yeah.

10 Q Isn't it also true that you said:

11 Sometimes we take turns, like, I can't remember exactly  
12 where we used to sleep?

13 A Yeah.

14 Q Do you remember saying that to CPS?

15 A Yeah.

16 Q Okay. Now, you testified about what you wore when you were  
17 sleeping. My question to you is isn't it true that you had pajamas that  
18 you could sleep in?

19 A At some point, yeah.

20 Q Okay. So you acknowledge you did have pajamas, right?

21 A Yeah.

22 Q Sorry, I didn't hear you. And you had rules about folding up  
23 the pajamas and putting them on the table in the loft after you'd worn  
24 them, right?

25 A Yeah.

1 Q So that was part of your morning clean-up routine, right?

2 A Yeah.

3 Q Okay. And then as part of your, you know, routine in the  
4 house, every Saturday you and your sisters' pajamas were washed,  
5 right?

6 A Yeah.

7 Q So you got to wear the pajamas tonight -- to -- to bed tonight --  
8 at night -- that was a terrible question. Let me try again on that.

9 Isn't it true that you got to wear the pajamas to bed every night  
10 unless you had an accident?

11 MS. BLUTH: I apologize, Ms. McAmis. I didn't hear the  
12 question. Would you mind repeating it?

13 MS. McAMIS: Of course.

14 BY MS. McAMIS:

15 Q I said isn't it true that you actually got to wear the pajamas  
16 every night to bed unless you had a peeing or pooping accident?

17 A Yeah.

18 Q Okay. So when you were told to wear your underwear instead  
19 of your pajamas, that was on the nights that you'd had an accident in the  
20 pajamas, right?

21 A Yeah.

22 Q Okay. Now, Amaya, you testified earlier about the different  
23 ways that you were disciplined when you lived at the Solander home, so  
24 I have some questions about that. Okay?

25 A Okay.



1 Q Isn't it true that Janet also used time-outs as a discipline  
2 method?

3 A Yeah.

4 Q Isn't it true that Janet would also, like, take away privileges as  
5 a discipline method?

6 A Yeah.

7 Q Sorry?

8 A Yeah.

9 Q Okay. And I apologize, I will try to listen to you. You just have  
10 a very soft voice, that's all. Okay?

11 Isn't it true that Janet would use her words and yell at you as a  
12 discipline method?

13 A Yeah.

14 Q Isn't it true that Janet had a point or a system on the  
15 refrigerator with stars and a chart for good behavior?

16 A Yeah.

17 Q Okay. And one of her ways of basically giving you feedback  
18 on your behavior was that reward and demerit system on the fridge,  
19 right?

20 A Yeah.

21 Q Do you know what I mean by when I say reward and  
22 demerits?

23 A Yeah.

24 Q Okay. Is that an accurate description of that chart?

25 A Yeah.

1 Q So reward --

2 A We had star stickers on it.

3 Q Okay. So the stars were for good behavior, right?

4 A Yeah.

5 Q And after you accumulated enough good behavior stars, you

6 got to have a privilege, like getting a toy out of a toy box, right?

7 A Yeah, she would, like, let us watch movies with her.

8 Q Okay. All right. So there were other positive incentives, right?

9 A Yeah.

10 Q Okay. And then if you had bad behavior, it was marked with

11 demerit points, right?

12 A Yeah.

13 Q And then if you got six demerit points for bad behavior, that's

14 when you got in trouble, right?

15 A Yeah.

16 Q So essentially you had, like, six warnings before you got

17 punished for the bad behavior, right?

18 A Yeah.

19 Q And you could get demerits for things like lying, right?

20 A Yeah.

21 Q You could get demerits for, like, doing something to your

22 sister, right?

23 A Yeah.

24 Q Okay. You could get demerits for, like, not completing a

25 chore, right?

1           A     Yeah.

2           Q     Okay. So you in particular got in trouble for lying and getting  
3 demerits for that, right?

4           A     Yeah. She didn't like me.

5           Q     Okay. Just compared to your sisters, you had more demerits  
6 for lying than your sisters did; is that fair to say?

7           A     Yeah.

8           Q     Okay. And there were instances where you would make up  
9 stories that later did not turn out to be true and then you would get into  
10 trouble, right?

11          A     Yeah.

12          Q     And then sometimes that punishment would include a  
13 spanking, right?

14          A     Yeah.

15          Q     Okay. Amaya, I have some questions for you about the  
16 kitchen counter incident with Ava. Okay?

17          A     [No audible response.]

18          Q     Okay. You remember telling CPS in March of 2014 that one  
19 time you saw Ava try to go to the pantry to get food, and that's when  
20 Janet smashed Ava's head into the counter, right?

21          A     No, it was because she peed herself and she got mad and just  
22 slammed her head in the counter. Then Danielle came and she was,  
23 like, what are you doing? And she got Janet off Ava.

24          Q     Okay. And I understand that's your testimony today. I do. My  
25 question to you, Amaya, was back in March of 2014 when you talked to

1 CPS, and -- give me just a moment, please.

2 Oh. Okay. I'm so sorry about that. Isn't it true that when you  
3 told CPS in March of 2014 about the kitchen counter incident, you said:

4 Like, one time Ava went to the kitchen herself, and, like, our  
5 mom got her, grabbed Ava's head, and smashed it in the counter.

6 A Yeah.

7 MS. BLUTH: Can I have a page number, counsel?

8 MS. McAMIS: Of course. 48.

9 MS. BLUTH: Okay.

10 BY MS. McAMIS:

11 Q Okay. So that's -- that's what you told CPS back in March  
12 of 2014, right?

13 A Yeah.

14 Q And it's your testimony today that the kitchen counter incident  
15 occurred because of a bathroom accident, right?

16 A Yeah.

17 Q Okay. Amaya, there were times where Janet acted and did  
18 more normal mom-like things with you, right?

19 A Yeah.

20 Q She tried to teach you to ride a bike once?

21 A Yeah.

22 Q You remember that she actually bought you a bicycle to ride,  
23 right?

24 A Yeah.

25 Q You got frustrated riding your bike because you would keep

1 falling, so you stopped riding, right?

2 A Yeah.

3 Q And then unfortunately you had that seizure, and then you just  
4 didn't ride the bike anymore because they didn't want you to fall off the  
5 bike, right?

6 A Yeah.

7 Q Okay. But back when you were trying to ride your bike,  
8 sometimes you'd fall and you'd get, like, scrapes on different parts of  
9 your body, right?

10 A Yeah.

11 Q And when you fell and you scraped, like, your knees or your  
12 arms, Janet would put a Band-Aid on you, right?

13 A Yeah.

14 Q So if you were injured after a fall, Janet would take care of  
15 you?

16 A Yeah. It's a shocker.

17 Q Okay. I have some questions about the cameras in the home.  
18 Okay?

19 A Okay.

20 Q All right. So you testified that you saw cameras in the home  
21 and then you've also testified that, you know, back when you gave your  
22 original statement to CPS in March of 2014, you believed that there were  
23 cameras in the -- the walls or the mirrors because you were a little kid,  
24 right?

25 A Yeah.

1 Q Okay. Isn't it true that you also reported seeing demons' faces  
2 and shadows in the cameras?

3 A Yeah. She would show us.

4 Q Okay. Now, you testified on direct examination about demons  
5 in the home. Okay. So I have some questions about that. Now, you  
6 testified that you actually physically saw a demon with horns, if I  
7 understand your direct examination --

8 A Yeah.

9 Q -- testimony correctly? Okay. I just wanted to make sure I  
10 was using your actual words. And then you testified about an  
11 experience where you said that Danielle had your arms and Janet had  
12 your legs, right?

13 A Yeah.

14 Q To give you to a demon?

15 A Yeah. And then I kicked Janet and then I ran.

16 Q Okay. When was the last time you saw a demon?

17 A Last time I was with her.

18 Q Okay. What did the demon look like?

19 A He was -- it was, like, human size. Had red eyes and it had  
20 horns. And it was, like, God, it's like it had been in a fire, like, forever.  
21 Like, the skin was just, like, scaly and black. And it was, like, it -- it  
22 walked really slow.

23 Q Did it say anything to you?

24 A Well, sometimes me and my sisters would be sleeping in the  
25 loft, and there was a radio. And we would hear, like, them calling our

1 names, and then we would start crying.

2 Q When you said them calling our names, I'm sorry, who do you  
3 mean?

4 A The demons. They would call my name.

5 Q Okay. So you heard the demons through the -- the radio in  
6 the wall?

7 A Yeah.

8 Q How many times did you see demons at the house?

9 A Several -- all the time, like, every night before -- before we  
10 would go to sleep, I would sleep by the door in the loft on my board and I  
11 would just see it standing in front of the door and the door would open.  
12 And, like, I would just see a hand.

13 Q Okay. Now, you testified about a gate up in that loft area, as  
14 well, right?

15 A Yeah.

16 Q Okay. And so if that was -- isn't it true there was a gate up at  
17 the -- at the top of the stairs, so that way one of the dogs wouldn't get  
18 upstairs?

19 A Dogs were in their cage.

20 Q They were in their cage downstairs?

21 A Yeah.

22 Q Okay. Because the dogs weren't allowed upstairs, right?

23 A I guess. I'm -- I'm not sure.

24 Q Okay. If you're not sure, that's fine. Now, you testified about  
25 believing that the black gate would electrocute you, right?

1           A     Yeah.

2           Q     Okay. So you were never actually electrocuted by the gate,  
3 right?

4           A     No, because we never touched it.

5           Q     You never touched the gate?

6           A     Yeah.

7           Q     Okay. And you never went to a doctor because of an issue  
8 with being electrocuted by the gate, right?

9           A     Yeah.

10          Q     And none of your sisters touched the gate that you observed,  
11 right?

12          A     No.

13          Q     Okay. I'm going to ask you some questions about some of  
14 the -- the -- like, basically, the medical questions that you were asked  
15 about on direct examination, okay?

16          A     Okay.

17          Q     All right. So when you lived with Janet and Dwight, you had to  
18 be taken to the hospital in December of 2012 for a seizure, right?

19          A     Yeah.

20          Q     And if I understood you correctly, that was the first time you  
21 had a seizure was in December of 2012, right?

22          A     Yeah.

23          Q     And you went to the hospital and you stayed there for several  
24 days, right?

25          A     Yeah.



1 Q And you -- when you went to the hospital, you were not  
2 awake, right?

3 A No.

4 Q You actually woke up in the hospital, right?

5 A Yeah.

6 Q And when you woke up, your sisters were there with Janet  
7 and Dwight, right?

8 A Yeah.

9 Q And everybody was happy that you woke up, right?

10 A Yeah.

11 Q Okay. You actually woke up on Christmas Day, right?

12 A Yeah.

13 Q Now, when you had the seizure, you had it at home, right?

14 A Yeah.

15 Q Okay.

16 A In the loft.

17 Q In the loft? Okay. Isn't it true that when you had the seizure  
18 you fell?

19 A Yeah. Because I came from putting my pajamas on.

20 Q Okay. So you fell from -- to being standing up and then you  
21 fell down?

22 A I was walking -- because she was doing laundry, I was  
23 walking. Because I was sick. And I was walking towards her and then I  
24 just -- I fell and -- yes.

25 Q Okay. And so it was Janet that saw you fall and -- and then

1 saved you by calling the hospital, right?

2 A Yeah.

3 Q And you learned that she did CPR on you as well?

4 A Yeah.

5 Q Now, you testified about going to Monte Vista Hospital; you  
6 remember being in Monte Vista Hospital in September of 2011, right?

7 A Yeah.

8 Q That was a couple of months before -- sorry -- so that was a  
9 couple of months before the hospital stay for the seizure, right?

10 A Yeah.

11 Q Okay. So you were taken to Monte Vista because you'd been  
12 mad and had thrown tantrums, right?

13 A Yeah.

14 Q And when you got to Monte Vista, you were also there  
15 because of your history of lying, right?

16 A Yeah.

17 Q Okay. So you stayed for a couple of days at Monte Vista  
18 between about September 7th and September 13th of 2011, right?

19 A Yeah.

20 Q Wasn't a full week, right?

21 A No.

22 Q Okay. And while you were at Monte Vista, you were working  
23 on your anger and your lying issues, right?

24 A Yeah.

25 Q Okay. So you were having some of these issues like that time

1 when you faked the seizure in front of Dwight because you didn't want to  
2 live in the Solander home, right?

3 A Yeah.

4 Q Okay. Now, you testified about being threatened with a razor  
5 blade for bathroom accidents, right?

6 A Yeah.

7 Q Okay. And you testified that you were threatened with  
8 catheters and a razor blade, right?

9 A Yeah.

10 Q Okay. So when you were threatened with the catheter and the  
11 razor blade, Janet had the catheter in one hand and the razor blade in  
12 the other?

13 A Yeah.

14 Q Okay.

15 A Well, she was -- she -- she started speaking about, We'll cut  
16 your private off and watch you bleed to death.

17 Q And that was really scary, so you -- you peed?

18 A Yeah.

19 Q Okay. Amaya, can I ask you questions about Florida and  
20 Marvelous Grace Girls Academy?

21 A Yeah.

22 Q Okay. So you went to school at Marvelous Grace, right?

23 A Yeah.

24 Q And you got to do, you know, educational systems, right?

25 A It wasn't really educational. It's just about Jesus.

1 Q Oh, okay. They didn't teach you anything like math or  
2 anything?

3 A No.

4 Q Okay.

5 A It's just, like, go read this book about Jesus, answer the  
6 questions.

7 Q Okay. But you were the one who testified you like geometry,  
8 right?

9 A No. I hate math.

10 Q Okay. Sorry. Very sorry about that.

11 THE COURT: So you didn't have regular classes there --

12 THE WITNESS: No.

13 THE COURT: -- like math or science or --

14 THE WITNESS: We would just to, like, this little -- it was, like,  
15 a -- what's that -- those, like, portable, it's like -- it was, like, a small office  
16 and we each had a desk, and then once we got done reading, like, a  
17 Jesus story, we answered a question. If you get it right, you have to do  
18 another one, you have to do another one. And if you got your homework  
19 right, you could get to play outside. But, like, I never got to play outside  
20 because I never finished my homework. So it was never really, like,  
21 school.

22 THE COURT: Was it like a trailer? Is that what you mean by  
23 a portable? It was like a -- like a mobile home?

24 THE WITNESS: Not --

25 THE COURT: No? Okay.

1 THE WITNESS: Not really, but it's just -- you had to be there  
2 to know what I mean.

3 BY MS. McAMIS:

4 Q Okay. Did you ever see other kids getting -- kids getting  
5 punished there?

6 A No.

7 Q Okay. But you, I guess you got punished because you didn't  
8 get to go outside because you didn't finish your homework, right?

9 A Yeah.

10 Q Okay. And they had a demerit system, also, right?

11 A Yeah.

12 Q And so --

13 A Restrictions.

14 Q Restrictions? Okay. Thank you. And so a restriction is if you  
15 didn't do what you were supposed to do, then you wouldn't be able to do  
16 a privilege, right?

17 A Yeah.

18 Q Like go outside?

19 A Yeah.

20 Q Okay. And you actually received demerits there, right?

21 A Yeah. I was always on restrictions. They were always trying  
22 to talk down to me. No, you're not going to disrespect me.

23 Q Okay. So sounds like you said you were always on restriction;  
24 is that --

25 A Yeah, me and my little sister.

1 Q Okay. Now, when you moved to Florida to attend Marvelous  
2 Grace, you actually grew pretty close to the Blankenships who ran the  
3 program, right?

4 A Yeah.

5 Q Okay. You talked to them about how you did not like your  
6 home life, right?

7 A No, I hated it.

8 Q And you talked to them about how you didn't want to be  
9 adopted by the Solanders?

10 A We were already adopted.

11 Q Right. But you talked to them about how back in the day you  
12 didn't want to be --

13 A Yeah.

14 Q -- adopted, right?

15 A Yeah.

16 Q Okay. And you talked to the Blankenships about how you  
17 needed to find a way out of the Solanders' house, right?

18 A Yeah.

19 Q And so they ended up helping you find that way out, right?

20 A Yeah.

21 Q And they helped you by having -- or they helped you by  
22 helping you and your sisters tell this story, right?

23 A Yeah. And then we went to this Children in Crisis Center.

24 THE COURT: And you need to keep your voice up. I don't  
25 know about everybody else, but I'm having trouble hearing you and I

1 think some of the jurors are having trouble hearing you.

2 BY MS. McAMIS:

3 Q Okay. And you and your sisters talked about this story that  
4 you would talk to CPS about while you were back in Florida, right?

5 A Yeah.

6 Q Okay. Now, Amaya, back when you talked to Florida, the  
7 Florida CPS that came out, you promised to tell them the truth, right?

8 A Yeah.

9 Q And then the -- the State -- or Ms. Bluth, you know who that is,  
10 Ms. Bluth asked you all the things that you talked about when you went  
11 to Florida, right?

12 A Yeah.

13 Q Okay. And then you also met with the sit-down interview with  
14 CPS in March of 2014, right?

15 A Yeah.

16 Q And at that time you promised to tell them the truth, right?

17 A Yeah.

18 Q And that's what you did, right?

19 A [No audible response.]

20 Q Is that a yes?

21 A Yeah.

22 Q I saw you nod. I -- I did see you nod. It's just because we're  
23 being recorded. Okay?

24 A Okay.

25 Q And then you remember testifying at the preliminary hearing in

1 this matter, right?

2 A Yeah.

3 Q And you promised at that time to tell the truth, right?

4 A Yeah.

5 Q Just like today when you -- when you got here, both today and  
6 on Friday, you got up and promised to tell the truth about everything,  
7 right?

8 A Yeah.

9 Q Okay.

10 MS. McAMIS: Court's brief indulgence.

11 [Pause in proceedings.]

12 Q Okay. Amaya, just a few more questions. Okay? Almost  
13 done.

14 Okay. So I have a few more questions about the catheters,  
15 okay?

16 A Yeah.

17 Q All right. Who was in the room with you when Janet, you say,  
18 put the catheter in you?

19 A It was just me and her in the bathroom.

20 Q Okay. And then how many times did she threaten to put the  
21 catheter in you?

22 A Several times, but it was only, like -- like, once. Like, where it  
23 was me and her in the bathroom.

24 Q Okay. And then how many hands did -- was she using, was it  
25 one or two hands?



1           A     I'm not sure. I just remember her -- I just remember me  
2 peeing and then me crying. That's it.

3           Q     Okay. Now I have one last question, nothing to do with  
4 catheters. Okay? Before you lived with Ms. Debbie, do you remember  
5 having, like, behavioral problems?

6           A     Yeah.

7           Q     Do you remember having, like, issues with anger and lying  
8 before living with Ms. Debbie?

9           A     Yeah.

10          Q     Okay. All right. No further questions. Okay?

11               THE COURT: Redirect.

12                               **REDIRECT EXAMINATION**

13          BY MS. BLUTH:

14          Q     Amaya, how old were you when you testified at the preliminary  
15 hearing?

16          A     11.

17          Q     Okay. And how old are you today? I think you said it on  
18 Friday.

19          A     I'm 15.

20          Q     Okay. And just like at the preliminary -- or just like today and  
21 Friday in trial, who -- who went first and got to ask you questions?

22          A     You did.

23          Q     Okay. And then who went after me?

24          A     I don't know her name, but Janet's lawyer.

25          Q     Okay. It was a different -- there were different attorneys at

1 that point in time, right?

2 A At the preliminary hearing?

3 Q Yeah.

4 A Yeah.

5 Q Okay. So at the preliminary hearing, when you testified and  
6 you were asked questions by me, I want to ask you some questions  
7 about that. Okay?

8 A Okay.

9 Q So at the preliminary hearing, did I ask you about why you  
10 guys started having accidents, or how it was you guys started having  
11 accidents? And that's okay if you don't remember. Just let me know if  
12 you don't remember.

13 A I don't. It's really long --

14 Q Okay. And, you know what, I apologize. I said at the  
15 preliminary hearing. I'm going to get to the preliminary hearing in a  
16 moment. But when you spoke with CPS, did you explain to them why  
17 you and your sister started having accidents?

18 A Yeah.

19 Q And what did -- what did you tell them about that?

20 A She didn't let us go to the bathroom. Like, she would time us.  
21 And then she would be, like, don't flood the toilet and this, so we would  
22 be scared to pee all the way. And then we would ask her to go, like, 10  
23 minutes later, and then she would get mad. And then she would slap us  
24 off the toilet and then yell at us. And then we would just be scared to go  
25 to the bathroom.

1 Q Okay. So when you would sit on the toilet, you would be  
2 timed during that time period?

3 A Yeah.

4 Q And then when you say we wouldn't want to flood the toilet --  
5 or let's talk about you, you wouldn't want to flood the toilet; what did you  
6 mean by that?

7 A Like, pee a lot.

8 Q And why were you scared to pee a lot?

9 A Because she would say I was holding it and then she would  
10 smack me --

11 Q Okay.

12 A -- whatever she would want to do.

13 Q So sometimes -- sometimes then would you just pee a little bit  
14 and then pretend like you were done?

15 A Yeah.

16 Q And then would you have to go to the bathroom very shortly  
17 after that?

18 A Yeah.

19 Q And then would you get hit again?

20 A Because we held it, yeah. She would -- she was, like, why  
21 didn't you finish going to the bathroom when we went to the bathroom  
22 break? And then me and Anastasia, we would just say, I don't know.

23 Q So because of that, did you just become very scared to go to  
24 the bathroom?

25 A Yeah.

1 Q And when, at the preliminary hearing, when I was asking you  
2 questions, did -- did you explain that process?

3 A Yeah.

4 Q And then when the defense attorneys got up and started  
5 asking you questions, what did you do?

6 A Started crying.

7 Q Did you start agreeing with whatever they said?

8 A Yeah. Because they made me feel guilty.

9 MR. FIGLER: Objection, Your Honor.

10 MS. McAMIS: Objection.

11 MR. FIGLER: Can we approach?

12 THE COURT: Yeah, that's sustained.

13 [Off-record bench conference.]

14 BY MS. BLUTH:

15 Q When the defense attorneys would ask you questions, how  
16 would you respond?

17 A Yes. I would just agree with them.

18 Q And when you were speaking -- when you were answering  
19 questions to Ms. McAmis today, to Janet's attorney, when you were  
20 answering questions with her today, you said because you guys were  
21 making me feel guilty; do you remember saying that?

22 A Yeah.

23 Q Can you explain what you mean by that?

24 A Like, I can -- I can only tell you what happened.

25 Q Okay.

1           A     But if you weren't there, that you wouldn't know.

2           Q     Okay. Can you -- can you explain to me, though, what you  
3 mean by that? Why -- why were you feeling guilty?

4           A     Because I started thinking it was my fault.

5           Q     What did you think was your fault?

6           A     [No audible response.]

7           Q     Do you want me to pour you a glass of water?

8           A     [No audible response.]

9           Q     Okay.

10                               [Pause in proceedings.]

11          Q     What did you think was your fault, Maya?

12          A     Like, everything. Like -- like, at first, like, when I met Janet,  
13 like, I was like, okay, you know, she's going to be, you know, a good  
14 mom. Like, I just -- I just don't trust nobody, because it's, like, every  
15 time, like, I would try and trust somebody, like, something always comes  
16 back to that related talk. And it just makes me feel like why am I going  
17 to trust somebody? And then, like, I thought, like, when she adopted us,  
18 like, you know, everything was just going to be fine. And it just didn't.  
19 And then I started feeling guilty when she told me that she didn't even  
20 want to adopt me. Because I thought, you know, maybe if she hadn't  
21 adopted me, maybe my sisters wouldn't have went through what they  
22 went through.

23          Q     Okay. At the preliminary hearing, when you say, I was feeling  
24 guilty, is that what you were talking about?

25          A     Yeah.

1           Q     Was there a point at the preliminary hearing when you were  
2 feeling guilty that you talked -- you weren't really answering any  
3 questions, you just started talking to Janet and telling her that you  
4 forgive her?

5           A     Yeah. Like, I don't -- I don't know what she went through to  
6 make her so angry. But --

7           Q     So what did you tell her?

8           A     Told her I forgived her.

9           MS. McAMIS: Objection. Can we approach?

10          THE COURT: Sure.

11                               [Off-record bench conference.]

12 BY MS. BLUTH:

13          Q     Amaya, at the preliminary hearing, you had just talked about,  
14 you know, you felt guilty for what your sisters had to go through. When  
15 you were testifying at the preliminary hearing, did you feel guilty about  
16 anything else?

17          A     Yeah.

18          Q     What did you feel guilty about?

19          A     Everything. Because, yeah, I was a bad kid, but there's just --  
20 I felt like it would have been easier for my sisters if I wasn't there.

21          Q     Okay. Why do you feel like it would have been easier for your  
22 sisters if you weren't there?

23          A     Because everyone always says I'm the problem.

24          Q     So you blamed what happened to your sisters on yourself?

25          A     Yeah.

1 Q You were asked some questions about your grandma had hit  
2 you with a belt. Did you -- do you have any scars on your body from  
3 where your grandma hit you with a belt?

4 A Today?

5 Q Yeah.

6 A No.

7 Q Ms. McAmis asked you if you had gone to Knott's Berry Farm,  
8 and you said yes, but we didn't get to go on any of the rides. What did  
9 you mean by that?

10 A Me and my sisters and Phoenix, she was with us at -- at the  
11 time, she only got to go on the rides. We didn't get to go on any. We  
12 just had to stand next to Janet and Dwight.

13 Q You and -- you and Ava --

14 A My sisters.

15 Q -- and Ava and Anastasia?

16 A Yeah.

17 Q When Ms. McAmis is asking you questions about going --  
18 about you having pain in your stomach, you had, like, stomach pains  
19 before you went to the doctor; do you remember those kind of  
20 questions?

21 A Yeah.

22 Q During that time period, were -- during that time period, were  
23 you holding it, like, holding having to go number two?

24 A No.

25 Q Okay.

1           A     If I had to go to the bathroom, I would go, because we were  
2     able to.

3           Q     And that was at the --

4           A     First house.

5           Q     -- the first house?

6           A     Yeah.

7           Q     You were asked questions in regards to whether or not you  
8     purposefully peed or pooped because you were angry; is that right?

9           A     Yeah.

10          Q     Now, were there times -- were there times when you  
11     purposely peed and pooped?

12          A     I don't know how to explain it to you.

13          Q     Okay. Can you try and explain it to me?

14          A     Like, if I go to the bathroom, I would want to go, but that I  
15     would just tell myself, now she's going to get mad if I ask her to go the  
16     bathroom, because it would be back to back where I would have to go to  
17     the bathroom. And I just said, okay, don't ask her, just wait till the break,  
18     because then she won't be as mad. But even then, like, she was mad,  
19     because we would flood the toilet. So she thought -- or she knew that  
20     we held it in. And then, like, she would just slap us off the toilet.

21          Q     Okay. Would there be times where you were angry with how  
22     Janet was treating you, so you would purposely go to the bathroom, like,  
23     to get back -- back at her?

24          A     Yeah, I -- I --

25          Q     Or was it the way you were just explaining?



1           A     The way I was explaining it you. Because --  
2           MS. McAMIS: Well, let her finish the question.  
3           MS. BLUTH: I think she just did.  
4           THE COURT: Hold on.  
5           THE WITNESS: I already did.  
6           THE COURT: I'm sorry?  
7           THE WITNESS: I already did.  
8           THE COURT: Okay. So you finished your answer?  
9           THE WITNESS: Yeah.  
10          MS. McAMIS: It is quashed then.  
11          THE COURT: All right. Ms. Bluth can follow up if she -- and  
12   Ms. McAmis, you can follow up.  
13   BY MS. BLUTH:  
14          Q     And then you were asked some questions in regards to were  
15   you -- were you allowed to go to the bathroom every hour; do you  
16   remember that?  
17          A     Yeah.  
18          Q     And -- and explain that to me; did you feel like you were  
19   allowed to go to the bathroom every hour on the hour when Janet was  
20   there?  
21          MS. McAMIS: Well, objection. Compound.  
22          THE COURT: Overruled.  
23   BY MS. BLUTH:  
24          Q     Go ahead.  
25          A     Yeah, we were able to. But sometimes she would set the

1 timer longer on her phone or that -- that timer that she got from the store.

2 Q Okay. And so sometimes it would be longer?

3 A Yeah.

4 Q When she did let you go to the bathroom, like, let's say every  
5 hour on the hour, if you did go to the bathroom, did you get in trouble for  
6 having to go pee or poop in the toilet?

7 A If we flooded the toilet, yeah.

8 Q And you were asked on cross-examination that isn't it true that  
9 you having to sit on the buckets only came out after you were peeing  
10 and pooping on purpose, and your answer was yes, right?

11 A Yeah.

12 Q Okay. What do you mean by that?

13 A Either way, like, we would have been had to sit on the buckets  
14 not just because we peed and pooped on ourselves; she just didn't like  
15 us.

16 Q I guess my question is, is when you use the word purposefully,  
17 like I did something on purpose, what does that mean to you?

18 A It's like to get back at somebody for what they did to you.

19 Q Okay. So when I ask -- or when Ms. McAmis asked you the  
20 question, were you purposefully peeing and pooping your pants, what do  
21 you mean by that?

22 A I don't know how to put it.

23 Q That's okay. Just try and then I'll ask some questions if I don't  
24 understand.

25 A Like, all the times, like, for example, my nanny, Ms. Andrea,

1 we were playing Twister with her one day. And I got confused between  
2 my left and my right. And we were laughing and Danielle came out and  
3 she called Janet. And then Janet came home and she started yelling.  
4 She's, like, you know the difference between your left and your right.  
5 And I told her I got confused. And then she was, like, you're just acting  
6 stupid. And I started crying, because it's, like, what are you talking  
7 about? You don't know my mind.

8 I don't know why she would get so mad, like, even, like, if we  
9 did something small, like get an answer wrong, she was still the same  
10 person. Like --

11 MS. McAMIS: Your Honor, unresponsive.

12 THE WITNESS: -- she would still smack us. So it's, like, it  
13 was like her way of having fun.

14 THE COURT: Well --

15 BY MS. BLUTH:

16 Q Okay.

17 A So, like, I don't know why she would get mad if we would pee  
18 and poop on ourselves.

19 MS. McAMIS: Your Honor, I objected, unresponsive.

20 THE COURT: I think what Ms. Bluth's question was, when  
21 you said you -- when you answered Ms. McAmis's question about  
22 peeing and pooping yourself on purpose, or purposefully, I don't  
23 remember the word, what did you mean by that?

24 THE WITNESS: It was, like, because she said we would pee  
25 and poop ourself on purpose. No, I did not know I had -- I didn't know I

1 peed myself. I would wake up, oh, my God, I peed myself. She's going  
2 to slap me today. Like, I didn't know. And I would tell her that, and she  
3 would -- she would smack me, me and my sisters, stop acting stupid.  
4 And then that's when she slammed me up against the door and shoved  
5 my face up the sink.

6 THE COURT: Did you ever pee or poop yourself when you  
7 could have held it but maybe didn't?

8 THE WITNESS: I could never hold it, because she would  
9 always make us wait a long time.

10 THE COURT: Okay. Go on, Ms. Bluth.

11 MS. BLUTH: Thank you.

12 THE WITNESS: She knows she couldn't, like, stop acting  
13 innocent.

14 THE COURT: And there's no question right now. So  
15 Ms. Bluth's going to ask the next -- going to ask the next question.

16 MS. BLUTH: Okay. Thank you, Judge.

17 BY MS. BLUTH:

18 Q Now, you also were asked, isn't it true that there was nothing  
19 preventing you from using the bathroom at night; do you remember  
20 Ms. McAmis talking about that?

21 A Yeah.

22 Q And you -- and your answer to her was yes?

23 A Yeah.

24 Q But on direct examination, you had talked about the gates and  
25 the alarms being up.

1           A     Yeah.

2           Q     So can you explain what was going on?

3           A     The gate was to keep us in the loft and the alarm, it was, like,  
4 if you were to open a door, it would go off. And I don't know what the --  
5 like, she had -- I guess she wanted to know, like, when we were going to  
6 the bathroom. And one time I had went to the bathroom and I had to  
7 pee, and the door was locked. So I just went back on my board,  
8 because, like, I can't go the bathroom.

9           Q     Okay. And then you said that you would get to wear your  
10 pajamas every night until you had an accident in your pajamas.

11          A     When we were foster kids.

12          Q     When you became adopted kids, did you wear pajamas every  
13 night?

14          A     No. Underwear.

15          Q     How often would you get to wear pajamas as a -- as an  
16 adopted kid?

17          A     We wore pajamas when our nannies were there.

18          Q     Okay. Ms. McAmis asked you if -- a couple of different ways  
19 in which you got disciplined. I want to ask you about those. Now, you  
20 said that sometimes you would get time-outs?

21          A     Yeah.

22          Q     And can you give me an example of what a time-out would  
23 be?

24          A     Sit in the corner till, like, timer goes off.

25          Q     Okay. And once you were adopted, were time-outs used often

1 to discipline you?

2 A Yeah.

3 Q And you said that privileges were taken away; what type of  
4 privileges would be taken away?

5 A Like, sometimes my sisters, they would get to stay up with  
6 Janet and they would watch movies. Like, they watched "Karate Kid"  
7 when it first came out. And I wanted to see it. And I didn't -- I had  
8 demerits on my chart. And so I couldn't watch it, so I had to go to bed  
9 early.

10 Q Okay. And then you said, and she would often -- something  
11 that was done as a discipline was she would yell at you?

12 A Yeah.

13 Q Like, what would she yell at you?

14 A Like, what would she say?

15 Q Yeah.

16 A She start -- she yelled at me one time, she was, like, I don't  
17 even want to adopt you, I just want to adopt your sisters.

18 Q That she didn't want to adopt you, she wanted to just adopt  
19 your sisters?

20 A Yeah.

21 Q Okay. You said in response to those questions, you said that  
22 she -- she just didn't like me?

23 A She don't.

24 Q But why did you say that?

25 A Because she doesn't. And she knows it's true and it's so

1 irritating.

2 Q I want to ask you some questions about Ava's eye, in regards  
3 to your preliminary transcript. One second. Oh, no, I apologize, it was  
4 your voluntary statement. Okay.

5 Now, Ms. McAmis asked you some questions in regards to  
6 what you had stated during the interview in regards to what happened  
7 right before Ava's head got smashed into the counter by Janet. And I'm  
8 going to ask you some questions.

9 MS. BLUTH: Page 49.

10 Q And -- sorry. I want you to just read that paragraph and let me  
11 know when you're done. And we're almost done. Okay?

12 A [Witness complies.] Okay.

13 Q Okay. Now, does that help refresh your recollection?

14 A Yeah.

15 Q Okay. Now, during that question, isn't it true that you were  
16 interrupted and it says, like, interference?

17 MS. McAMIS: Well, objection. Leading.

18 MS. BLUTH: Well, Judge, I mean, we can --

19 MS. McAMIS: Also, it misstates -- it misstates it.

20 THE COURT: Counsel approach.

21 [Off-record bench conference.]

22 BY MS. BLUTH:

23 Q So, Amaya, when you were speaking -- when you were  
24 answering the questions about what happened to Ava's eye, isn't it true  
25 that in your answer, there was some type of interference, and they

1 couldn't get your full answer?

2 A Yeah. Because that's -- that's not, like, the full story.

3 Q Okay.

4 A There's more to it.

5 Q But I'm just saying, on the page itself, it says -- it marks, like,  
6 dot, dot, dot, interference.

7 A Yeah.

8 Q Okay. But then on the following page, do you discuss the fact  
9 that right after that happened in the kitchen, Ms. Janet kicked Ava  
10 upstairs into the bathtub and struck her while she was in the tub?

11 A Yeah. She was, like, that's when she told her about the razor  
12 blade.

13 Q Okay.

14 THE COURT: Were you there upstairs? Or are you hearing  
15 this downstairs? Or how do you know this?

16 THE WITNESS: I was upstairs, because Ava was, like, her  
17 legs were, like, in the air, she was crying, she was screaming, she was,  
18 like, telling her to stop.

19 THE COURT: Okay. But you --

20 THE WITNESS: So I was in -- I was upstairs.

21 THE COURT: I'm sorry. I cut you off --

22 THE WITNESS: I was upstairs.

23 THE COURT: -- and I shouldn't have done that.

24 Were you in the bathroom or --

25 THE WITNESS: Yeah.



1 THE COURT: -- were you in the loft or where were you  
2 upstairs?

3 THE WITNESS: We're in Ivy and Autumn's bathroom. Not  
4 the bathroom that we used. Because it was the tub. We didn't have a  
5 bathroom in the other bathroom -- I mean, a tub in the other bathroom.

6 THE COURT: Okay. And then do you remember where you  
7 were located upstairs when this is all going on?

8 THE WITNESS: In the bathroom where Ivy and Autumn slept,  
9 like, in that hallway.

10 THE COURT: Okay. Go on, Ms. Bluth.

11 MS. BLUTH: Thank you.

12 BY MS. BLUTH:

13 Q And before -- from -- sorry.

14 When you were downstairs sitting next to Ava, could you see  
15 that Ava had had an accident?

16 MS. McAMIS: Well, objection. Misstates testimony.

17 MS. BLUTH: How?

18 THE COURT: What could you see about -- could you see  
19 whether or not she had an accident? That's fine.

20 THE WITNESS: I knew she had to go to the bathroom,  
21 because she was shaking. I told her, I was, like, Ava, just tell her you  
22 have to go the bathroom, it's going to be worse if you just pee yourself.  
23 She's like, I'm scared [indiscernible], I'm telling her, I'm, like, just ask her  
24 to go to the bathroom. She's all okay. And then she told her and then  
25 she went upstairs when she was walking. And then she started peeing

1 and then she hadn't started yelling. She was, like, you waited till the last  
2 minute? And then Ava was, I'm sorry. And then that's when the razor  
3 blade happened and then she got her head slammed into the counter.  
4 And then Janet gave her an ice pack to put on her eye later on that  
5 night. And then --

6 THE COURT: Okay. So, but the head slamming incident  
7 occurred up -- downstairs?

8 THE WITNESS: Yeah. In -- because it was Anastasia, then  
9 Ava, then me.

10 THE COURT: Okay. Go on, Ms. Bluth.

11 BY MS. BLUTH:

12 Q And when you testified at the preliminary hearing, did you  
13 discuss, just like you did right now, how that incident started?

14 A No, I just told him, like, about the counter. Like, how -- like,  
15 what Janet did to Ava, like, slammed her head.

16 Q Okay. But did you talk about the fact that Ava had needed to  
17 go to the bathroom?

18 A Yeah. That's one.

19 Q And that she had an accident?

20 A Yeah.

21 Q And that's what you testified at the preliminary hearing?

22 A Yeah.

23 Q There were some conversation about Ms. McAmis was asking  
24 you some questions about demons in the house; do you remember that?

25 A Yeah.

1 Q Okay. Would Janet talk to you guys or scare you guys with  
2 demons? With, like, talk of demons?

3 A She'd say that they were coming for us.

4 Q Okay. Would she show you whether or not there were  
5 demons in the cameras?

6 A Yeah.

7 Q What would she say about that?

8 A I had got her in trouble one day, and they had to -- Dwight, he  
9 could see us on his computer, because he had cameras, like, he could  
10 see us standing on the counter -- like, not standing on -- but, by the  
11 counter. And then he showed us, like, there was, like, this shadow  
12 leaning over me.

13 Q Okay. Did Janet ever show you on the camera where demons  
14 were?

15 A Yeah.

16 Q Explain to me that.

17 A We were going -- we were about to go to bed -- sleep, and  
18 then she told me that the -- there was a camera, like, in the loft that had  
19 a view, like, all three of us, like, where the door was.

20 Q Okay.

21 A In the loft. And she said that there was, like, a little boy  
22 standing there. And she -- I saw -- I seen, like, the little boy in the  
23 camera. And she had showed us this the next morning.

24 Q Okay. When she would tell you, like, that the demons were  
25 coming to get you, like, were you in trouble at that time? Like, when

1 would those conversations happen?

2 A When we were in trouble. Like, when we would pee or poop  
3 ourselves, that's when she would say it to us.

4 Q Did you believe her?

5 A Yeah.

6 Q When you had your seizure, and you said that you -- you  
7 remember, like, trying to put your pajamas on?

8 A Yeah.

9 Q You -- you stated that you weren't feeling well, like, was it a  
10 cold, the flu, like, did you have a fever?

11 A I -- I remember feeling hot.

12 Q And you were asked by Ms. McAmis about, you know, you  
13 told this story to Mr. Blankenship?

14 A Yeah.

15 Q And then Ms. McAmis asked you if Mr. Blankenship helped  
16 you tell this story to CPS; do you remember those questions?

17 A Yeah.

18 Q When you say he helped you tell this story, what do you mean  
19 by that?

20 A Like, he got in contact with the CPS of Florida so I could tell  
21 them, like, what was happening.

22 Q Okay. Did he ever help you, like, devise some plan --

23 A No.

24 Q -- to get away from the Solanders?

25 A Oh, yeah. He was, like, okay, we're going to -- you're going to

1 tell these people what they did to you, and then hopefully you get out the  
2 home.

3 Q And did he ever, like, work with you in making up --

4 A No.

5 Q -- some story that wasn't true?

6 A No.

7 Q Did you ever talk with your sisters about making up some  
8 story that wasn't true?

9 A No.

10 Q And I -- I just want to ask for clarification, did you say on  
11 cross-examination with Ms. McAmis that you were threatened by Janet  
12 with the catheter many times?

13 A Yeah.

14 Q But it only happened to you once?

15 A Yeah.

16 MS. BLUTH: May I have the court's indulgence, Your Honor?

17 THE COURT: Sure.

18 Ladies and gentlemen, we're going to try to finish this witness  
19 before lunch. I don't think there are many more questions. But let's just  
20 take a really quick recess, just under 10 minutes. And then Ms. Bluth  
21 can see if she's finished, and I don't -- the lawyers indicated there  
22 weren't a lot -- many more questions. So I think we can finish before  
23 lunchtime.

24 Before the very brief recess, you're reminded you're not to  
25 discuss the case or anything relating to the case with each other or with

1 anyone else, you're not to read, watch, listen to any reports of or  
2 commentaries on the case, person, or subject matter relating to the  
3 case. Do not do any independent research by way of the Internet or any  
4 other medium, and please don't form or express an opinion on the trial.

5 Notepads in your chairs and follow the bailiff through the  
6 double doors.

7 [Jury recessed at 12:31 p.m.]

8 THE COURT: And, Amaya, do not discuss your testimony  
9 with anybody else during the break.

10 MR. FIGLER: Your Honor, can we put some things on the  
11 record during the break?

12 MS. BLUTH: Do you need to go to the bathroom, Amaya?  
13 Okay. I think we're almost done. We're just going to take a quick recess  
14 and I'm -- I think I'm done. I've just got to look at my notes.

15 [Witness exited courtroom at 12:36 p.m.]

16 THE COURT: All right. We're on the record out of the  
17 presence of the jury and at Mr. Figler's request. The witness and her  
18 CASA were excused and asked to sit in the little conference room.

19 So you needed to place something on the record.

20 MR. FIGLER: Thank you, Your Honor.

21 During -- between the last jury break and this jury break, so  
22 somewhere in the last I'm going to say 40 minutes, your JEA handed us  
23 a bunch of notes that were the unity notes or CPS records that we had  
24 previously discussed with the court and the court -- we had actually  
25 talked to the court at the bench about that at one of our bench

1 conferences today about how we were hoping to get that before Amaya  
2 testified. And there was a discussion about that. And the court felt that  
3 most of whatever would be relevant in here would be best addressed  
4 with perhaps Debbie McClain, who is also going to testify today,  
5 etcetera.

6 While Ms. McAmis was cross-examining the minor witness,  
7 Amaya, I had an opportunity to read through the notes, which now that's  
8 the context for what I'm bringing forward now. The -- the first thing  
9 specifically -- so I have three issues to bring in front of the court.

10 THE COURT: Okay.

11 MR. FIGLER: The first one specifically, we got something in  
12 this timeframe that is a new document to us. For some odd reason it  
13 has a date that is has not yet occurred yet written on it about DA Bluth.

14 THE COURT: No, no. Those are -- they stamp -- well, right.  
15 They stamp the dates --

16 MR. FIGLER: I'm not saying --

17 THE COURT: -- in their request.

18 MS. BLUTH: I know. What does it say? I don't even know.

19 MR. FIGLER: It says May 11, 2018.

20 THE COURT: Okay.

21 MR. FIGLER: So -- but anyway, that's here nor there. But it's  
22 a document that says referral note at the top. And it has some  
23 redactions in it. I --

24 THE COURT: Those redactions, for the record, were placed  
25 there by CPS.

1 MR. FIGLER: Okay.

2 THE COURT: Or -- or DFS. I did not -- the court's redactions  
3 are normally covered up and -- but not the black redactions.

4 MR. FIGLER: Right. So it does not -- this document itself,  
5 without another document to --

6 THE COURT: I think it was on the first page, actually --

7 MR. FIGLER: It was the first page we got.

8 THE COURT: Of what I got.

9 MR. FIGLER: Okay. It does not seem to have a date on it as  
10 to when this report or referral note was made. But it does refer to events  
11 that had happened in the past, including events that had happened in  
12 May of '09.

13 THE COURT: In the McClain home.

14 MR. FIGLER: Correct, Your Honor. And during Hope  
15 Counseling. Apparently, there was a disclosure made by a Amaya, who  
16 was known at the time as Jacqueline, and also a disclosure made by  
17 Yarely at Hope Counseling that triggered what appears here to be part  
18 of a CPS investigation, and a -- a staffing, which had a report e-mailed to  
19 Metro based on a report that Amaya had indicated or disclosed that her  
20 mother's boyfriend had sexually --

21 THE COURT: Sexually --

22 MR. FIGLER: -- assaulted her --

23 THE COURT: -- or molested her.

24 MR. FIGLER: -- or molested her, throwing her down, taking  
25 off her clothes, putting tape on her mouth, and then fondling her genitals



1 while her mother was at the store. And so we don't have any other  
2 information about that. That's the first time we've heard that level of  
3 detail in anything.

4 THE COURT: Right. Well, there -- to -- to be clear, my  
5 recollection is you've already been given records that indicated past  
6 sexual abuse --

7 MR. FIGLER: Right.

8 THE COURT: -- that you were aware of.

9 MR. FIGLER: That's it.

10 THE COURT: But the detail of the sexual abuse, this is the  
11 first I've seen this detail, as well.

12 MR. FIGLER: Right. And that -- and that was disclosures that  
13 would have occurred before placement in the foster. This is now  
14 something that postdates May '09, which appears to be a new -- a new  
15 disclosure that we hadn't heard about, per se. And I don't know if this  
16 matches up with a prior disclosure or not. I mean, this --

17 THE COURT: I was assuming it was -- my assumption may  
18 have been erroneous. I was assuming it was all related to the disclosure  
19 that had already been made.

20 MR. FIGLER: That doesn't make sense to me, because  
21 they're talking about this in a way -- this is a response to asking them  
22 more questions about some of the sexual acting out that was occurring  
23 apparently --

24 THE COURT: Right. And the --

25 MR. FIGLER: -- in the McClain home.

1 THE COURT: -- reason I gave you the records was, as I  
2 indicated at the bench, I didn't feel it was appropriate to cross-examine  
3 the children about this prior sexual acting out. But that, you know, it  
4 could be possible cross-examination for Ms. McClain if she said, oh,  
5 there are no problems at all.

6 MR. FIGLER: Right.

7 THE COURT: Or something like that, open the door, that  
8 there were some issues --

9 MR. FIGLER: And I'll get to that.

10 THE COURT: -- with sexual acting out.

11 MR. FIGLER: And I'll get to all that in a second, as I was able  
12 to go through the rest of those notes. But with regard to this referral  
13 note from CPS and the officer report that -- or the report that was  
14 apparently, according to this document, made to Metro, it potentially  
15 triggers a request for a *Miller* hearing. Now, understanding that we're  
16 obviously not getting into the prior unchasteness of the child, etcetera,  
17 but if this turns out to be, or if there is enough indicia, that this is a false  
18 accusation of the sexual molestation or the sexual assault, perhaps,  
19 because if they're fondling her genitals, you know, any -- whatever it is  
20 here, and there is great detail here, we don't know what happened with  
21 that.

22 So *Miller* tells us that if we -- if the defense has a bases, we  
23 cannot cross-examine until we have a hearing outside the presence of  
24 the court, and I believe it's a two- or three-factor test. One, was the  
25 allegation made? And I think that that has already been met without a

1 hearing. But two, is it false? Is there any corroborative nature of it being  
2 false? And I don't know if there's a third one, or it probably is related to  
3 probative versus prejudicial impact or something like that or is it  
4 probative of anything.

5 If -- if this witness has previously made a false accusation of  
6 this type of sexual assault by an adult person as part of whatever  
7 reason, to -- to get back to her home or to stay away from that home or  
8 to manipulate in any way, the defense absolutely has a right to get into  
9 that in front of the jury as an impeachment, purely as an impeachment.

10 I presume there are additional records which would either  
11 support or take away from the potential falsity of that accusation.  
12 Because right now with just this one piece of paper, which I just  
13 received, I don't know that I can suggest one way or another whether it's  
14 false. But there is enough specific detail in here that it may very well be  
15 false.

16 And -- and so that is the number one concern to the defense,  
17 that, you know, we --

18 THE COURT: Well, what I would say going forward is there's  
19 nothing to suggest that it's false. We've all known for quite some time  
20 that there was a history of prior sexual abuse.

21 MR. FIGLER: And we're not getting into that. That's not what  
22 I'm talking about.

23 MS. BLUTH: Can I --

24 THE COURT: Right.

25 MS. BLUTH: Can I respond though, Judge?

1 THE COURT: In a minute.

2 MS. BLUTH: Sorry.

3 THE COURT: And at this point, you know, let's go forward  
4 with the witness. If -- assuming where you're going with this is you're  
5 requesting additional records.

6 MR. FIGLER: Correct.

7 THE COURT: If those records were to show that the  
8 allegation was found to be false, then we can always recall the witness.  
9 But my suggestion would be with this witness, let's finish her up. I don't  
10 know that -- in my opinion, there was nothing in those records -- just to  
11 be clear on the record -- the other records concerned the knee issue and  
12 the weight of the one kid, and I -- was that Ava, I believe.

13 MS. BLUTH: Right.

14 MR. FIGLER: Right.

15 THE COURT: Was the one that the weight issue -- we've  
16 already known about that, that was disclosed in other records. There's  
17 only -- the only sort of interesting thing relating to her was there was a  
18 mention of a high blood sugar at one point.

19 MR. FIGLER: Right. I saw that as well. And some doctors'  
20 visits. But --

21 THE COURT: And some doctors' visits. So this would be the  
22 only thing in the records, I guess, that would be concerning to you.

23 MR. FIGLER: No --

24 THE COURT: Correct? There was the yelling by the foster  
25 mother, Debbie McClain --

1 MR. FIGLER: Which we could bring out with her.

2 THE COURT: -- and she was counseled not to yell.

3 MR. FIGLER: Correct.

4 THE COURT: But I didn't really think that that was

5 inconsistent or rising to any kind of abuse or anything like that. There

6 was no CPS investigation about the yelling. And, you know, I guess you

7 could cross-examine Debbie McClain about that.

8 MR. FIGLER: Okay. Which we probably will. But here's my

9 second point on that.

10 MS. BLUTH: Wait, can I -- can I --

11 MR. FIGLER: What we did find --

12 MS. BLUTH: Can I do the first point though, first?

13 THE COURT: Sure.

14 MS. BLUTH: Otherwise it's going to -- I'm going to get, like,

15 lost in translation.

16 THE COURT: Okay. Which --

17 MS. BLUTH: In regards to the *Miller* hearing, we've known

18 about these allegations for four years. And so I'm confused at why in

19 the 15th day of trial we're discussing having a *Miller* hearing. There's no

20 indicia that this was false in any way. In fact, I believe even their own

21 client had been --

22 THE COURT: I believe this is the 16th day of trial.

23 MS. BLUTH: Oh. Apologize. But I believe that their own

24 client had helped report some of the accusations by the girls that their

25 mother's boyfriend had been sexually inappropriate with them. And in

1 fact Debbie saw on not one, but two occasions that there was sexualized  
2 behaviors between the girls. So I don't think that's --

3 THE COURT: And that's in the records, I think.

4 MS. BLUTH: There is not any indicia of falseness. I -- I do  
5 remember at some point speaking to either CPS or the police about,  
6 hey, was a report in fact actually made? And I'll go back and make a  
7 double check. I know I never received it. But I'd be happy to go.

8 Because I -- I feel like there was something about they could  
9 never identify Mom's boyfriend. But I'm not 100 percent sure. But I will  
10 get to the bottom of that at some point today or tomorrow in regards to  
11 getting police reports.

12 THE COURT: So let's just go forward and then she'll get the  
13 records --

14 MR. FIGLER: Right.

15 THE COURT: -- and see if there anything else. And like I  
16 said, there's nothing at this point to indicate the allegation was false.  
17 And in fact it's somewhat corroborated by the sexualized behavior of the  
18 children.

19 MR. FIGLER: Unless there was something else. And I don't  
20 know. The -- the other thing though is that the -- the disclosure -- or the  
21 report to CPS that was made by Dwight and Janet would have well  
22 postdated this referral that was made. And there's no cross-reference  
23 on that.

24 So, I mean, this is new to us and we're just trying to figure  
25 out --

1 THE COURT: Right.

2 MR. FIGLER: -- I think Your Honor realizes that we have  
3 never read that detail from any document that had previously been  
4 produced. So that was issue one.

5 THE COURT: Okay.

6 MR. FIGLER: On number two, the witness, Amaya, testified  
7 on direct examination that she was depressed or that she was referred  
8 to a psychologist because Ms. Janet said she was depressed. And she  
9 goes, Well, of course I was depressed; I was being abused by  
10 Ms. Janet.

11 THE COURT: But she was depressed before that, and that's  
12 in the record. So you want to ask her was she depressed before that.

13 MR. FIGLER: She was depressed before that, she also was  
14 referred to a psychiatrist because of her depression. And it got to a  
15 point where at some point she had threatened to do herself harm --

16 THE COURT: To hurt herself.

17 MR. FIGLER: -- and then CPS had to tell Ms. Debbie to  
18 remove the sharp implements from the house, because they were taking  
19 that seriously. So that would be a line of questioning that I feel would be  
20 appropriate for Ms. McAmis to be able to get into --

21 THE COURT: Okay.

22 MR. FIGLER: -- with potential cross-examination. And the  
23 possibly follow that up with what Debbie McClain did, because that was  
24 important, and that might contradict --

25 THE COURT: But she may not know what Debbie McClain

1 did. I miss --

2 MR. FIGLER: Well, no. No, no. I'm sorry. I'm sorry.

3 THE COURT: With Debbie McClain.

4 MR. FIGLER: I misspoke.

5 THE COURT: Okay.

6 MR. FIGLER: With Debbie McClain. Ask with Debbie

7 McClain did.

8 THE COURT: Right. She's not going to know that the sharp  
9 objects were removed --

10 MR. FIGLER: No, I'm not going to ask --

11 THE COURT: -- from the room.

12 MR. FIGLER: -- Ms. -- Ms. McAmis --

13 THE COURT: Okay.

14 MR. FIGLER: -- is not going to ask her --

15 THE COURT: Right. Okay.

16 MR. FIGLER: -- about what she did.

17 THE COURT: Issue number three?

18 MR. FIGLER: And then issue number three was she had  
19 indicated on direct that this whole thing about her wanting to run away  
20 because it was such a horrible place, do you remember her testimony?

21 THE COURT: Right. And then you think that opened the door  
22 to the fact that she has since run away from the Debbie McClain house?

23 MR. FIGLER: Correct.

24 MS. BLUTH: Amaya?

25 THE COURT: Well --



1 MS. BLUTH: My --

2 THE COURT: -- in the records that I didn't give, I did notify  
3 everybody that there was reference from Ms. McClain that both children  
4 had run away repeatedly and she says in there, I'm sick of calling 311 to  
5 report the runaways.

6 MS. BLUTH: And they --

7 MR. FIGLER: And -- and -- I'm sorry. Just for the record, we  
8 have not received -- we just got your summary at the bench. We have  
9 not received those documents --

10 THE COURT: Right.

11 MR. FIGLER: -- at all.

12 THE COURT: Right.

13 MR. FIGLER: So I was basing that on what Your Honor said.

14 THE COURT: I didn't really think it was relevant to anything in  
15 this proceeding, which is why I -- but I said, in case somebody testifies  
16 inconsistently, you're being told that it may somehow come out either  
17 through Ms. McClain again. My thinking was she might say, oh, things  
18 are so great now with the girls. And then I thought that could open the  
19 door. But Ms. Bluth --

20 MR. FIGLER: Right.

21 THE COURT: -- was pretty sure she wasn't going to say that.  
22 So --

23 MR. FIGLER: And so our request is to get those records now,  
24 but if Your Honor still doesn't want to do that, that Ms. McAmis be able  
25 to ask one question --

1 THE COURT: She can say, have you run away --  
2 MR. FIGLER: Right, from Ms. Debbie.  
3 MS. BLUTH: Wait. What -- how is that relevant?  
4 THE COURT: Because she's saying she was so desperate  
5 with Ms. Solander that she thought about running away.  
6 MS. BLUTH: Okay. So but what --  
7 THE COURT: Wanted to run away.  
8 MS. BLUTH: -- does that have to do with running away from  
9 Debbie McClain?  
10 MR. FIGLER: Well, this --  
11 MS. BLUTH: How is that relevant?  
12 MR. FIGLER: The State made a very pronounced line of  
13 questioning on that with regard to, you know, what did you feel and why  
14 would you do that, etcetera --  
15 MS. BLUTH: No, I didn't.  
16 MR. FIGLER: -- and so the --  
17 MS. BLUTH: I didn't --  
18 MR. FIGLER: -- the --  
19 MS. BLUTH: -- ask her anything about running away.  
20 THE COURT: She kind of is the one who jumped out --  
21 MS. BLUTH: She sua sponte just said, I wanted to run away.  
22 THE COURT: -- with the running away, that she was so  
23 desperate she thought about running away or something to that effect.  
24 MS. BLUTH: Because I said to her -- I said --  
25 THE COURT: You didn't ask her. She just --

1 MS. BLUTH: No, I know.

2 THE COURT: -- volunteered.

3 MS. BLUTH: I -- it was -- I said to her about this seizure, I  
4 said, well, what were you going to do, you know, like, if you got out of  
5 the hospital? And she's like, I always wanted to run away, I was always  
6 coming up with plans to run away. But I don't understand how -- what --

7 MR. FIGLER: And I thought there was follow up on that  
8 question.

9 MS. BLUTH: Absolutely not. Because I knew you would  
10 make this argument. So I immediately stayed away from it. But I don't --  
11 so she -- but first of all, she never did run away from Janet.

12 MR. FIGLER: But the suggestion is that Ms. Janet was so  
13 abusive and that the allegations in the information are so true that it  
14 made her want to run away. Well, she also wants to run away in the  
15 perfect environment of -- of Debbie McClain.

16 MS. BLUTH: Except the fact that she's never run away. And  
17 so --

18 MR. FIGLER: Well, we don't --

19 THE COURT: No, no. In the records, it's --

20 MS. BLUTH: It's Anastasia and Ava.

21 THE COURT: Oh.

22 MS. BLUTH: Not Amaya.

23 THE COURT: Well, why don't we just drag Amaya in here  
24 and ask her if she's ever run away?

25 MR. FIGLER: Okay.

1 THE COURT: Now, it doesn't say in the records -- it's  
2 definitely Ava has run away --

3 MR. FIGLER: Right.

4 THE COURT: -- and then Debbie McClain said something  
5 about she's just tired of having to call 311 --

6 MS. BLUTH: Right.

7 THE COURT: -- all the time --

8 MS. BLUTH: My understanding is that --

9 THE COURT: -- that the girls running away.

10 MS. BLUTH: -- was Anastasia.

11 THE COURT: And I'm assuming you followed up with  
12 Ms. McClain and that's how you know who's been running away?

13 MS. BLUTH: Yeah, my -- after you told me that, my  
14 understanding was it was Anastasia and Ava --

15 THE COURT: Well, let's just pull Amaya in and ask her out of  
16 the presence of the jury --

17 MS. BLUTH: Okay.

18 THE COURT: -- and if she says she's never run away --

19 MS. BLUTH: Okay.

20 THE COURT: -- we're done, because there's nothing to  
21 counteract that.

22 MS. BLUTH: Okay.

23 THE COURT: All right?

24 MS. BLUTH: Yep.

25 THE COURT: Or contradict that.

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[Witness enters courtroom at 12:51 p.m.]

MR. FIGLER: And we just don't know, that's why.

THE COURT: Right. That's fine. We can ask her out of the presence of the jury, and if there's nothing --

Come on back up here by me, please.

We're here out of the presence of the jury because we wanted to ask you some follow-up about running away. You said you thought about running away when you were living with the Solanders, right?

THE WITNESS: Yeah.

THE COURT: Did you ever actually run away?

THE WITNESS: No. Well, it was, like, my sisters were, like, we're going to leave. I was, like, and me being dumb, I would say, no, I want to get help. But I wasn't getting any help.

THE COURT: Okay. Now -- now that you've been living with Debbie McClain, have you ever run away?

THE WITNESS: Maybe one time. But that was when me and my sister Ava got into a really big argument and I got mad at her. But I've been out of trouble ever since then.

THE COURT: Okay. So you ran away one time?

THE WITNESS: Yeah. I didn't even run away. I was around the corner, like --

THE COURT: Okay. How did you get found? Did Ms. McClain find you?

THE WITNESS: No, I went back home. It was cold outside.

THE COURT: Okay. So you, like, did you pack up your stuff

1 and run away?

2 THE WITNESS: No. I was in my pajamas. Because we got  
3 into a bad argument on a Saturday. We were doing chores. I was, like,  
4 shut up, Ava. And then I just left for, like, 30 minutes.

5 THE COURT: Okay. Okay. And when did that happen?

6 THE WITNESS: It was a long time ago. I don't really  
7 remember what -- when.

8 THE COURT: Like, a year? Two years?

9 THE WITNESS: Like, a year and a half ago.

10 THE COURT: Okay. So you ran away in your pajamas. And  
11 do you know if -- if Debbie McClain called the police or called anybody?  
12 Like, she must have been, oh, my God, what's going on?

13 THE WITNESS: Yeah, she probably did.

14 THE COURT: Okay. Did -- did the police or CPS or anybody  
15 ever interview you in connection with that?

16 THE WITNESS: No.

17 THE COURT: Now, more recently, was there -- let me ask  
18 you this.

19 Have your sisters run away?

20 THE WITNESS: Yeah.

21 THE COURT: Okay. Both of them or just --

22 THE WITNESS: Yeah.

23 THE COURT: -- one of them?

24 THE WITNESS: Both.

25 THE COURT: Okay. Does that happen a lot?

1 THE WITNESS: How do I put it? My sisters -- I tried to  
2 explain to them, like, you have to do better, you know. Because that's  
3 the only way that you're going to make it in life. And I try to explain that  
4 to them and it's like they always run away when things get hard. And I --  
5 I'm telling them, like, I tell them, you can't run away when everything  
6 gets hard, because you're not going to get anywhere when you're --  
7 when you think like that.

8 THE COURT: Okay. Now, recently, Ava ran away, right?  
9 And that's why she's living in --

10 THE WITNESS: Yeah.

11 THE COURT: -- the group home? Okay. Did you run away  
12 too or did --

13 THE WITNESS: No. It was just her. Well, I wasn't going to  
14 leave her, because she had been missing and I had seen her at school.  
15 I was talking to her. I was, like, Ava, just come home, like, you know,  
16 Mom's not going to be mad at you, she just wants to make sure you're  
17 okay. And then she was all, like, well, I was ditching. I was, like, It's not  
18 about ditching classes. She just wants to make sure you're okay.

19 And I called my mom to pick me up from practice one day, and  
20 then she was -- she's like, could Ava get in? She's, like, no. Because  
21 Ava had to go to the police and clear her name. Because then they  
22 would have thought my mom had probably -- had to do something with  
23 this. So she was trying to tell me, and I got mad, because, like, I was  
24 already mad that Ava was ditching, and she promised me she wasn't  
25 going to ditch.

1                   And so then I stayed with her and I told her, well, I'm not  
2 leaving my sister out here. So we both went to Child Haven, and then I  
3 left because when we were up there, like, Ava and Anastasia were  
4 treating me like crap. And, like, me and Anastasia got into an argument  
5 up there. And she was just being rude. She was, like, being really  
6 mean. She called me a prostitute. I don't even --

7                   THE COURT: This is your younger sister?

8                   THE WITNESS: Yeah. She got a mouth. And I told her, you  
9 got a mouth. And so I only got into an argument with Ava once up there.  
10 And then I left. I was the first one to leave --

11                  THE COURT: You left Child Haven?

12                  THE WITNESS: Yeah. I --

13                  MS. BLUTH: Wait. Judge, when you say left --

14                  THE WITNESS: Like, I got --

15                  MS. BLUTH: With permission.

16                  THE WITNESS: I went back home.

17                  THE COURT: Oh, okay. So you didn't just leave -- you know,  
18 walk out the door.

19                  MS. BLUTH: Yeah.

20                  THE WITNESS: No.

21                  THE COURT: You went back home with Debbie?

22                  THE WITNESS: Yeah.

23                  THE COURT: Okay.

24                  THE WITNESS: And --

25                  THE COURT: Okay. And you wanted to go back with



1 Debbie?

2 THE WITNESS: Yeah. Because I realized I -- I can't just -- I  
3 can't help them anymore. Because they can only -- I can only do so  
4 much.

5 THE COURT: Okay.

6 Ms. Bluth, any follow-up with that?

7 **VOIR DIRE EXAMINATION**

8 BY MS. BLUTH:

9 Q Just the time you ran away in your pajamas on that Saturday  
10 morning for, like, 30 minutes, you don't know -- you don't know if  
11 Ms. Debbie did call it in or not; you said maybe she did, but you don't  
12 know?

13 A She -- that's what she would do though.

14 Q Yeah. But you don't have any independent knowledge?  
15 Like --

16 A Yeah.

17 Q -- the police didn't come?

18 A No.

19 Q I mean, you -- did Debbie even know you were gone?

20 A Yeah.

21 Q Okay. And then when you say you went around the corner,  
22 like, do you literally mean, like, around the corner from your house?

23 A Yeah. Like, literally around the corner.

24 Q Like, in -- so you were in your neighborhood?

25 A Yeah.

1 Q And were you just -- were -- were you at a friend's house or  
2 were you just standing on the corner in your pajamas?

3 A I was just sitting on the corner crying, because I was so mad.

4 Q At Ava?

5 A Yeah.

6 Q Because it was between a fight with you and Ava?

7 A Yeah.

8 Q So it had nothing to do with Debbie?

9 A Yeah.

10 Q Okay.

11 MS. BLUTH: Nothing further, Judge.

12 THE COURT: Any follow-up?

13 MS. McAMIS: No.

14 THE COURT: All right. Counsel approach.

15 [Off-record bench conference.]

16 THE COURT: And we were still on redirect, correct?

17 MS. BLUTH: I don't have anything else, so I'll just stand up  
18 and pass the witness.

19 THE COURT: All right.

20 [Pause in proceedings.]

21 [Jury reconvened at 12:59 p.m.]

22 THE COURT: All right. Court is now back in session and  
23 Ms. Bluth, you may resume your redirect examination.

24 MS. BLUTH: That concludes my direct, Your Honor. I'll pass  
25 the witness.

1 THE COURT: All right. Ms. McAmis, cross?

2 MS. McAMIS: Yeah.

3 **RECROSS-EXAMINATION**

4 BY MS. McAMIS:

5 Q Okay. So Amaya, you testified about spending all day long  
6 doing homework on the buckets, correct?

7 A Yeah.

8 Q But you also testified about how the other girls got to watch  
9 movies, but you had to go to be early that day, right?

10 A That was at the first house. My bad.

11 Q Okay.

12 A Like, that was before.

13 Q But that is something you testified to that --

14 A Yeah.

15 Q -- the girls got to watch movies, right?

16 A Yeah.

17 Q There was a TV in the home?

18 A Yeah. They watched in the family room.

19 Q Okay. You also went to church?

20 A Yeah.

21 MS. BLUTH: Objection. Outside the --

22 THE COURT: And -- and your voice is getting quiet, so just  
23 kind of remember to speak into that microphone so everybody can hear  
24 you.

25 MS. BLUTH: So my objection was outside the scope about

1 going to church or -- and asked and answered on cross.

2 THE COURT: Well --

3 MS. McAMIS: That's fine.

4 THE COURT: Okay.

5 MS. McAMIS: I didn't have much more than that, so --

6 THE COURT: Okay.

7 MS. McAMIS: -- I'm happy to move on.

8 BY MS. McAMIS:

9 Q Ava, you testified -- I'm so sorry. Amaya. I know you're  
10 Amaya.

11 Amaya, you testified that you were depressed as a result of  
12 living in the Solander home, right?

13 A Yeah.

14 Q And that you were taken to Monte Vista at one point, right?

15 A Yeah.

16 Q And you testified -- and you testified that at Monte Vista Janet  
17 disclosed that you were engaging in, like, self-harming behaviors, right?

18 A Yeah.

19 Q But you disagreed with that, because you said I was just  
20 picking my fingers, right?

21 A Yeah.

22 Q Okay. So isn't it true that before you went into the Solander  
23 home you were in foster care and you had struggled with depression in  
24 foster care?

25 A I don't remember.

1 Q Okay. Do you remember seeing a psychologist named Lisa  
2 Schaefer [phonetic] about your depression?

3 A I -- the name, it rings a bell, but I don't, like, remember being  
4 with them, like -- because there was two workers I had were Lisa.

5 Q Okay. But you do remember that there was someone who  
6 worked with you and her name was Lisa Schaefer, right?

7 A Yeah.

8 Q Okay. And you remember that while you were in foster care  
9 you received a number of services, right?

10 A Yeah.

11 Q So you had service providers that came into the home to help,  
12 right?

13 A Yeah.

14 Q And then you would go out of the home and attend counseling  
15 like at Hope Therapy, right?

16 A Yeah.

17 Q And then you also remember working with at least Lisa  
18 Schaefer, you know that name?

19 A Yeah.

20 Q Okay. Do you remember threatening to harm yourself with a  
21 knife on a Sunday after a missed family visitation in March of 2010?

22 A No.

23 Q Okay. And you don't remember talking to Ms. Lisa Schaefer  
24 about that?

25 A No.

1 Q Now, to be fair, it's been a couple of years, right?

2 A Yeah.

3 Q Okay. And so you were asked a lot of questions about what  
4 your memory is today, and then we asked you lots of questions about  
5 preliminary hearing, right?

6 A Yeah.

7 Q Okay. Now, the preliminary hearing was several years ago,  
8 right?

9 A Yeah.

10 Q Okay. Would you say your memory was better at the  
11 preliminary hearing because it was closer in time to when you lived at  
12 the Solander home?

13 A Yeah.

14 Q Okay. And at the preliminary hearing you were 11?

15 A Yeah.

16 Q That's still old enough to remember things, right?

17 A Yeah.

18 Q And you were asked questions on redirect examination about,  
19 you know, generally telling the truth and when the -- just the difference  
20 between the prosecution asking you questions and then defense  
21 attorneys asking you questions; do you remember that line of  
22 questioning?

23 A Yeah.

24 Q Okay. So when you testified at the preliminary hearing, did  
25 you promise to tell the true, and that was to all the answers you were

1 giving, right?

2 A Yeah.

3 Q Okay. So it didn't matter who was asking you the questions,  
4 you still promised to tell the truth?

5 A Yeah.

6 Q Okay. And just like when I'm asking you questions, if you  
7 agree or you disagree with them, you tell me, right?

8 A Yeah.

9 Q You're not just agreeing with me because I'm asking you  
10 questions, right?

11 A Yeah.

12 Q Because you promised to tell the truth?

13 A Yeah.

14 Q Okay.

15 MS. McAMIS: Court's indulgence.

16 I have no further questions.

17 THE COURT: Nothing else? Anything else Ms. --

18 MS. BLUTH: Just two.

19 **FURTHER REDIRECT EXAMINATION**

20 BY MS. BLUTH:

21 Q So when you told Ms. McAmis that you got to wear pajamas  
22 every night, was that correct or incorrect?

23 MS. McAMIS: Beyond the scope of recross -- or -- yeah,  
24 recross.

25 MS. BLUTH: Not from --

1 THE COURT: All right. She can --

2 MS. BLUTH: -- regards to that last question.

3 THE COURT: Overruled.

4 BY MS. BLUTH:

5 Q When Ms. McAmis asked you, she said, Did you get to wear  
6 pajamas every night that you didn't have an accident in your pajamas,  
7 you said yes, you did?

8 A When, like, we were foster kids, we got to wear pajamas. But  
9 eventually it was just underwear.

10 Q Okay. And when you said that there was nothing preventing  
11 you from going to the bathroom at night?

12 MS. McAMIS: Again, beyond the scope of  
13 recross-examination.

14 MS. BLUTH: Goes to the very last question she asked.

15 MS. McAMIS: Asked and answered.

16 THE COURT: She can answer. But I think we are getting  
17 kind of redundant here.

18 BY MS. BLUTH:

19 Q So when you said that there was nothing preventing you from  
20 going to the bathroom at night, with Ms. McAmis, was that correct or  
21 incorrect?

22 A What do you mean?

23 Q So we're -- I guess my question's just were there gates and  
24 alarms up at night?

25 A Yeah.



1 MS. BLUTH: Nothing further, Judge.

2 MS. McAMIS: One brief question.

3 **FURTHER RECROSS-EXAMINATION**

4 BY MS. McAMIS:

5 Q These different things that you've testified to about the  
6 different, just, rules, isn't it fair to say that the longer you lived there  
7 and -- and the pee and the pooping behaviors continues, the more rules  
8 that there were?

9 A Yeah.

10 Q Okay.

11 MS. McAMIS: No further questions.

12 MS. BLUTH: Nothing else, Your Honor. Thank you.

13 THE COURT: Do we have any juror questions? All right.

14 I'll see counsel at the bench, please.

15 [Off-record bench conference.]

16 THE COURT: All right. We have a couple of juror questions  
17 up here. A juror asks:

18 Referring to the chart on the fridge, how many months was  
19 that system actually in place and with what consistency was it used?

20 THE WITNESS: It was a couple of months and it was, like, an  
21 everyday thing. It was, like, Monday through Sunday.

22 THE COURT: Okay. But it was only up for a couple of  
23 months?

24 THE WITNESS: Yeah.

25 THE COURT: And were you punished at times even if you

1 had not gotten enough demerits?

2 THE WITNESS: How do I put it, like, I wouldn't get any  
3 privileges. Like, if I didn't have enough points, I still wouldn't get to do  
4 things. So I don't know if that answers your question, but.

5 THE COURT: Okay. Why did you keep the first name the  
6 Solanders gave you after the adoption? So why did you keep --

7 THE WITNESS: I know what you mean.

8 THE COURT: -- the name Amaya as opposed to getting a  
9 new name or going back --

10 THE WITNESS: Oh.

11 THE COURT: -- to your original name?

12 THE WITNESS: I hated my original name, because girls  
13 these days, I just hated my name. And everyone knows me by that.  
14 Why change if everyone knows me by that?

15 THE COURT: Okay. So you didn't like your -- your -- what  
16 was your original --

17 THE WITNESS: I didn't like Jacqueline.

18 THE COURT: -- name?

19 THE WITNESS: Jacqueline.

20 THE COURT: And you didn't like the name Jacqueline?

21 THE WITNESS: I hated that name.

22 THE COURT: No offense to Ms. Bluth.

23 MS. BLUTH: Yeah, thank you.

24 THE WITNESS: I'm sorry. I forgot that was your name. I  
25 forgot that was your name. I hated that name. Jacqueline.

1 MS. BLUTH: We got it, Amaya.

2 THE COURT: All right. Ms. Bluth, any questions in defense  
3 of your name?

4 **ADDITIONAL REDIRECT EXAMINATION**

5 BY MS. BLUTH:

6 Q The chart of the demerits, was that while you were a foster  
7 child or while you were an adopted child?

8 A Foster.

9 Q Okay.

10 MS. BLUTH: Nothing further. Thank you.

11 THE COURT: Ms. McAmis, any follow-up?

12 MS. McAMIS: No. I have nothing further.

13 THE COURT: Any additional juror questions for the witness?

14 All right. I see no additional questions.

15 Thank you for your testimony. Please do not discuss your  
16 testimony with anyone else who may be a witness in this case. Thank  
17 you. You are excused.

18 And just follow the bailiff from the courtroom.

19 All right. Ladies and gentlemen, we're going to go ahead and  
20 take our lunch break. We will be in recess for the lunch break  
21 until 2:10. 2:10.

22 During the lunch break -- that's an hour -- during the lunch  
23 break you are all reminded you are not to discuss the case or anything  
24 relating to the case with each other or with anyone else. You're not to  
25 read, watch, or listen to any reports of or commentaries on the case,

1 person, or subject matter relating to the case. Do not do any  
2 independent research by way of the Internet or any other medium.  
3 Please don't form or express an opinion on the trial.

4 Please leave your notepads in your chairs and follow the bailiff  
5 through the double doors.

6 [Jury recessed at 1:10 p.m.]

7 THE COURT: Who's next, Ms. McClain?

8 MS. BLUTH: Well, I -- actually, it's Anastasia. I thought that  
9 she was coming tomorrow.

10 THE COURT: Okay.

11 MS. BLUTH: No, she got her up today.

12 THE COURT: Okay.

13 MS. BLUTH: So Anastasia will be this afternoon and then if  
14 we have time, Ms. McClain will be here. If not, we'll -- she'll come back  
15 tomorrow.

16 The one thing that I did not tell Your Honor and I forgot -- I  
17 apologize, is that Dr. Cetl is not available till the first things Wednesday  
18 morning.

19 THE COURT: Okay.

20 MS. BLUTH: So I let the defense know that if -- if it was  
21 possible, if they could -- if they had any other witnesses lined up, we  
22 would probably be done early tomorrow --

23 THE COURT: Okay.

24 MS. BLUTH: -- and we could call Dr. Cetl out of order.

25 THE COURT: I had a question -- I'm sorry to interrupt --

1 MS. BLUTH: Okay.

2 THE COURT: -- on the doctor -- what's her name, Dr. Melfi --

3 MS. BLUTH: Oh, Miletì.

4 MR. FIGLER: Miletì.

5 THE COURT: Miletì. Why don't you have your investigator

6 attempt personal service on her and then it would become the onus of

7 her lawyers to put it on for Motion to Quash service as opposed to the

8 onus being --

9 MR. FIGLER: On the State.

10 THE COURT: -- on the State.

11 MS. BLUTH: Well, because -- right. Because they already --

12 they already acknowledged service.

13 THE COURT: Right. I was just thinking --

14 MS. BLUTH: And -- and also the only --

15 THE COURT: -- it's their obligation to come forward and --

16 MS. BLUTH: Right.

17 THE COURT: -- get the motion quashed.

18 MS. BLUTH: The only other thing is because they were going

19 to say that she's medically unavailable. So they have --

20 THE COURT: Right.

21 MS. BLUTH: -- they have no problem in coming here. They

22 just told me to let them know when the court puts it on the calendar.

23 THE COURT: Okay. So they indicated they have no problem

24 coming on a motion.

25 MS. BLUTH: Right.

1 THE COURT: Oh.

2 MS. BLUTH: Yeah. So you just tell me --

3 THE COURT: On an order to show cause.

4 MS. BLUTH: You just tell me when and I'll let them know.

5 MR. FIGLER: Well, why don't we do that tomorrow.

6 THE COURT: Why don't we do --

7 MR. FIGLER: We're still trying to sort out our witnesses. I'm

8 working -- for the State witnesses, I'm working with Catherine

9 Jorgenson, we're communicating while trial's going to on. I don't know

10 that will be able to have people here by tomorrow. But there's -- if

11 there's that to do tomorrow after McClain, if there's possibly we can start

12 talking about jury instructions, do all that stuff.

13 THE COURT: Well, what other witnesses does the State have

14 that --

15 MS. BLUTH: So we have Dr. Stephens, who is -- she was

16 asking to go Skype on Thursday. So I was going to ask to call her out of

17 order. I know, there's so many, but if you tell me -- if you tell me it has to

18 be tomorrow, they will do it tomorrow. So that's what I would ask the

19 court to tell me.

20 THE COURT: Yeah. I think they need to do it tomorrow.

21 MS. BLUTH: Perfect.

22 THE COURT: Because otherwise we might be closing, who

23 knows, on Thursday or we may --

24 MS. BLUTH: Got it.

25 THE COURT: -- be in this -- defense's case.

1 MS. BLUTH: Right. And so in regards to Dr. Mileti, would you  
2 like me to have their -- so --

3 THE COURT: Why don't we have their attorneys here  
4 tomorrow after the court's criminal calendar --

5 MS. BLUTH: So, like, 11:00?

6 THE COURT: -- let's say -- I was going to say 10:30.

7 MS. BLUTH: Okay. Okay. So 10:30 and then I'll tell  
8 Dr. Stephens --

9 THE COURT: Maybe 11:00 or -- or do you want -- do you  
10 want to then do April -- April McClain -- do you want to do Debbie  
11 McClain and then have more of a set time --

12 MS. BLUTH: Yeah.

13 THE COURT: -- for the doctor --

14 MS. BLUTH: So --

15 THE COURT: -- say, like, 2:30 or 3:00 --

16 MS. BLUTH: Yeah.

17 THE COURT: -- or something like that. And that way if the  
18 court's calendar runs long, we can just interrupt whoever's on and take  
19 the doctor; do you want to do that?

20 MS. BLUTH: Sure. Yeah. I'll call --

21 THE COURT: Okay. And then what else do you have?

22 MS. BLUTH: So that would be it, because it would be Mileti,  
23 Stephens, and Cetl.

24 MR. HAMNER: That's it.

25 MS. BLUTH: And Cetl will be here first thing Wednesday

1 morning.

2 THE COURT: Okay.

3 MS. BLUTH: So tomorrow -- I mean, Mileti, I'm hoping that,  
4 like, I'm hoping that her attorneys will be here and whatever we work  
5 out, if it works out that she testifies, if she could testify tomorrow  
6 afternoon via Skype.

7 THE COURT: Okay. And then Mr. Figler, would you have  
8 your witnesses ready for Wednesday?

9 MR. FIGLER: That -- we're -- we're shooting -- we've been  
10 telling everybody Wednesday. So that was our assumption based on --

11 THE COURT: Now, Dr. Cetl will probably be, what, a couple  
12 of hours? Three, four hours? What do we think?

13 MR. FIGLER: Well, you know, if it's preliminary hearing is an  
14 indication, it actually moved rather fast. I don't think that she went more  
15 than 90 minutes on both sides.

16 MR. HAMNER: I mean, I would say probably  
17 two-and-a-half-hour total.

18 MS. BLUTH: Chris has her as a witness.

19 THE COURT: So we could do her in the morning, do lunch,  
20 and then have the defendant's case in chief.

21 MR. FIGLER: Sure.

22 THE COURT: Does that make sense?

23 MR. FIGLER: It does from a scheduling standpoint. If we get  
24 it all done, yeah.

25 THE COURT: Okay. What do we think for settling and -- so



1 maybe we could settle instructions?

2 MR. FIGLER: On down time, maybe that's Wednesday late or  
3 Thursday morning. I'd prefer doing it the day before we do the closings,  
4 because I think both sides probably want to get the proper instructions  
5 into their --

6 THE COURT: Right.

7 MR. FIGLER: -- Powerpoints. So.

8 MS. BLUTH: Agreed.

9 THE COURT: What's the -- what -- what are the issues going  
10 to be on the instructions? Where do you see the arguments being?  
11 First of all, has the State sent their proposed instructions --

12 MR. FIGLER: No.

13 THE COURT: -- to the defense?

14 MS. BLUTH: I haven't, but I can do that right now.

15 THE COURT: Okay.

16 MS. BLUTH: I have a -- I -- I've got to make sure that  
17 they're --

18 THE COURT: And the --

19 MS. BLUTH: -- done.

20 THE COURT: -- defense, have you sent -- I mean, I'm going  
21 to assume the State's instructions are pretty much all the standard  
22 instructions.

23 MS. BLUTH: Yep.

24 THE COURT: What are -- have you sent your specials to the  
25 State?

1 MR. FIGLER: No, I was really waiting just for the moment,  
2 see what's in theirs, because I don't want to be redundant, see what  
3 areas were covered.

4 THE COURT: Yeah. Okay.

5 MR. FIGLER: You know, there's obviously some stuff about  
6 corporal punishment that we're going to want to get in as instructions.  
7 There's definition of corporal punishment that are allowed under law that  
8 in the revised statutes.

9 THE COURT: Okay.

10 MR. FIGLER: We feel that's appropriate. Possibly some stuff  
11 with some limiting instructions, depending on the -- well, because of the  
12 bad acts that came in. We might fashion something along those lines.

13 THE COURT: Okay.

14 MR. FIGLER: We're looking at the possibility of -- or the  
15 necessity for special interogs depending on how we proceed, or special  
16 verdict form. We're not sure yet what that would look like or what we're  
17 even proposing, what we're thinking about it.

18 THE COURT: Okay.

19 MR. FIGLER: But as soon as we see the instructions, we  
20 should be able to turn that around fairly quickly.

21 THE COURT: Okay. So far you haven't said anything.

22 MR. FIGLER: Well, I mean, obviously --

23 THE COURT: -- out of line or any --

24 MR. FIGLER: -- theory of defense stuff. Correct.

25 THE COURT: -- thing that doesn't sound like it may be

1 appropriate. I mean, honestly, there have been talk before on the sexual  
2 assault instructions. I'm inclined just to follow the statutory language on  
3 that.

4 MS. BLUTH: I have a -- I think I have a -- I think I have one --  
5 two case laws about genital openings that I'll -- that have been upheld  
6 up the Supreme Court --

7 THE COURT: Right.

8 MS. BLUTH: -- that I'll give to Your Honor. But other than  
9 that, it's the -- the same ones we always have.

10 THE COURT: Okay. All right. We'll see everybody back after  
11 lunch.

12 MS. BLUTH: Sounds good. Thank you.

13 [Court recessed at 1:17 p.m., until 2:14 p.m.]

14 [In the presence of the jury.]

15 THE COURT: All right. Court is now back in session. The  
16 record should reflect the presence of the State, the defendant and her  
17 counsel, the officers of the court, and the ladies and gentlemen of the  
18 jury.

19 And State, you may call your next witness.

20 MR. HAMNER: We'll be calling Anastasia Solander, but she's  
21 indisposed right now. Ms. Bluth will be here momentarily.

22 THE COURT: We'll just be at ease for a moment while we  
23 wait for Ms. Bluth and the witness, whom I think will be running through  
24 that door any moment now.

25 [Pause in proceedings.]

1 THE COURT: Here they are.

2 MS. BLUTH: Sorry, Judge.

3 THE COURT: It's as if I was clairvoyant. I said you'd be  
4 coming through that door any minute now.

5 MS. BLUTH: Yeah.

6 THE COURT: All right. The witness can just come up here by  
7 me please. And then just remain standing and face this lady right there  
8 and she will administer the oath to you.

9 **ANASTASIA McCLAIN,**

10 [having been called as a witness and first duly sworn, testified as  
11 follows:]

12 THE CLERK: Have a seat. State and spell both your first and  
13 your last name for me.

14 THE WITNESS: Anastasia McClain, A-N-A-S-T-A-S-I-A  
15 M-C-C-L-A-I-N.

16 THE COURT: All right. Thank you.

17 Ms. Bluth.

18 MS. BLUTH: Thank you, Judge.

19 **DIRECT EXAMINATION**

20 BY MS. BLUTH:

21 Q Anastasia, do you need any water before we get started?

22 A Yeah.

23 Q Okay. I'm -- okay. Thank you.

24 Kenny will get it for you while I ask you a few easy questions.

25 Okay.

1                   So as you sit here today, how old are you?

2           A       I'm 13.

3           Q       And what is your birth date?

4           A       July 25th.

5           Q       And what's the year?

6           A       2004.

7           Q       Okay. And then would you do me a favor and would you

8       scoot up a little bit closer to that black microphone so --

9           A       Oh.

10          Q       Yeah.

11                   THE COURT: Oh, that's so much better.

12       BY MS. BLUTH:

13          Q       Yeah. There you go. Yeah. Perfect. Thank you. No, you

14       don't have to stand right on top of it. Just make yourself comfortable.

15          A       Okay.

16          Q       Thank you. So what grade are you in right now?

17          A       I'm in eighth.

18          Q       And is that -- is eighth grade in middle school or high school?

19          A       Middle school.

20          Q       Okay. And what types of -- what are you learning right now in

21       middle school? Like, what subjects do you learn?

22          A       Science -- the basics. World geo, you know.

23          Q       What did you say?

24          A       I'm learning world geo right now. And --

25          Q       What's Rogio?

1 MR. FIGLER: World geo.

2 THE WITNESS: World geography.

3 BY MS. BLUTH:

4 Q Oh, world geo. World geo. Apparently I didn't learn that one.

5 I'm sorry.

6 THE COURT: They didn't teach geography when I was in

7 school.

8 BY MS. BLUTH:

9 Q Okay. So World geo what else?

10 A Science, math, English, and I have drama. I'm in drama.

11 Q What's your favorite?

12 A Drama.

13 Q Do you have any -- do you have any sisters?

14 A Yes. I have two, Ava and Amaya.

15 Q Okay. And you're the -- the baby of the group, is that right?

16 A Yeah.

17 Q All right. And how old are they in comparison to you?

18 A Amaya's 15, yeah, 15. And Ava's 16.

19 Q Okay. Now, I'm going to ask you some questions in regards

20 to going into the foster system.

21 A Okay.

22 Q Do you remember how old you were when you first went into

23 the foster system?

24 A Like, four or five.

25 Q Okay. I know this seems like a silly question, but if show

1 pictures to you of you and your sister, would you recognize you and your  
2 sisters?

3 A Yeah.

4 Q Okay. And I'm approaching you with what's been marked for  
5 purposes of identification for the court as State's Proposed 248, 249,  
6 and 250.

7 A I was a cute little baby.

8 Q You see those three pictures?

9 A Yeah.

10 Q And who are those people?

11 A That's Amaya, that's Ava, and that's me.

12 Q Okay. And is that what you guys looked like back then when  
13 you came into foster care?

14 A Yeah. Yeah.

15 Q Okay.

16 MS. BLUTH: And Your Honor, at this time I'd move to admit  
17 into evidence State's Proposed 4 -- 248 through 250.

18 THE COURT: Any objection? Submitted? All right. Those  
19 will be admitted.

20 [State's Exhibit Nos. 248 through 250 admitted.]

21 MS. BLUTH: Okay. And permission to publish, Your Honor.

22 THE COURT: You may.

23 BY MS. BLUTH:

24 Q Showing you 248, who's that?

25 A That's me.

1 Q Okay. And it says your name --  
2 A Yarely.  
3 Q Yarely Ramirez; is that right?  
4 A Uh-huh.  
5 Q And is that a yes?  
6 A Yes.  
7 Q Okay. And then showing you State's 249, who's that?  
8 A Amaya.  
9 Q And her name was Jacqueline Ramirez at the time, right?  
10 A Yes.  
11 Q And then who's that?  
12 A Jocelyn, Ava.  
13 Q All right. And you said that you were -- you think you were  
14 somewhere around four years old when you first went into the foster  
15 care system; is that right?  
16 A Yes.  
17 Q And do you -- do you have a recollection of why you went into  
18 the foster care system to begin with or were you kind of too young?  
19 A I was kind of too young, yeah. I just went along with people  
20 said. I don't know.  
21 Q Okay. Okay. And so I'm going to ask you some questions  
22 about living with someone we refer to as Ms. Debbie. Okay?  
23 A Uh-huh. Yes.  
24 Q Okay. So after you were in foster care for a little bit, did you  
25 eventually move into Debbie McClain's home?



1           A     Yes.

2           Q     And were both of your sisters with you during that time period  
3 as well?

4           A     Yes.

5           Q     When you lived with Ms. Debbie, did you have any problems  
6 with either daytime accidents or nighttime accidents?

7           A     I'm didn't have any problem with daytime accidents. I only  
8 have problems, like, a couple of times when -- many times, nighttime.

9           Q     Okay. So you didn't have -- you don't have any memory of  
10 having any daytime accidents, but just nighttime accidents?

11          A     Yeah. Daytime was only, like, one time.

12          Q     Okay.

13               MR. FIGLER: Your Honor, just for the record, if we could.  
14 She said accidents. I think everyone knows what we're talking about,  
15 but just so the record's clear.

16               MS. BLUTH: Yeah. Sure.

17 BY MS. BLUTH:

18          Q     And when I -- I mean, like, wetting your pants. Like, going pee  
19 in your pants?

20          A     Yes, accident. Yes.

21          Q     Okay. All right. Thank you. Now, when you were living with  
22 Ms. Debbie, were you ever scared to go to the bathroom?

23          A     No.

24          Q     Were you ever scared to ask Ms. Debbie if you could go to the  
25 bathroom?

1 A No, we didn't ask. We just went.

2 Q Okay. And that was going to be my next question is --

3 A Yeah.

4 Q -- did you ever ask Ms. Debbie?

5 A No.

6 Q Okay. When you went to the bathroom at Ms. Debbie's

7 house, were there any rules in regards to toilet paper?

8 A No.

9 Q While you were living with Ms. Debbie, do you remember what

10 types of foods you would eat?

11 A We ate for lunch, it was a peanut butter jelly sandwich with

12 chips, a fruit, you know, it was -- it was good food.

13 Q Okay. And then for, like, breakfast and dinner, what would

14 you eat? Like, normal things?

15 A On Sundays she cooked us breakfast and the weekdays we

16 ate cereal.

17 Q Okay. And what about -- what types of stuff did you guys

18 have for dinner?

19 A I don't know, steak. Good stuff, though. I don't know.

20 Q Okay. Like normal kind of everyday food?

21 A Yeah.

22 Q Did you stomach -- did you ever have any stomach problems

23 after you ate any of that food?

24 A No.

25 Q Did you ever have to be on a special diet when you lived with

1 Ms. Debbie?

2 A No.

3 Q Did you ever have to eat your food blended up with

4 Ms. Debbie?

5 A Nope.

6 Q While you were living with Ms. Debbie, did you ever go to, like,  
7 a regular school? When I say a regular school, I mean, like, an  
8 elementary school?

9 A Yeah.

10 Q And what grade were you in?

11 A In kindergarten.

12 Q Okay. And now I want to ask you some questions. After you  
13 left Ms. Debbie's foster home, where did you guys -- you and your  
14 sisters go from there?

15 A We went to Janet's first home, the one-storey, Jubilee, right?

16 Q Okay. And you said that you went to Janet's. Do you see  
17 Janet here in the courtroom?

18 A Yes.

19 Q What type of clothing is she wearing?

20 A She's wearing black glasses, a blue -- dark navy blue shirt,  
21 right?

22 Q Okay.

23 MS. BLUTH: Your Honor, may the record reflect identification  
24 of the defendant.

25 THE COURT: It will.

1 MS. BLUTH: Thank you.

2 BY MS. BLUTH:

3 Q Who else lived at Janet's house when you got there?

4 A Dwight, her husband, and Danielle, her daughter.

5 Q All right. And there was a period of time you lived with them  
6 as foster kids before they -- they formally adopted you; is that right?

7 A Yeah.

8 Q And you said -- when I was asking you a question, you said,  
9 Oh, in their first house. So how many houses did you live in with them?

10 A There was only two.

11 Q Okay. And the first house, what street was that house on?

12 A Jubilee and I don't know -- I don't know.

13 Q But you remember the street being Jubilee?

14 A Yeah.

15 Q Okay. And then the second house, do you remember the  
16 name of the street of that house?

17 A No.

18 Q Okay. So the -- the first house at Jubilee, did you live there for  
19 the majority of time you guys were foster kids?

20 A Yeah. About -- yeah. Yeah, I was in foster care, yeah.

21 Q Okay.

22 A When we moved in.

23 Q And explain to me kind of the -- the relationship in regards to  
24 caring for you guys or disciplining you guys when it came to Janet and  
25 Dwight?

1 A For foster care or, like, the whole --

2 Q Let's start with foster care.

3 A Okay. If we were, like, to -- her disciplinary was to, like, go  
4 like this or pop us in our mouth or --

5 Q Okay. When go like this --

6 A -- like, flick --

7 Q -- like, flick with your finger?

8 A Yeah.

9 Q Okay.

10 A On our mouth.

11 Q Okay.

12 A Or just pop us in our mouth or just hit us on our butt.

13 Q Okay. And when she would hit you on your butt, what would  
14 she hit you with when you were foster --

15 A Just -- just her hand.

16 Q Okay. And then what about Dwight when you were foster  
17 kids?

18 A He never hit us when we were in foster care.

19 Q All right. Now, I want to ask you some questions in regards to  
20 when you were adopted in -- in January of 2011. Did things start to  
21 change after you were adopted?

22 A Yeah.

23 Q And once you guys got adopted, were you still in Jubilee or did  
24 you move to the second house?

25 A We were still in Jubilee.

1 Q And then at some point did you move from Jubilee into the  
2 second house?

3 A Yeah.

4 Q After you got adopted, would you ever see Ms. Debbie at  
5 certain functions?

6 A Yeah. We saw her for my birthday party, for Ava's birthday  
7 party, for my birthday party. And we saw her at this bowling alley thing  
8 at South Point.

9 Q Okay. When you saw Ms. Debbie, did you feel like you could  
10 go up and talk to her just like normally you would if -- when you lived  
11 with her?

12 A No.

13 Q Why?

14 A Because I was scared if I was going to be in trouble with  
15 talking to somebody.

16 Q But why did you think you were going to get in trouble?

17 A Because I felt like Janet was going to say that I was trying to,  
18 like, tell them something, like tell them that they were hitting me or  
19 something.

20 Q Okay. At any of those birthday parties that you just described  
21 that Ms. Debbie went to, were you -- did you get -- were you in trouble or  
22 grounded during any of those parties?

23 A For my birthday party, no. For Ava's, I was in trouble. And  
24 Amaya's -- I don't -- I think she was in trouble. I don't -- I don't know. I  
25 don't think me and Ava were in trouble that time.

1 Q Okay. But for -- I apologize, did you say it was Ava's party  
2 that you were in trouble for?

3 A Yeah.

4 Q And why were you in trouble?

5 A Because I was eating out of the trash can in school.

6 Q Okay.

7 A Well, at home too. But.

8 Q Now, did you eat out of the trash can at school?

9 A Yeah.

10 Q And did you eat out of the trash can at home?

11 A Yeah.

12 Q And why were you eating out of the trash can?

13 A Because Janet wasn't feeding us enough for, like, to -- enough  
14 to keep us stable for the day.

15 Q Okay.

16 A Or she wouldn't feed us -- feed us at all.

17 Q So what types of things were you getting out of the garbage to  
18 eat?

19 A Anything that I saw that was edible.

20 Q And then you got in trouble, so, obviously, you got caught?

21 A Hold on. How do you --

22 Q You want to get higher or lower?

23 A Yeah. Higher.

24 MS. BLUTH: Kenny, could you help me? Because I don't  
25 know how to do it.

1 [Pause in proceedings to arrange witness stand microphone.]

2 BY MS. BLUTH:

3 Q All right. So I had asked you earlier about any issues you had  
4 with going to the bathroom while you were with Ms. Debbie. And so now  
5 I want to ask you some of those questions in regards to Ms. Janet.

6 When you originally got to Ms. Janet's house, what type of  
7 issues, if any, were you having with going to the bathroom?

8 A They weren't issues. They were because she didn't let us go  
9 to the bathroom. We had a timer, you know, and I couldn't stay through  
10 that time, so I would just pee on myself or poop, whatever I had to do.  
11 Or it wasn't, like, issues, like I had medical issues, like issues that were,  
12 like, on her side, not my part.

13 Q Okay. So -- and I want to talk about those in one second. But  
14 what I'm asking is specifically, like, when you first got to Ms. Janet's  
15 house. Okay? Were you still bedwetting at night sometimes?

16 A Yeah.

17 Q And would that be, like, every night, every once in a while, or  
18 do you know?

19 A It was, like, I think it was, like, the first weekend I was with her,  
20 when we spent the night. Because we spent the night before, we would,  
21 like -- she took us into foster care.

22 Q Okay.

23 A Before she took us out of Ms. Debbie's house.

24 Q Okay.

25 A I didn't wet the bed. I don't think I did. But then it's, like, it was



1 continuously after that.

2 Q Okay. So when you were at Ms. Debbie's -- Ms. Debbie's  
3 house, before you moved there, how often were you wetting the bed at  
4 night, if you know?

5 A When I was at Ms. Debbie's?

6 Q Yeah.

7 A I don't know, like, often.

8 Q Okay. And then when you had been with Ms. Debbie for, like,  
9 a year, or year and a half, like, towards the end, were you still  
10 bedwetting often or had it decreased?

11 A It decreased.

12 Q So by the time you get to Ms. Janet's, were you having any --  
13 like, when -- when you originally get there, were you having any  
14 problems going pee during the daytime?

15 A No.

16 Q So then -- and I -- I cut you off a little bit ago because you said  
17 that you started having issues, right?

18 A Yeah.

19 Q And then can you explain to me how come you started having  
20 those issues?

21 A Because she wouldn't let us to go -- she wouldn't let us go to  
22 the bathroom, because -- I'm actually not sure why. I think it's because  
23 we went to the bathroom too much.

24 Q Okay.

25 A But she would have a timer and if -- when the timer beeps,

1 then you can go to the bathroom. And if we had to go before that, we  
2 would get in trouble or she would, like -- the timer was, like, set for, like,  
3 an hour or, like, however -- however long she wants is.

4 Q Okay.

5 A So that's when I started peeing or pooping on myself.

6 Q Okay. So let's say the timer was set and then it beeped, if you  
7 went to the bathroom, like, even when the timer went off, let's say you  
8 went to the bathroom, you sat down, and you actually went number one  
9 or number two --

10 A Uh-huh.

11 Q -- would you get in trouble then for having to actually go?

12 A If we had to go -- if, like, we peed, like, a lot, then we would  
13 get in trouble, because she said we were holding it in, but we had no  
14 other choice to. So -- because we -- we would get in trouble either way.  
15 If we went to the bathroom -- if we went -- if we peed too much, we  
16 would get in trouble. If we peed, like, when we had to, we would get in  
17 trouble. So it was, like, no other way. We would get in trouble either  
18 way.

19 Q Okay. So if the timer were on and it were set for, like, an hour,  
20 okay, at 30 minutes, if you had to go to the bathroom, and if you raised  
21 your hand and said, I have to go to the bathroom, what would happen?

22 A You would get in trouble. Like, she would let us to or she  
23 would tell us to wait. And if she did let us go, she would, like, hit us in  
24 our mouth or something. That's when we were in foster care.

25 Q Okay. Now, when you did -- were in the second house now,

1 and if it's -- to make it easier, I'm going to refer to that house as the  
2 Waukeshan, if that's okay?

3 A Okay.

4 Q So at the Waukeshan house, could you use any bathroom in  
5 the house that you wanted?

6 A No. We only used the upstairs by the loft and the downstairs.  
7 We didn't use the downstairs that often -- wait, we did. Yeah.

8 Q Okay.

9 A Both -- the two of those.

10 Q And then when use the bathroom, were there rules about toilet  
11 paper?

12 A Yeah.

13 Q What were the rules?

14 A We took three -- three little squares if we had to go pee, and  
15 six for if we had to go poop.

16 Q Okay. And what happened if you needed more?

17 A She would tell us you're not getting them, well, you better  
18 learn how to use that little six you got there. So.

19 Q Okay. And then when you say you would get three, could you  
20 take the three off the -- the toilet paper yourself or was it already there  
21 for you?

22 A The -- when, like, she first started doing that, it was, like, we  
23 could take it off ourself.

24 Q Okay.

25 A But the it, like, as -- as time went off, like, she wouldn't -- she

1 took it off herself and laid it.

2 Q Okay. Now, you said that she would time you. How was it  
3 she would time you? With what type of instrument?

4 A Those -- either on her phone or it was, like, this little timer  
5 thing and watch the -- the timer, you know -- you know what I'm talking  
6 about, right?

7 Q Yeah.

8 A Yeah.

9 Q I do. Thank you. Thank you, Anastasia. You're putting your  
10 hands out like a little square?

11 A Yeah. That's -- that's a circle, but --

12 Q Okay.

13 A -- you know, a square.

14 Q Okay. The square. So when you would be going to the  
15 bathroom, like, could you shut the door and have privacy?

16 A No.

17 Q How would it be?

18 A She would stand there and watch us or she would have Ava  
19 watch us.

20 Q Ava, your older sister?

21 A Yeah.

22 Q And that would be either if it was upstairs or downstairs?

23 A Yeah.

24 Q But you -- I apologize. You said that you didn't get to go  
25 downstairs that often?

1           A     Yeah.

2           Q     At nighttime, like when you would go to bed, were you allowed  
3 to go to the bathroom in the middle of the night whenever you wanted?

4           A     No. When we slept in the loft, we had a little table, it was like  
5 a little metal table, and she would set out three squares for -- three  
6 squares of three -- I think that's how it goes -- for me, Ava, and Amaya.  
7 And we each had our own and we could use that once. But that was,  
8 like, she did that for, like, a couple of weeks and then she stopped. And  
9 then we weren't allowed to go at all.

10          Q     Okay. So was there anything set up in that loft area to prevent  
11 you from going to the bathroom or alert her you were going to the  
12 bathroom?

13          A     She said that there was a gate there, and if we walked, like, if  
14 we tried to walk over it, then we would get electrocuted. I don't know, to  
15 me, now that I think of it, it looked like a dog gate. But I don't know.

16          Q     Okay. And then what about on the bathroom door itself; was  
17 there anything on the door itself that would alert her that you were going  
18 to the bathroom or trying to open the door, I guess?

19          A     She locked it. But I don't -- I don't think she had, like, a alarm.  
20 She probably did. I never tried to walk over that gate.

21          Q     Okay. Just one second. And you had to testify a couple of  
22 years ago and what's called a preliminary hearing, right?

23          A     Yeah.

24          Q     And if I showed you a copy of your preliminary hearing about  
25 some questions in regards to the alarm, would that help refresh your

1 recollection in regards to what you said?

2 A Yeah.

3 Q Okay. If you would just read lines 12 to 23 for me.

4 A Okay.

5 Q And look up when you're done. Okay. Just say --

6 A I have to say it out loud?

7 Q No. Just quietly to yourself, and then I'll ask you some  
8 questions. 12 through 23.

9 A [Witness complies.] Okay.

10 Q Does that help refresh your recollection?

11 A Yes.

12 Q And what did you say in regards to an alarm on the bathroom  
13 door?

14 A There's alarm on the bathroom door, like, when -- if we were  
15 to open it, it would, like, beep or something, like, you know, alarm.

16 Q Okay. Did there ever become a time when you became too  
17 afraid to ask Janet if you could go to the bathroom or if you could use  
18 the bathroom?

19 A Yeah. And if we did -- when -- even if we were to ask her to  
20 go to the bathroom, she would, like, hit us or something. Or she would  
21 tell us to wait.

22 Q When you say she would hit you, where would she hit you if  
23 you asked to go to the bathroom?

24 A She -- she would hit us whatever -- wherever -- either she'd  
25 kick us -- she would kick us or she would just hit us, like, wherever she

1 wants to, our head [indiscernible], our arm, doesn't matter to her, as long  
2 as she gets a hit in.

3 Q When she would hit you, did she ever wear any jewelry?

4 A Yeah. She has -- she would have these big rings on, which  
5 would make it even worse, because it would, like, if she were to punch  
6 us or hit us or slap us or something on our lip, it was, like -- like, if she hit  
7 us hard enough, it would bust open.

8 Q Okay. And you said that she would kick you; where would she  
9 kick you?

10 A On our butt with -- she had these black boots and it was --  
11 they're like heels, they weren't, like -- they were, like, really long. And  
12 she would use those heels, like, those heels to kick us. Like, she  
13 would -- she would purposely wear them.

14 Q Okay. And when she would kick you, you said she would kick  
15 you on the butt.

16 A Uh-huh.

17 Q Where would you be, like in the house when she would kick  
18 you?

19 A Anywhere. I could just be -- well, she -- I could be walking  
20 upstairs to go to the bathroom, she'll start kicking us. Or she'll start  
21 kicking us, yeah. Or we'll -- I'll just be standing there with my arms up  
22 doing -- reading my little homework sheets, and she'll kick us.

23 Q And I know, forgive me, this is a silly question, but when she  
24 would kick you, would that hurt you?

25 A Yeah.

1 Q And you said you'd be reading your passage -- is that the  
2 word you used, passage? What did you say, you'd read what?

3 A Homework sheets.

4 Q Oh, homework sheets. Okay.

5 A It was schoolwork. But same difference.

6 Q Yeah.

7 A Homework, schoolwork, yeah.

8 Q Yeah. And you said that you would be reading with your arms  
9 up?

10 A Yeah.

11 Q What do you mean by that?

12 A She had us stand up, like, stand up like this with our arms up  
13 so she could see, like, what we were doing, like, it was, like, we  
14 weren't -- she just -- she had to see what we were doing at all times.

15 Q Okay. And just for the record, when you said hands up, you  
16 just had your hands straight up above your head; is that right?

17 A Uh-huh. Yes.

18 Q Okay. Now, you stated that you were -- you were scared to  
19 ask, and because of that, did you begin having accidents in your pants?

20 A Yeah.

21 Q How often would you say you were having accidents?

22 A Every single time I had to go to the bathroom. Well, not every  
23 single time, but, like, almost every day I had, like, I peed on myself.  
24 Because she -- I, like, I -- I was scared to ask her, like, she wouldn't let  
25 us go.



1 Q Okay. If you did have an accident, would you get punished?

2 A Yeah.

3 Q Can you tell me how you would get punished?

4 A Either she had paint stuck, it was, like, a Home Depot paint  
5 stick --

6 Q Okay.

7 A -- she would hit us, and when -- or she would spank us or she  
8 would, like, kick us down the stairs, up and down, or she'd take the  
9 spray bottle and she'll start spraying us. Or she -- she -- what else did  
10 she do? She's very creative in that she -- she made me go outside and  
11 clean up the dog poop with our bare hands or she wouldn't feed us. Or  
12 she didn't feed us because she thought if we didn't eat, then we wouldn't  
13 have to go to the bathroom.

14 Q Okay.

15 A Yeah, I think -- I think covered it, most --

16 Q Okay.

17 A -- of it.

18 Q I'm going to ask you a few questions about some of the things  
19 that you stated. Okay? So the paint sticks, you defined -- or you  
20 described them a little bit, but I want you to describe them to me, how --  
21 how long they were, short, colors, explain it to me?

22 A It was a wooden paint stick. On the back it said rule of  
23 education.

24 Q Okay.

25 A And it was a Home Depot paint stick. And it wasn't, like,

1 really, even a paint -- it didn't have, like, bristles and stuff. It didn't have  
2 the brush, it was just, like, it was almost like a ruler, but it wasn't a ruler.

3 Q Okay. And you said it said -- one of them said rule of  
4 education on it?

5 A Yeah, on the back.

6 Q Do you know who wrote that?

7 A Dwight.

8 Q Okay. And when you would get hit with those paint sticks,  
9 where would you get hit on your body?

10 A Excuse me. She would hit us on our butt, like wherever we --  
11 she was the closest to, wherever she, like, if she -- if she hit us on our  
12 thigh, she hit us on the thigh. She would just be hitting us. She didn't  
13 care where, she just hit us.

14 Q Okay. And would your clothes be on or off?

15 A We didn't -- we didn't wear clothes. Well, we did, but we wore  
16 our underwear and we didn't wear a shirt. But we wore clothes, like, a  
17 couple of times.

18 Q Okay. And so you said you had underwear on; when she  
19 would hit you in your bottom area, would you have underwear on or  
20 would they be pulled down?

21 A On. On, if she -- before she spanked us there, she would say,  
22 get in position. And when she says, get in position, then, like, it was  
23 almost like a sit-up position. But we didn't, like, do -- I mean, not a  
24 sit-up. My bad. A push-up.

25 Q Okay.

1           A     She would have us get in, like, one of those push-up positions.  
2     And then she would whoop us on there.

3           Q     Okay.

4           A     So if she said get in position, she would -- if she were to spank  
5     me, either it was with my underwear on or off.

6           Q     Okay. Did you ever get any injuries to your butt?

7           A     Yeah.

8           Q     And tell me about those.

9           A     Well, if she kept hitting me, like, multiple times and hard, then,  
10    like, my -- like, either my butt, like, it would start bleeding, because the  
11    ruler and stuff. Or -- yeah, it would just start bleeding.

12          Q     Okay. Do you have any scars on your body from paint sticks?  
13    From being hit with the paint sticks?

14          A     I think I do. I don't know. I have to look -- I have to remember  
15    it. I have to -- let me think about this.

16          Q     Okay. You think about it.

17          A     I know I do have one on my butt. But that's -- you know --

18          Q     That's what?

19          A     That's mine.

20          Q     Yeah. Now, I'm not going to ask you to show --

21          A     Yeah.

22          Q     I'm not -- I see what you're saying. I'm not --

23          A     Yeah.

24          Q     -- going to ask you to show people.

25          A     Oh. Okay. Okay.

1 Q But are there marks on your butt from being spanked?

2 A Yeah.

3 Q Okay. You don't -- yeah. We're good with that.

4 A Okay. Just making sure.

5 Q Where else on your body, if any, do you have any marks?

6 A I think I have one on my elbow. I have to -- right here.

7 Q Okay. And who gave you that one?

8 A Janet.

9 Q Did Danielle -- do you have any marks from Danielle

10 anywhere?

11 A I don't know. I have too much. Pretty sure I do.

12 Q Okay.

13 A I -- wait, no, no, no. I think this one might have been Danielle,

14 now that I think of it. It might have been Danielle with that ruler.

15 Q Okay. And just one second. You remember testifying at the

16 preliminary hearing, right? We just talked about that.

17 A Yes.

18 Q And -- actually, one second. And you also remember

19 speaking with CPS at some point when you did an interview; is that

20 right?

21 A Uh-huh. Yes.

22 Can I fill me up some more water?

23 Q Yes, of course.

24 A Okay.

25 Q Just be careful, because it spills easily.

1 THE MARSHAL: Just push the little tab on the back handle.  
2 There you go.

3 THE WITNESS: It's heavy, huh.

4 BY MS. BLUTH:

5 Q There you go. Okay. And so on page 64, could you read from  
6 here to there, so from lines 8 to 19, just to yourself, and let me know  
7 when you're done. Okay?

8 A [Witness complies.] To 19?

9 Q Yes, please.

10 A All right.

11 Q Did you read that?

12 A Yes.

13 Q Okay. And do you remember -- does that help refresh your  
14 recollection as what you were --

15 A Yes.

16 Q -- talking --

17 A My elbow was Danielle.

18 Q Okay. Did the sticks ever break when you were being hit?

19 A Yeah.

20 Q And what would happen if the stick broke?

21 A She would -- she would get mad, because she broke the stick.  
22 It wasn't us, but she -- she's the one who did it, but yeah, she would get  
23 mad and she would hit us more or she would do -- I think Dwight made,  
24 like -- like, you know, the -- she said he was, like, sharpening it or  
25 something like that.

1 Q Okay.

2 A Like, to make it --

3 Q Would Dwight do something to the sticks --

4 A Yeah, like --

5 Q -- in the garage?

6 A I don't know what he used, but I know he was, like,

7 sharpening --

8 Q Okay.

9 A -- the wood and stuff.

10 Q And for the record, you're holding, like, an imaginary stick

11 out --

12 A Yeah.

13 Q -- with your left hand and you're kind of moving back and forth

14 with your right hand?

15 A Yeah.

16 Q Okay. And did Dwight ever hit you with the sticks as well?

17 A Yeah.

18 Q So how was it, like, when you were -- when you were getting

19 hit with the sticks, with the stick, like, how would it stop? How would it

20 finally stop?

21 A When she felt tired of doing it or, like, when -- when she felt

22 tired of, like, hitting us or when she felt like we -- like we learned our

23 lesson.

24 Q How often were you being hit with the sticks?

25 A Every day.

1 Q And what about Dwight; how -- when Dwight was hitting you  
2 with the sticks, how would it stop?

3 A It was only, like -- he would just hit us, like, until, like, he felt  
4 we learned our lesson or something.

5 Q Was there a difference in how Janet used the stick and how  
6 Dwight used the stick?

7 A No.

8 Q Now, if you did have an accident, let's say you went number  
9 one or number two in your pants, could you get up and change out of  
10 your clothes, like, right away?

11 A No.

12 Q What would happen?

13 A She would make -- she would make me stand in it or she  
14 would take -- make me take off my underwear. She would put it in my  
15 mouth or put it over my head. Or she would put me in a bag, like, it was  
16 like these -- this clear trash bag, and she would make me stand in there  
17 all day.

18 Q Okay.

19 A But that only happened, like, when I pooped myself. But that  
20 was, like, three, four times -- three -- two times.

21 Q Okay.

22 A Something like that.

23 Q So let me ask you some questions about that. So you said  
24 that sometimes you'd have to sit in it, like sit in the -- the accident?

25 A Yeah.

1 Q Did you ever get any injuries or -- or rashes or anything from  
2 having to sit in your urine or feces?

3 A Yeah.

4 Q What would it -- where would it be? What would it look like?

5 A On my thigh, like the inner thigh, or, they always -- I think it  
6 was just inner thigh.

7 Q Out of the three of you, you, Ava, and Amaya, which one of  
8 you had the most accidents?

9 A I did.

10 Q Were you the one disciplined the most for your accidents?

11 A Yeah.

12 Q You said that you would also have to put the underwear on  
13 your head; was that dirty underwear, like the underwear you had just  
14 your accident with?

15 A Yeah.

16 Q And then you said she also put it in your mouth; who's she?

17 A Janet.

18 Q And how many times did you have to put the dirty underwear  
19 in your mouth?

20 A Like, four times. It was, like, a little bit more than four. Like,  
21 seven or five.

22 Q Okay. So it was something that happened --

23 A Yeah.

24 Q -- multiple times? And you said something about plastic bags.  
25 I want you to explain that to me?



1           A     It was, like -- it wasn't clear, but it was, like -- I think -- was  
2 transparent's, like, when you can see through it, but you can't see clearly  
3 through it, right?

4           Q     Okay.

5           A     Trying to figure out. I think that's the word. It was, like, a  
6 little -- it was a little blurry, but you could, like, see through. It was like  
7 a -- it was like a trash bag, but it was, like, big.

8           Q     Okay. Could you fit, like, your whole body in it?

9           A     Yeah.

10          Q     Okay. And when you were -- you said you were standing in it.  
11 Did you have underwear on or were you naked? Explain that to me.

12          A     I think I had my underwear off, or I had it on a couple of -- I  
13 know I had it on, like, twice.

14          Q     Okay. And so when you were standing in that, were you being  
15 disciplined for having an accident or what was the reason why you were  
16 having to stand in the plastic bags?

17          A     Because she didn't, like, feel like having to watch me take a  
18 shower or didn't -- she didn't feel like going through all -- so she was just  
19 having me stand in it till, like, she's ready to have me take a shower.

20          Q     Okay. And how -- would -- when you were standing in the  
21 bag, would you have to have accidents, like, on yourself in the bag?

22          A     Yeah.

23          Q     And how many times would you say you had to stand in the  
24 bag?

25          A     Four, seven times. It was multiple times.

1 Q Okay. So you know it happened more than once?

2 A Yeah.

3 Q And when you would stand in the bag, like, would you always  
4 be the same -- in the same place in the home? Or would be in different  
5 parts of the home?

6 A It was in the bathroom, the upstairs bathroom in the -- the loft  
7 bathroom for the upstairs. And she probably only had me stand in  
8 downstairs with the bag probably, like, only one time. Or not even one, it  
9 was probably, like, zero.

10 Q So mostly upstairs?

11 A It was upstairs, yeah.

12 Q And when you had to stand in the bag, how long would you  
13 have to stand in the bag for?

14 A All day until she, like -- like, was -- until she feels like coming  
15 to get me to change and stuff and wash myself and everything.

16 Q Okay. Now, you also said that she would use spray bottles.  
17 What did -- what is that? I mean, I know what a spray bottle is, but --

18 A Yeah.

19 Q -- explain to me what she would do.

20 A It wasn't like a hair spray bottle, it was, like, a -- it was, like, a  
21 chemical -- it wasn't a chemical bottle, but it was. It was meant for  
22 chemical bottles, like --

23 Q Like, if you have a carpet cleaner or something like that?

24 A Yeah. But it was -- it had a yellow little thing, and just to -- to  
25 spray, and then the top was blue, to change how you -- how it comes

1 out. And it was white.

2 Q Okay. And where -- when would she spray you?

3 A She'd just have water in it, though. I'm -- I hope so. I hope  
4 she just had water in it.

5 Q When -- when she would spray you, where would she spray  
6 you at, like, on your body?

7 A On my face.

8 Q And you said that -- what were you being disciplined for?

9 A If we fell asleep in the car, she would spray us to wake us up,  
10 or she would just keep on spraying us if she felt like we were dozing off.  
11 Or she would spray us if, like, she was just upset and she was just, like,  
12 upset at us for, like, having a accident on ourself a couple, like, hours or  
13 minutes ago, she would just come around and spray us, because she  
14 would still be mad about it.

15 Q Okay. And then you said that one of your punishments would  
16 be to clean up the dog poop in the backyard with -- with -- what did you  
17 say? Without gloves or -- what did you say? With your bare hands?

18 A Yeah.

19 Q And then you said one of your punishments would be to go  
20 without food; tell me about that.

21 A We didn't -- she -- she blended up our food, but if -- she only  
22 set aside one time she didn't -- she didn't give us lunch that often. She  
23 gave us breakfast and dinner. But usually -- or she would just give us  
24 dinner or breakfast. She was, like, her choice. But she -- if she didn't  
25 feed us at all, she didn't let us drink water, and she wouldn't let us -- we

1 took -- we took a little, like, a little Dixie cup, there was a little sip of  
2 water in there, to swallow our -- to -- we had gummi vitamins. Like -- or  
3 not gummi, it was like those hard Flintstone vitamins. And she gave us,  
4 like, a little bit of water to drink it with. But that was, like, that's all we  
5 had for the day.

6 Q Okay. Just one second. Now, you had talked about, you  
7 know, being -- getting only, like, six pieces of toilet paper if you had to go  
8 number two. Sometimes would you have stains in your underwear?

9 A Yeah.

10 Q And would your underwear be checked?

11 A Yeah. She had a flashlight and she would go up and down to  
12 make sure that we didn't, like, pee on ourself, we didn't have any stains  
13 in our underwear.

14 Q And what would happen if she found that you had a stain in  
15 your underwear?

16 A If she found, then she would hit us, like, right then and there,  
17 or she would, like, kick us down the stairs or whatever.

18 Q When you -- did anyone besides Janet, like, did any of your  
19 sisters --

20 A Oh, yeah. Ava checked -- she checked our underwear, and  
21 she checked the showers too. I don't -- Ava only did the showers, like,  
22 probably, like, a couple of times. But Janet would check the shower  
23 when we would take a shower, after we're done.

24 Q Okay.

25 A She would make sure that we didn't pee in the shower or

1 anything.

2 Q Okay. If -- did Ava ever -- were there -- were there ever any  
3 times when Ava would check your underwear and lie for you or your  
4 sister?

5 A [No audible response.]

6 Q And what -- I'm sorry. When I say lie, I mean, like, there was  
7 something in your underwear --

8 A Yeah.

9 Q -- but Ava lied and said --

10 A Yeah. I know. No, she was -- she was too scared to.

11 Q Okay. She was scared to lie?

12 A Yeah.

13 Q Okay. When you got to Janet's house, how long was your  
14 hair?

15 A My hair was really long, like probably to, like, my hip. Well, I  
16 was, like, a short kid then, but -- I still am, but it was, like, to my -- a little  
17 bit past my butt.

18 Q Your hair was?

19 A Uh-huh. Well, no. I -- my -- it was long. It was long.

20 Q Okay.

21 A Longer than yours.

22 Q Okay. When -- did Janet ever cut your hair while you lived  
23 with her?

24 A Yeah. She cut my hair, it was, like, short. It was, like -- like  
25 Dora short.

1 Q Like a what?

2 A It was like Dora. You know Dora?

3 Q Oh, Dora the Explorer?

4 A Yeah. It was, like, that short.

5 Q Okay.

6 A And that's when I was still in school. And then she cut my hair  
7 shorter, and then she shaved it all off, like, she cut it, like -- like -- I don't  
8 mean to, like, point you out, but she cut it like her hair. And then she  
9 took -- then she took a razor and shaved our head.

10 Q Okay. Did she ever tell you -- did she ever tell you why she  
11 was cutting your hair or shaving your head?

12 A The first time she cut it, it was because I kept peeing myself  
13 and she felt like my hair -- I loved my hair, and she wanted to take that  
14 away from me, because she was just taking everything that I loved,  
15 because she felt like she -- we were taking everything that she loved  
16 away from her, so she was just doing it to us. And she said that my hair  
17 was too -- I was too ugly to have that hair.

18 Q Okay. And so how many times would you say that she cut  
19 your hair?

20 A The first time -- the first time I think she had it -- I think we  
21 went to the -- the salon to cut it. And then the second time she cut it with  
22 her own scissors -- oh, she cut it plenty of times with, like, just pair of  
23 scissors. And the -- the one -- the time where she cut it, like, when she  
24 shaved it all off, it was, like, when the -- like, razors, right?

25 Q Oh, like, a electric razor --

1           A     Yeah.

2           Q     -- or whatever those are called?

3           A     Yeah.

4           Q     Like for a buzz cut?

5           A     Yeah.

6           Q     Okay. Now, at any point in time while you lived with Janet, did

7 you wear diapers?

8           A     Yeah. It was with them cloth diapers though.

9           Q     Okay. And you know what, I'm going to ask you some

10 questions about those cloth diapers in a second.

11          A     Uh-huh.

12          Q     But I'm going to ask you about some photos, okay?

13          A     Okay.

14          Q     I'm showing you State's 200. Let me zoom out. Who's that in

15 this picture?

16          A     That was me.

17          Q     Okay. And is this one of the haircuts that you got?

18          A     Yeah.

19          Q     And who did that one?

20          A     Janet. Oh, she also did this little ugly Martian hair -- she had

21 bangs. She had me have bangs. She did that herself too.

22          Q     Okay. State's 202. Is that what you're talking about?

23          A     Yes. And she had -- she didn't let me -- she had me looking

24 like a whole boy in that picture. Cut my hair off and everything.

25          Q     Okay. And then I'm just going to show you State's 203 and

1 just kind of be like the -- the side view of you. Let me ask you a question  
2 I should have asked you when it was already up there. I apologize. But  
3 in State's 202, besides your hair -- so let's think -- talk about your face  
4 and your body, did your face and body look different at Janet's house  
5 than it did when you living with Ms. Debbie?

6 A Yeah. I was -- I was skinny then. Like, I was too skinny. And  
7 then at Ms. Debbie's, like, I was, like, I was a chubby little kid. But, you  
8 know.

9 Q All right. So you were -- you were telling me about cloth  
10 diapers. And I apologize, I just wanted to -- while we're still on the  
11 topic --

12 A Uh-huh.

13 Q -- I wanted to talk to you about those pictures. So tell me  
14 about the cloth diapers.

15 A She had -- it was, like, cloth diapers. And she had baby pins  
16 connected to the side of our hips to keep them -- to keep them up.

17 Q Okay. And who would put them on you?

18 A Janet.

19 Q And --

20 A And if they were to fall off, we would just clip it -- well, I would  
21 just clip it on. As long as she didn't see me.

22 Q Okay. And then when you were in the cloth diapers, like, what  
23 did you do while you were in them?

24 A What do you mean, like, did I pee on myself?

25 Q No. Like, did you -- were you sitting and doing your



1 homework? Were you --

2 A Oh.

3 Q -- playing? What would you do?

4 A She had us crawling on the ground if we were to pee on  
5 ourself or something, if we had an accident, she would crawl -- she  
6 would have us crawling on the floor in a circle in front of the -- the other  
7 foster kids that were in the house. And she had us put in -- put our  
8 thumb in our mouth. And we had to -- we had to crawl around in a circle  
9 for, like, hours.

10 Q Okay.

11 A Or we would just be -- she would just have it on.

12 Q Or she would just what?

13 A Or she would just have us -- Janet would have us wear it until,  
14 like -- we'd wear it all day.

15 Q Okay. What -- first of all, what were -- if you remember, what  
16 were the names of the foster kids that you were just talking about?

17 A Autumn, Ivy, Spider, Frankie, I forgot the girls -- I forgot the  
18 sisters' name, Areahia, Kaeshia -- I think that's her name -- and I don't  
19 know his name. I -- there were plenty of kids in that house though.

20 Q Okay. And when you were doing this, you said that she would  
21 have the foster kids watch?

22 A Uh-huh.

23 Q What would the foster kids do?

24 A She would spank us, Autumn and Ivy -- well, not so much  
25 Autumn, but she would have Ivy laugh at us or she would just have the

1 kids, like, watch us, like, sit down and watch us as if we were like little  
2 dogs and start laughing.

3 Q How did that make you feel?

4 A I was embarrassed.

5 Q Now, we talked a little bit about when you were with Ms.  
6 Debbie, you went to kindergarten at an elementary school?

7 A Uh-huh.

8 Q But then when you went to Ms. Janet's house, at some point  
9 were you home schooled?

10 A Yeah.

11 Q And do you know why it was that you were home schooled?

12 A Because we told the cafeteria -- we -- we kept begging the  
13 cafeteria ladies to give us a cinnamon roll or, like, something to eat for  
14 breakfast. And then they asked us why and we told them that Janet  
15 wasn't feeding us, or she was, like, feed, us, like, a little bit and it wasn't  
16 enough to -- for us to, like, go on with our day.

17 Q Okay. So once you were home schooled, like, did you have a  
18 teacher at home school? Explain to me, like how a day of home  
19 schooling --

20 A She hired a nanny, Ms. Andrea, and she -- I was -- yeah, she  
21 hired her. But I think Janet stayed when -- when she first took me out of  
22 school, I think she stayed for, like, a week, before she hired Ms. Andrea.  
23 And then that's when she took Ava and Amaya out of school, and then  
24 that's when Ms. Andrea, she baby-satted us and she, like, she had  
25 these -- Janet bought books and for our grade level, and then we would,

1 like, read out of that.

2 Q Okay. Would someone teach you, though? I mean, I know --

3 A No.

4 Q -- you had the books. So --

5 A We just -- we looked at the questions, we answered them. If  
6 we got them wrong, we would have to keep on doing it. And she  
7 wouldn't let us. She took off the erasers off the pencils, because she felt  
8 like we were getting the answers too wrong too many times.

9 Q Okay. So then what -- I mean, if you got it wrong, what would  
10 you do if you didn't have an eraser?

11 A We would scribble it out or, like, write over it.

12 Q Okay. When you would do your homework, where would you  
13 do your homework within the home?

14 A It was -- if it was in the Jubilee house, the first one, it was in  
15 the -- the family room.

16 Q Okay.

17 A With -- it was, like, this table and it had three chairs or four  
18 chairs. It was -- and it was right by a window and we sat there and we  
19 did our work.

20 Q Okay. And then what about at the Waukeshan house?

21 A We had -- she had an island and it was, like, a marble island.  
22 And we did our work there. And we had to stand up until she -- well,  
23 we'll get to that part later. But let's focus on this. Sorry.

24 Q Okay. Thank you. Sorry. I'm spinning -- I have a not very  
25 good picture of that kitchen, it's a little bit blurry, so I'm trying to find you

1 a more clear one.

2 MS. BLUTH: Yeah. Thank you so much, Mr. Hamner.

3 MR. HAMNER: Uh-huh.

4 BY MS. BLUTH:

5 Q Showing you State's 109. Is that that area in the kitchen?

6 A Yeah.

7 Q Okay. And were there -- would you stand or sit in the same  
8 place every day or would it vary?

9 A What did you say, vary?

10 THE COURT: Would it be --

11 BY MS. BLUTH:

12 Q It's like -- sorry, would it be different?

13 THE COURT: -- different or the same?

14 THE WITNESS: Oh, yeah. Different. It -- it was different.

15 BY MS. BLUTH:

16 Q Okay. And when you would -- so when you were doing your  
17 homework, would you stand, sit, tell me about that?

18 A We didn't have kids -- or, we actually did have a black chair.  
19 But I think Amaya -- it was one of us who used it. And it was, like, one of  
20 those chairs -- well, no, them chairs look comfy. But it was --

21 THE COURT: They're not.

22 THE WITNESS: It was -- it was, like, a black chair.

23 BY MS. BLUTH:

24 Q Okay.

25 A I think there's, like, only one. I don't -- I think I remember that,

1 I think. And then --

2 Q So you remember -- you think at some point --

3 A Yes.

4 Q -- someone had a black chair?

5 A In the beginning, in the beginning. I'm pretty sure. Or it was  
6 just a chair that I saw in the room. But she had us stand up with our  
7 arms above our head and then she had -- oh, sorry. I keep on getting  
8 sidetracked.

9 Q That's okay. So you said -- okay. So you remember  
10 somebody got a black chair you think?

11 A Yeah.

12 Q And then there's a time where you stood and you already  
13 talked about that, you would have to stand and do your homework with  
14 your hands above your head. Did you ever have to sit on anything when  
15 you did your homework?

16 A Yeah. We had Home Depot buckets, they were orange, and  
17 they had a toilet seat on them that -- I think they screwed it on, I think  
18 Dwight screws them on or it just like he -- I don't know how he got that --  
19 got it on. Even Amaya had that. And I'm pretty sure they had -- I'm  
20 pretty sure they had names on the bucket. And then I had this little  
21 pink -- the one that she trained a little toddler with, the --

22 Q Oh, a little potty training?

23 A Yes.

24 Q Okay.

25 A And it was pink.

1 Q So did you ever have to sit on the orange buckets?

2 A No. I only sat on the pink -- the potty trainer.

3 Q Okay. And then who -- whose rule was it that you had to sit  
4 there?

5 A Janet's.

6 Q And how long during the day or night would you have to sit  
7 there if you got to sit down?

8 A Until -- the only time we got off was when we had to clean up  
9 the dog poop, when we had to go to the bathroom, because we had to  
10 walk upstairs, and take a shower, like, when we weren't doing our  
11 schoolwork, the -- when we were, like, sitting there, we only sat on the --  
12 they only -- we only sat there when we had to do our schoolwork or  
13 when we were waiting to -- for Janet to cook -- to blend up the food.

14 Q Okay. So when you say you had to sit there while you were  
15 doing your homework, can you tell me the hours in which you would do  
16 your homework?

17 A From when we got up -- we got up, we -- after we got ready  
18 and stuff, after she, like, check -- we had a whole routine. You want me  
19 to tell you the routine?

20 Q Sure.

21 A Okay. So the routine was got up, she would -- she would yell  
22 out our name or she would, like, kick us to wake us up, and we had -- we  
23 got off the board. We -- she gave us a Clorox wipe and we wiped off --  
24 first went to the bathroom. We had to stand with our arms up still and  
25 we stood right by the stair railing and we had to wait until one of us was

1 done in the bathroom until we can go next. And if we had an accident  
2 over the night, then we would get in trouble or we would get slapped or  
3 whatever she wants, whatever she feels like doing at the time.

4 Q Okay.

5 A She took the flashlight, she checked, you know, she checked  
6 our underwear with the flashlight or Ava was doing it. And then we  
7 took -- we went into the other bathroom, which was the one with the  
8 shower in it.

9 Q Okay.

10 A And we took a shower in there, and it was cold. And then we  
11 had to dry off with the fan. And when we were done with all that, we  
12 went downstairs and then we -- we did our, like, schoolwork and stuff.

13 Q Okay. And then when would you get to be done with your  
14 schoolwork?

15 A When she felt like -- she wanted to let us go back to bed.

16 Q For --

17 A When she felt --

18 Q For bedtime?

19 A Yeah.

20 Q Okay. Now, did the foster children at -- at the house, did they  
21 see you on the buckets?

22 A Yeah.

23 Q How did you feel sitting on those buckets in front of them?

24 A By then I was, like, I mean, she had done worse, so -- and I  
25 was still embarrassed, but.

1 Q Okay. If you had an accident in the bucket or, like, in the little  
2 potty chair, what would happen?

3 A When we -- when I first had, like -- when I first went in there,  
4 she kept telling me to, like, to use it, because she was trying to potty  
5 train me. Saying when I first did it, like, she wasn't upset. But, like, she  
6 was upset, but, like, she was still kind of like, I mean, at least she did it.  
7 But then when I kept, like, when I did it and then she would get mad, and  
8 then she would, like, whip me or she would just hit me.

9 Q Okay. Did the foster kids ever have anybody who came into  
10 the home to work with them, like CPS workers or therapist or trainers or  
11 anything like that?

12 A Yeah. Their CASA worker, I think that was a CASA worker,  
13 their CASA worker came, or the caseworker would check the house and  
14 make sure, like, they would take -- you know how caseworker take  
15 pictures of the house and make sure, like, the house is okay and  
16 everything.

17 Q Okay. And when those people would come into the house,  
18 where would you and your sisters be?

19 A We're -- I think we were -- I know we were in the bathroom  
20 when the case -- when the CASA workers would come to pick up Spider  
21 and -- or was that -- I think it was Areahia.

22 Q Areahia?

23 A Areahia. I think it was Areahia's. I know we were in the  
24 bathroom, the -- the upstairs, the loft bathroom in -- when the CASA  
25 would come.



1 Q Why would you be in the bathroom?

2 A Because she had to hide us so she wouldn't -- the -- the foster  
3 kids' case -- CASA workers didn't see us. Like, because then they  
4 would be questioning, like, well, why are they in underwear? Why do  
5 they have this? Like, you know.

6 Q Yeah. So -- and I know who you mean when you say she, but  
7 who would make you go in the bathroom?

8 A Janet.

9 Q Now, were you ever punished for not doing your homework  
10 correctly?

11 A Yeah.

12 Q If you got answers wrong?

13 A Yeah.

14 Q How would you be punished?

15 A She would -- she was -- I guess she would -- we would -- we  
16 raised our hand and say, like, we're done. Or we would, like, call her in,  
17 because we already had our hands up. And we would let her know that  
18 we were done with a problem and she would check it and she would tell  
19 us if it's wrong or not. And if she was, like, tired of us getting it wrong  
20 and she would kick us or, like, hit us, you know. Or spank us with the  
21 ruler.

22 Q Okay. Did you ever, like, when you were being home  
23 schooled, did you ever get, like, what would be in a normal school  
24 called, like, a recess?

25 A No.

1 Q Did you ever -- ever get a break or get to go outside?  
2 A No. When we went outside, it was to clean up the dog poop.  
3 Q Okay.  
4 A But it wasn't even a break. It was, like, she was still watching  
5 us, you know.  
6 Q Did you ever, like, get to have friends over or go to a friend's  
7 house?  
8 A No. We didn't even -- we -- we weren't even in school in first  
9 grade -- yeah, we didn't even know.  
10 Q And then you -- you've talked about the dog poop a few times.  
11 Who -- whose dog was it that was going to the bathroom outside?  
12 A Danielle's dog was Toto, and Ms. -- I mean, my bad. Janet's  
13 dog was Lucky, and it was a golden retriever. And Toto was, like, a Shih  
14 tsu. Right?  
15 Q Okay.  
16 A I think it was.  
17 Q And --  
18 A And --  
19 Q Oh, I'm sorry. I interrupted you. Were there more dogs?  
20 A No. They had cats. It was Dwight's cat. So.  
21 Q Okay. When you were doing your homework sometimes  
22 would you get sleepy and fall asleep?  
23 A Yeah.  
24 Q And would Janet do anything to help you stay awake or to  
25 keep you awake?

1           A     She would sneak up from behind us and kick us in our butt,  
2     our she would just, like, until we got -- or she would take the spray bottle  
3     and keep on spraying us.

4           Q     When you were doing your homework, could you, like, turn  
5     and talk to one of your sisters? Could you communicate with each  
6     other?

7           A     No.

8           Q     What about to the foster kids, could you talk to them?

9           A     There was one point where I wasn't -- I wasn't in trouble --  
10    well, I still had, like, restriction and stuff, but wasn't as bad as Ava and  
11    Amaya. And I was able to talk to Autumn and Ivy. So yeah, I was. But  
12    then I don't -- I don't -- I can't -- I can't remember what stopped that.

13          Q     Okay. So then did there come a period when you couldn't talk  
14    to them anymore?

15          A     Yeah.

16          Q     And whose rules were these about the communicating or  
17    talking?

18          A     It was Janet. It wasn't even really a rule. It was, like, we were  
19    too scared to talk to them. Because, like, we would -- we, like, we would  
20    get -- well, I would get, I know me, I was scared to talk to them because I  
21    thought I was going to get in trouble.

22          Q     Okay. If -- if Janet left the house and she was going to go,  
23    like, run an errand or something, okay? And you guys were going to be  
24    alone at the house, could you walk around the house freely?

25          A     No, she locked us in the upstairs bathroom in the loft, and we

1 had this little board game. It was, like, from -- it was in the store that she  
2 buys our, like, schoolbooks and stuff.

3 Q Okay.

4 A And we played that. It was, like, about money and stuff.

5 Q It was about money?

6 A Yeah.

7 Q Okay. When she would -- like, sometimes before she would  
8 go out, would she ask you, like, whether or not you needed to go to the  
9 bathroom?

10 A Yeah. We would go before or she had the little sheets of toilet  
11 paper in the bathroom.

12 Q Okay. And did she ever check in a way to find out if you had  
13 any pee or not?

14 A What do you mean?

15 Q Like, did she ever use any instruments on you to see if any  
16 pee would come out of you?

17 A Yeah. But that wasn't -- that was in, like, right before she left.  
18 She did it, like, when she -- when she felt like we didn't pee all the way.  
19 Like when we would hold back some of our pee when we were using it.

20 Q Okay. So explain to me how that would happen?

21 A Okay. So if she felt like we didn't -- like, if she felt like we still  
22 had more pee inside of us --

23 Q Okay.

24 A -- she would -- she was, like, or she just, like, felt like taking us  
25 upstairs and giving us a catheter. I don't know what was going through

1 her mind, but she -- she went -- we went upstairs into the loft bathroom,  
2 the one that we always use.

3 Q Okay.

4 A And she would stick the catheter in us and we would -- I  
5 would -- I would, like, squirm around, because, like, I wasn't -- I wasn't  
6 trying to get a catheter inside of me. So, like, I would, like, try to fight  
7 back. So then she would, like, try to -- she would grab one hand and,  
8 like, keep me down, and then she would stick it up. Because, like, she  
9 was trying to make me stay down so she could put it in.

10 Q Okay. So I want to ask you some questions about that. How  
11 many times would you say that Ms. Janet put a catheter in you?

12 A More than, like, five times.

13 Q Okay.

14 A Probably, like, seven, eight.

15 Q Okay. And where in the house -- would this always happen in  
16 the same place?

17 A No, it happened in three rooms -- it only happened once in  
18 Ava's room. Ava's old room. It happened in the bathroom, like, often.  
19 And then the loft and the bathroom were, like, those were her two main  
20 spots. But the bathroom was, like, the one that she used most.

21 Q Okay. So when you say that she put the catheter in you,  
22 where exactly did the catheter go?

23 A In my vagina.

24 Q Okay. And explain to me, like, the process. Like, would you  
25 be standing up? Like, how --

1           A     No, I would lay down and I would have to pull down my  
2 underwear and I would have to make my legs go open, like, spread my  
3 legs out, and she would put the catheter inside of me.

4           Q     Okay. And you said that that happened one time in -- in Ava's  
5 old bedroom?

6           A     Uh-huh.

7           Q     Is that a yes?

8           A     Yes.

9           Q     And then you said it happened more than once in -- or several  
10 times in the bathroom?

11          A     Uh-huh. Yes.

12          Q     And then how many times would you say it happened in the  
13 loft?

14          A     Like, three, four times.

15          Q     Okay. And when -- would you just lay down on the floor?  
16 Would she put anything down? How was it that you would be situated  
17 on the ground?

18          A     She would have us just lay down on the floor or if it was, like,  
19 in the -- if she was, like, in a rush, she would just have us lay down or  
20 she -- or she would have a towel on the ground if we were in the loft.

21          Q     Okay. And then if -- were there ever times where she stuck  
22 the catheter in your vagina and urine actually came out?

23          A     Yeah, it was -- every single time she put it -- she put the  
24 catheter in, I would always pee.

25          Q     Okay. Would you get in trouble if pee came out?

1           A     Yeah.

2           Q     And what would be your punishment?

3           A     She would kick us or she would just -- she would kick us, slap  
4     us, punch -- like, whatever. Or she -- she would grab us and, like, she --  
5     she did the -- she almost threw me off the stairs once. She had -- we  
6     had this stair railing so we could look down, and she would pick us --  
7     well, she would pick me up and she would -- by my neck, and she was,  
8     like, threatening to, like, throw me off.

9           Q     Off the balcony?

10          A     Uh-huh.

11          Q     Is that a yes?

12          A     Yes.

13          Q     I know, sorry. It's hard to get used to. Can you explain to me  
14     what the catheter looked like?

15          A     It was a clear bag with little numbers, measurements, and it  
16     had a needle and, like, a little tube connected to the bag so the pee can  
17     go into the bag.

18          Q     Okay. And you said that sometimes you would squirm when  
19     Janet was putting the catheter inside of you?

20          A     Yeah.

21          Q     And explain to me, you said that how she would hold your  
22     body. I want you to show that to me and so I can put it on the record  
23     clearly.

24          A     Like, actually show you? All right.

25          Q     Well, just, like, from right there.

1           A     Okay. I would put my legs open, and then she would have  
2 one hand -- well, this looked like me, and she would have one hand  
3 pressed against, so, like, she could keep my legs from, like, moving and  
4 stuff. And she would have the other hand with the catheter and she  
5 would stick the needle up.

6           Q     Okay. So that -- this is when you're kind of trying to squirm  
7 around?

8           A     Yeah.

9           MS. BLUTH: And so just for the record, Your Honor, so it can  
10 say it. She -- when Anastasia was just testifying, she had her right --  
11 she was showing that her -- that Janet's right arm or one of her arms  
12 would be down on Anastasia's legs while she was squirming, and then  
13 the other hand would be using the -- would be having the catheter and  
14 inserting it into her vagina.

15           THE COURT: Okay.

16 BY MS. BLUTH:

17           Q     How many times would you say she had to hold you down  
18 because you were squirming?

19           A     Probably, like, every time she had us put -- she would put the  
20 catheter inside of us.

21           Q     Would you -- would you always trying to be, like, fighting or  
22 squirming?

23           A     Yeah.

24           Q     Do you -- do you know how the catheters got to the house?  
25 Like, if someone brought them or bought them?



1           A     I'm pretty sure Dwight --

2           MS. McAMIS: Well, objection. Speculation.

3           THE COURT: Well --

4           MS. BLUTH: I'll lay a better foundation.

5           THE COURT: Yeah.

6 BY MS. BLUTH:

7           Q     Did you ever hear a conversation or hear someone ordering  
8 them?

9           A     On the phone or did I just hear them talking about it?

10          Q     Both.

11          THE COURT: Well, did you hear anything -- any -- did you  
12 hear --

13          THE WITNESS: Yeah. I heard Janet talking about -- I heard  
14 once, talking about Dwight ordering it off line -- or not off line, it was on  
15 the TV. It was, like, a commercial.

16 BY MS. BLUTH:

17          Q     Was Dwight ever present in any of those times that you got  
18 the catheter?

19          A     No.

20          Q     Did he ever stand near the door when you got the catheter?

21          A     Yeah. I'm pretty sure only, like, once, probably.

22          Q     And when you -- you testified at a preliminary hearing, like  
23 we've already discussed. And at that preliminary hearing, do you  
24 remember how many times you stated that the catheter was used on  
25 you in the loft?

1           A     Like, four times. Three or four.

2           Q     Okay. And then if you fought, like you were talking about,  
3     squirming around or fought, when you were getting the catheter, was  
4     there ever a time when Janet threatened you with anything?

5           A     Yeah. She took a razor and threatened. Well, she did this,  
6     like, two or three times, or --

7           Q     Explain to me how it happened.

8           A     She took a razor and she threatened to cut my vagina out.

9           Q     What were the words she used?

10          A     Oh, okay. She said -- well, I can't remember, like, the words.  
11     I remember, like, she used to -- she said, I'm going to cut your pussy out  
12     with this razor.

13          Q     Okay. And when she had the razor, can you explain to me  
14     what the razor looked like?

15          A     Like one of those -- it was, like a -- it was like a razor blade.  
16     Like the silver things, like, they're sharp.

17          Q     Okay. Could you show me with your hands about -- or fingers  
18     how big it was?

19          A     Like, this big.

20          Q     Okay. So like a -- like, an inch?

21                 THE COURT: About an inch.

22                 THE WITNESS: Yeah. Like, about an inch. Yeah.

23     BY MS. BLUTH:

24          Q     Okay. And you said it was silver?

25          A     Uh-huh. Like -- I can't find anything. Like this laptop, although

1 a little bit -- little bit more --

2 Q Okay.

3 A -- sharper.

4 Q Like his --

5 THE COURT: Like that laptop --

6 BY MS. BLUTH:

7 Q Like his --

8 THE COURT: -- over there with the apple on it?

9 THE WITNESS: Yeah. But it was like a little bit more metallar  
10 and sharper.

11 THE COURT: Okay.

12 BY MS. BLUTH:

13 Q So a little bit more not as shiny? Like, a little darker, little  
14 grayer, I guess, is that what you're saying? When you say little more  
15 metal, what do you mean?

16 A Like, shinier. Like, a little bit more shinier.

17 THE COURT: So it was shinier than the laptop?

18 THE WITNESS: Yeah. It was, like -- where is something  
19 metal in this room? Like this right here.

20 THE COURT: All right. And for --

21 THE WITNESS: But it wasn't as, like -- as, like soft.

22 THE COURT: Okay.

23 MS. BLUTH: Okay.

24 THE COURT: For the record, she's indicating the banister  
25 that's at the witness stand.

1 MS. BLUTH: Okay. Thank you, Judge.

2 THE COURT: I think this might be a good -- a good time to  
3 take our --

4 MS. BLUTH: Okay.

5 THE COURT: -- afternoon recess. So ladies and gentlemen,  
6 is 10 minutes enough for everybody? All right. We'll be in recess  
7 until 3:40.

8 During the afternoon recess, you're all reminded you're not to  
9 discuss the case or anything relating to the case with each other or with  
10 anyone else. You're not to read, watch, listen to any reports of or  
11 commentaries on the case, person, or subject matter relating to the  
12 case. Do not do any independent research by way of the Internet or any  
13 other medium. And please don't form or express an opinion on the trial.

14 Place your notepads in your chairs and follow the bailiff  
15 through the double doors.

16 And, Anastasia, during the break, please don't discuss your  
17 testimony with anybody else. Okay?

18 THE WITNESS: Okay. Do I have to stand up?

19 THE COURT: No, you can get up in a minute. Let's let them  
20 walk out first.

21 THE WITNESS: Okay.

22 THE COURT: Okay?

23 THE WITNESS: Okay.

24 [Court recessed at 3:28 p.m., until 3:40 p.m.]

25 [In the presence of the jury.]

1 THE COURT: All right. Court is back in session.  
2 And Ms. Bluth, you may resume your direct examination.  
3 MS. BLUTH: Thank you.

4 **DIRECT EXAMINATION (CONT.)**

5 BY MS. BLUTH:

6 Q So I wanted -- we were talking -- right before the break we  
7 were talking about the razor. Okay?

8 A Uh-huh.

9 Q And when -- when Ms. Janet would threaten you with the  
10 razor, how did that make you feel?

11 A Sad. Like, scared.

12 Q Did she ever show you anything, either on TV or on the  
13 computer, having to do with razors or what other countries did?

14 A Yeah. She has this video and this girl, they were taking --  
15 these men were taking this girl away. It's like in -- it was in a whole  
16 different country. I -- I hope so, but it was in a whole different country,  
17 and they're taking this girl away. And I can't remember what the video  
18 was, like, talking about. But I remember Janet would tell us that she  
19 would, like, she was going to do that to us and, like, cut it out. Because  
20 she was, like, she thought we were peeing too much, peeing and  
21 pooping too much.

22 Q Okay. Now, when you were -- and forgive me if I forgot -- if I  
23 didn't ask you this, or if I already did, I apologize. Did the razor thing  
24 happen once or more than once?

25 A Like, one -- probably, like, twice.

1 Q Okay. And when that happened, was that shortly after you got  
2 adopted or was that closer to when you left to go to the Marvelous Grace  
3 Girls Academy?

4 A It was in between. Like --

5 Q So if you -- you got adopted in 2011, in January of 2011, and  
6 then you go to Marvelous Grace Girls Academy in November of 2013.  
7 So when would the razor thing have been happening, do you think?

8 A Oh. Like, a little bit before. So 2011, 2013, so, like,  
9 November -- so probably, like, I don't know, it was, like, in between of  
10 those two timelines. So probably, like, 2012 or a little bit early 2013.

11 Q Okay. We talked a little bit about the food that you guys would  
12 get. And so I just wanted to ask you in regards to eating the food, at  
13 some point, were you -- at -- at Janet's house, were you guys given  
14 blended type food?

15 A Yeah.

16 Q And did Janet tell you what she was putting in the blended  
17 food?

18 A She told us that she put mice in there, she put cow parts in  
19 there, like -- like, different parts of a cow.

20 Q Okay.

21 A Kind of like the exact part of the cow. But -- and I think those  
22 were the two that she mainly said, that she put mice in there and she put  
23 what's it called, the -- cow parts. Like, different cow parts in our blended  
24 food.

25 Q Okay. And when you would eat the blended food, would you

1 eat it standing or sitting?

2 A Standing. It was -- either one.

3 Q And when you would stand, where would you stand while you  
4 ate?

5 A On the island in the kitchen.

6 Q And were you timed while you drank it or I don't know how you  
7 would say, at it out of the cup?

8 A Oh, yeah. But they had us -- we couldn't look at each other.  
9 We had these -- you know, how we do testing, there's the little -- there's  
10 that board to block from other people seeing?

11 Q Like dividers?

12 A Yeah.

13 Q Okay.

14 A And she had us -- she had those when we did our school work  
15 and when we ate. And we couldn't look at each other, because she  
16 thought that it was a race. We thought -- she thought that me and my  
17 sisters were, like, racing to see which one got done first.

18 Q Okay.

19 A So she put those up. And she did have a timer. If we didn't  
20 make it by that timer, then she would get mad or she would hit us or she  
21 would just dump it out and wouldn't feed us.

22 Q Okay. Did you ever get disciplined for eating too slowly -- or  
23 I'm sorry, eating too quickly?

24 A Yeah.

25 Q And would it be the same type of discipline as if you were

1 eating too slowly?

2 A Yeah.

3 Q When you were given the blended food, how many times  
4 would you get the blended food throughout the day?

5 A Like, she didn't really give us lunch. She just gave us  
6 breakfast. It was, like, one time or two times. There was, like, only, like,  
7 a couple of weeks where she kept feeding us, like, way too much.

8 Q Okay. What do you mean by that?

9 A She was, like -- she would put all types of, like -- she -- we had  
10 to drink Pediasure, so she would put the Pediasure into our drink and  
11 she put quinoa in oatmeal for breakfast and, like, it was a big cup. And  
12 then that made -- and then that was, like -- she kept making big cups of,  
13 like, drinks. And they always, like, make us, like -- it would make me  
14 constipated. Like, it was, like, she fed us way too much.

15 Q Okay. And how long did that last for?

16 A Just for, like, a couple of weeks.

17 Q Okay. And then you said that you -- most often you wouldn't  
18 get lunch, you would just have it for breakfast and dinner?

19 A Yeah. But when she fed us too much, it was, like, three times.

20 Q Okay.

21 A Breakfast, lunch, and dinner.

22 Q And then so when you were getting too much, you were  
23 getting it three times a day, right? So, like, breakfast, lunch, and dinner?

24 A Yeah.

25 Q So now let's talk about when you -- when you weren't getting



1 too much, were you getting it -- the blended food, just breakfast and  
2 dinner?

3 A Yeah. Or -- that was only a couple of times. Most of the time  
4 she only gave us dinner.

5 Q Okay. When you were getting breakfast and dinner, were you  
6 hungry in between those two meals?

7 A Yeah.

8 Q Would you get any snacks or anything?

9 A No.

10 Q Were you thirsty in between those two meals?

11 A Yeah.

12 Q How much water would you get during the day?

13 A We didn't even drink -- oh, we did drink water. Like, we drunk  
14 plenty of water. But then that's when they just pee on ourself all the  
15 time, because it was, like, too much water. Like, we couldn't hold it,  
16 because it was, like, water, like, every hour or every 30 minutes. And  
17 then she stopped giving us water from -- to prevent us from having  
18 accidents. But when we did, that was, in, like, the first house, that was  
19 in the Jubilee house --

20 Q While you were --

21 A -- where she said --

22 Q -- foster kids?

23 A No. That's -- this is, like, when we were adopted.

24 Q Okay.

25 A She would give us, like, water, like, every 30 minutes or every

1 hour. We had a big cup of water and we had to drink it down in, like, a  
2 certain amount of time.

3 Q Okay. And then now I want to talk about at the Waukeshan  
4 house, were you getting water in between your meals?

5 A No.

6 Q If you had an accident, whether it be number one or number  
7 two, would she sometimes not give you food or water?

8 A Yeah.

9 Q And how long would you go before you were fed your next  
10 meal?

11 A Just, like, two days, or two and a half days.

12 Q What would the foster kids eat when they were there?

13 A They had those -- the little oven mean -- or not oven. The  
14 microwave meals and Banquet meals, it's already cooked, they have the  
15 corn, then they have the little dessert in the corner, and then you have  
16 the meat and the mashed potatoes.

17 Q Did you ever ask Ms. Janet or did Ms. Janet ever tell you, like,  
18 why the foster kids are getting regular food and you are getting blended  
19 food?

20 A No. I was too scared to.

21 Q What did the blended food do to your stomach?

22 A It just, like, problems, like stomach problems.

23 Q It would give you stomach problems?

24 A No, I was asking, like, do you mean stomach --

25 Q Oh, no, I'm asking you --

1           A     Oh.

2           Q     -- like, did -- did it -- did it sit okay in your stomach, did it give  
3 you stomach aches?

4           A     It depends on, like, what she gave us. Because she did give  
5 us, like, she gave us beets and when she did give us regular food, it  
6 was -- she would have, like, all types of food. And, like, it would go -- it  
7 would give me stomach aches and stuff.

8           Q     Would sometimes you either get diarrhea or get constipated?

9           A     It was both of them.

10          Q     Both?

11          A     But it was mainly diarrhea.

12          Q     I want to ask you some questions about bathing at the  
13 Solander house. Explain to us how you would bathe or shower.

14          A     She had to stand there and watch us, and she put, like, really  
15 cold water on -- on us. And she would -- she pumped -- I mean, she  
16 pumped the shampoo and stuff and we had to wash our hair stuff. And  
17 she watched us. And then when we got out of the shower, and we were,  
18 like, finished drying and stuff, she had to -- well, when we dried, she had  
19 this big, huge fan. And we had to dry -- we had to air dry like that. And  
20 she had three fans in there. There was one yellow and one gray one,  
21 and then, like, a white one, I think.

22          Q     Okay.

23          A     So those are the two, like, I mainly remember. And we had to  
24 dry off like that. And when we got out of the shower, she'd check the tub  
25 to make sure, like, we didn't pee in there or anything.

1 Q With that light you were talking about?

2 A Yeah.

3 Q While you were in the shower, I know you talked about the  
4 cold water, but did she dump anything on you while you were in there?

5 A Yeah, she dumped -- she got pitchers of ice, like, those  
6 Kool-Aid pictures, she would fill it up with ice and she would pour it on --  
7 pour it on us. And she would get -- she would do it with cold water too.

8 Q Would you or your sisters if you saw them, find any ways to  
9 sneak water because you were thirsty?

10 A Yeah. In the shower, I was, like, make -- I would make it  
11 seem like I was crying, because, like, if she would, like, if she would  
12 have hit me or smacked me right before I got in the shower, I'd make it  
13 seem like I was still crying and I would, like, keep my mouth open so the  
14 water could get in my mouth.

15 Q Okay.

16 A And she did hose me down once with a -- a actual hose in the  
17 backyard.

18 Q Okay. To -- did you -- had you had an accident or was that  
19 just --

20 A Yeah.

21 Q -- a shower for the day?

22 A Yeah. I had an accident that day.

23 Q When she would go out and run her errands, you said that you  
24 would get locked -- you and your sisters would get locked upstairs in the  
25 bathroom. When you would get locked upstairs in the bathroom, would

1 you try to get water to drink from there?

2 A Not while my sisters was there. Because we were -- I was  
3 scared that one of them were going to tell and if she were to find out,  
4 then the both of us or the three of us would all get punished. So, like,  
5 we didn't do anything around each other. But when she would lock me  
6 in the bathroom, like -- well, she didn't lock me -- if I were in the  
7 bathroom with my hands up in the bag, then I'll take -- there's this little  
8 angel night light, and you could, like, disconnect the angel to it. I -- I  
9 found this out that day, because I was, like, I was trying to get some  
10 water.

11 So then she turned off the water, but then I -- I tried to turn it  
12 on. And I poured the water inside the angel thing. So, like, I could get,  
13 like, a lot of water and I kept on drinking that for the day.

14 Q Okay. Did you ever get any water out of the toilet?

15 A Yeah.

16 Q And how would you do that?

17 A I took my hand and I scooped it up, because the water wasn't  
18 on in the sink. So I just scooped it out with my hand.

19 Q And drank it?

20 A Uh-huh.

21 Q Is that a yes?

22 A Yes.

23 Q Okay. And when you said you -- you said the water wasn't on,  
24 meaning, like, if you were at the sink and you were turning on the water,  
25 there was no water?

1           A     Yeah. There was, like, you couldn't turn it on at all.

2           Q     Okay. I just asked you if you, you know, drank the -- the water  
3 from the toilet. Did you ever have your head in the toilet for any other  
4 reason?

5           A     Yeah. She had -- she put my head in the toilet because --  
6 pretty sure I pooped myself that day. Pretty sure I had an accident. And  
7 she grabbed me by my head and she put it in the toilet. But then there's  
8 another time where she had grabbed my head, and I had peed on  
9 myself and she was -- while she was checking my underwear, she saw  
10 that I peed on myself. And she grabbed me by my head and she's, like,  
11 you know, the lid to the toilet? She had grabbed me by the head and  
12 she had banged my head against that part and, like, cut open my head  
13 on the back.

14          Q     Okay. In regards to the time where she put -- smashed your  
15 head in the toilet, you said that you think you had pooped yourself that  
16 day; was there anything in the toilet when that happened?

17          A     Yeah, I'm -- I think I peed in the toilet.

18          Q     Okay.

19          A     Peed or pooped.

20          Q     Just one second. Okay?

21          A     Okay.

22                               [Pause in proceedings.]

23          Q     Sorry, Anastasia. Just one second.

24                               [Pause in proceedings.]

25          Q     If you could read from this line right here.

1 MS. BLUTH: It starts on the bottom at 207, Ms. McAmis.

2 MS. McAMIS: Okay.

3 THE WITNESS: 19?

4 BY MS. BLUTH:

5 Q Yeah. One second. Let me know when you're done, okay?

6 A Wait. I forgot where to start.

7 Q That's okay. 23.

8 A All right. [Witness complies.]

9 Oh. Here you go.

10 Q What do you remember about that?

11 A I didn't -- I didn't use the bathroom in the toilet, but it just, like,  
12 the toilet water.

13 Q Okay. And then was there a time where you had gone to the  
14 bathroom in your potty chair as well?

15 A Yeah.

16 Q And she had dumped it in the toilet?

17 A Yeah.

18 Q And then used your head?

19 A Yeah.

20 Q While you lived with Ms. Janet, were you allowed to look in the  
21 mirrors?

22 A No. Only, like, to brush our teeth. Like, we couldn't just sit  
23 there and, like, well, we didn't even have any hair, we couldn't just sit  
24 there and, like, look at ourself.

25 Q Okay. Where did you sleep at?

1 A The first house or second?

2 Q Both. Let's start with the first house.

3 A The first house, she had us sleep on cots. And then she went  
4 to a towel. And then she went to me sleeping in the bathroom and with  
5 a cot, or she would just have us -- have me sleep on a towel. And then it  
6 was the three of us in the family room right by the door.

7 And then the second house was upstairs in the loft with the  
8 boards. She -- we had boards.

9 Q And what did the boards look like?

10 A They were, like, a blue -- like, a very, very light blue. And they  
11 were, like, a rectangle shape.

12 Q Okay.

13 A They were wooden.

14 Q And when you would sleep, what would you wear to bed?

15 A Just my underwear.

16 Q Was there ever a point when you lived with her either as a  
17 foster child or as an -- an adopted child that you got to wear pajamas?

18 A Yeah.

19 Q And when was that?

20 A When we first got with her, I was able to wear pajamas.

21 Sometimes she would just give us a shirt, like, a tank top or something,  
22 or just a short without a shirt.

23 Q Okay.

24 A And this one time I hit my head, I was on the bike, and then  
25 she, like -- I guess she felt bad for me. So she let me sleep on the cot. I



1 remember that wasn't the reason. I was already sleeping on the cot.  
2 But then she had -- she found out the day after. And I was wearing  
3 pajamas then.

4 Q Okay. Once you got adopted and you were living in -- in  
5 Waukeshan, what did you predominantly sleep on there? What did you  
6 mostly sleep on there?

7 A The boards.

8 Q Okay. And when you slept on the boards, you said that you  
9 would just have underwear on. You talked about that there were fans  
10 blowing in the bathroom on you when you air dry. Were there any fans  
11 near where you slept?

12 A Yeah. She had the yellow fan and the -- the yellow-and-black  
13 fan -- fan, and the gray fan.

14 Q And where were those in comparison to where you slept?

15 A They were, like, right -- they were, like, basically, right in front  
16 of us.

17 Q Okay. Were you cold when you slept?

18 A Yeah.

19 Q Did you ever have any, like, blankets or pillows?

20 A When she went off to -- where did she go -- Ohio, when she  
21 went to Ohio, we had blankets.

22 Q When the nannies were there?

23 A Yeah.

24 Q Where did the foster kids sleep?

25 A They slept either in me and Amaya's old room or Ava's old

1 room.

2 Q Okay. Did Janet ever explain to you why they slept in rooms  
3 and you slept on boards?

4 A I mean, no, not really.

5 Q Okay. Were there any cameras in the house?

6 A Yeah. There -- yeah.

7 Q Where were they?

8 A They were everywhere. I know there was -- basically  
9 everywhere, yeah. But they had the controller, so they can -- where they  
10 could see everything. I know it was in the pantry, where they could, like,  
11 the camera -- not the camera, but, like, it was, like, this screen, and it  
12 would show what we were doing. There is one in the kitchen showing  
13 me -- the three of us doing our work and stuff. And I'm pretty sure  
14 there's one upstairs.

15 Q Did Janet or Dwight tell you that there were cameras in  
16 specific places at the house?

17 A Yeah. They said that there's, like, this little -- little, little  
18 cameras that they put in the wall where we couldn't see it, and, like, the  
19 bathroom and stuff. The -- the loft bathroom.

20 Q Did -- when they told you that, did you believe that, that there  
21 were cameras in the wall and in the bathrooms?

22 A Yeah.

23 Q Did you think that the house was either haunted or had some  
24 type of scary things in there?

25 A Yeah.

1 Q Why did you think that?

2 A Because Janet told me that there was, like, demons and stuff,  
3 and she would threaten to put -- she would threaten to put us in the attic,  
4 because she said that there's footsteps, there's always people walking  
5 up in the attic. That was in -- that was in -- that was mainly in the first  
6 house though, in Jubilee. And then she would have -- I know this one  
7 time when I had an accident on myself. I was in the bathroom. And my  
8 sister told me that she had grabbed a broom and made it seem like --  
9 like someone was clawing on the door. And she had started, like,  
10 scraping it against the door. And she had to, like, punch the door.

11 And then she told us, like, this one time Amaya was in trouble,  
12 and she said -- she grabbed, like, I think it was olive oil. She grabbed  
13 olive oil and she started -- she said -- she called herself blessing me.  
14 But she said it -- she grabbed the oil and she started speaking in, like, a  
15 Latin language. I don't -- I don't know what she was speaking in. And  
16 she said that Amaya was, like, possessed and stuff. And then she said  
17 that on her phone, there's, like -- she said the demons would show  
18 pictures of us, like, getting, like, not killed, but we were basically getting  
19 tortured in the videos.

20 And then at night when we would hear, like, knocking or  
21 clawing on the windows, like, the glass windows, we would start  
22 screaming. And then Janet would, like, purposely, like, do stuff to make  
23 it even worse.

24 Q Wait, but were you -- as a child, were you really scared that  
25 there were demons?

1           A     Yeah.

2           Q     And did you believe the things that Janet was saying to you?

3           A     Yeah.

4           Q     Was there a time at Janet's where Ava hurt her eye pretty  
5 badly?

6           A     Yeah. That was when I think she had an accident on herself.  
7 And Janet, like, kept kicking her and punching her. And then she had  
8 grabbed Ava by the head and she had slammed it right on the island.  
9 And it, like -- Danielle was trying to get Janet off of her. But Danielle  
10 wasn't strong enough. But Ava had, like, she busted her eye open. It  
11 was, like, all, like, swollen up and stuff. And she had to get glasses.

12          Q     Was there a time that you got a burn while you were with  
13 Janet and Dwight?

14          A     Yeah. I was -- I was cleaning up dog poop. I'm pretty sure it  
15 was, like, a Wednesday, because that's the day that she made me have  
16 to do it, because the trash --the trash man would come.

17          Q     Explain how you would pick up the dog poop?

18          A     With my bare hand.

19          Q     Okay.

20          A     And we were -- I was cleaning it up. And then the water was  
21 too hot in the sink. And I had, like -- I basically, like, jerked my hand  
22 away, because, like, it was way too hot. And then she grabbed --  
23 there's, like, a candle, like, right next to it. And she -- like, she kept  
24 trying to force, like, me to, like, put my hands underneath it. And, like, I  
25 wouldn't do it, because, like, my -- it was, like, way too hot.

1                   So then the water got, like, on my back and it got a scar. And  
2 then it got on my ear and she grabbed the candle, and she, like, she  
3 started, like, pouring it -- and started pouring it on me.

4           Q     The -- the top to the candle?

5           A     Yeah. It was, like, a lid.

6           Q     Okay. And where was it you got burned?

7           A     On my back and my ear.

8           Q     When that was happening to you, what were you doing?

9           A     I was, like, screaming.

10          Q     Where were Ava and Amaya when that was going on? If you  
11 know, I should say.

12          A     I'm pretty sure they were in the kitchen on the island.

13          Q     And was this in the downstairs bathroom or upstairs?

14          A     Downstairs.

15          Q     And as you sit here today, do you still have scars in those  
16 areas?

17          A     I don't think I still have the scar on my back. I'm pretty sure  
18 it's, like, faded away now. Like --

19          Q     Okay. I'm showing you what's been marked for purposes of  
20 identification as State's Proposed -- or not -- sorry, not proposed. This is  
21 in evidence as State's 192; do you recognize what you see in that  
22 photo?

23          A     Yeah.

24          Q     Okay. And what's that?

25          A     When she had burned me, like, afterwards. But she tried to

1 say that Ava had did it, because she was on the phone. And Ava was  
2 standing right there when I was taking a shower. But, like, she wasn't,  
3 like, in the shower, like, looking at me. Like, she was just standing there  
4 waiting for me to get out so she could take a shower. And Janet was on  
5 the phone. And she had turned the water on. And she said that Ava,  
6 like, purposely didn't say anything, like, the -- like, I was scared to tell  
7 her that she had burned me. And Janet had asked me if the water was,  
8 like, too hot. Like, did she do it on accident. And I, like -- I was, like,  
9 yeah. Because I didn't want to say, no, like, you burned me on purpose  
10 in the sink. Like -- I didn't want to say that.

11 So I said yeah. And then she got mad at Ava because she  
12 said that Ava, like, didn't, like, tell her, Oh, the water's too hot.

13 Q Did Ava have anything to do with the injuries we're seeing on  
14 your ear and neck?

15 A No.

16 Q Okay. Now, if you don't mind, I'm going to approach you so I  
17 can see behind your ear.

18 MS. BLUTH: And, Ms. McAmis, if you wanted to come up.

19 Q Can I touch your ear? Is that okay?

20 A Yeah.

21 Q Okay. So I'm showing what's marked probably like a half an  
22 inch -- I'm not very good with -- but am I feeling kind of where the scar  
23 is?

24 A Yeah.

25 Q Okay. And then, may I look at your back? Is that okay?

1 A Yeah.

2 Q Does it tickle?

3 A Yeah.

4 Q I'm sorry. And then --

5 A It's, like, lighter than, like, the rest of my skin.

6 Q Yeah. Would you move your hand for me?

7 A Yes.

8 Q I can see it right here. It's just, like, a little bit lighter than the

9 rest of your skin, right? Sorry. Does that tickle?

10 A Yes.

11 Q Or does that hurt?

12 A No.

13 Q Okay. It tickles?

14 A Yes.

15 Q Okay. All right. I'm showing you State's 196. Sorry, this has

16 a bad tint on it. But in this area right here, is that where you were

17 burned?

18 A I can't even see it. But yeah.

19 Q Okay. I'll -- I'll bring it up for you.

20 A Yeah.

21 Q Can you see the area, the scarring where you were burned

22 right there?

23 A Yeah.

24 Q Okay. Did Janet take you to the doctor after that?

25 A No.

1 Q Did you ever get anybody to look at that and make sure you  
2 got any medicine or anything?

3 A No, she cleaned it up with this cream -- she cleaned up my  
4 ear, but she didn't do anything to my back. Like, she had a bandage on  
5 my ear.

6 Q And the I want to show you State's 128. Zoom out.

7 A Oh, that's the boards right there.

8 Q Can you circle it for me?

9 A Yeah. Oh, circle --

10 Q Yeah.

11 A -- the screen?

12 Q Yeah.

13 A Oh. Right here.

14 Q Are you touching it?

15 A Can you all see my finger?

16 Q Are you touching it?

17 A You guys can see my finger? Really?

18 Q No, no. You've got to touch the screen.

19 A Oh, I was, like, whoa. Like that.

20 Q There you go.

21 A Oh. Okay.

22 Q There you go. Okay. And then the fold-up bed that you were  
23 talking about previously, is that what they looked like right there next to  
24 the board?

25 A Yeah. Well, yeah.



1 Q Okay.

2 A The cots were -- mine was blue, but I didn't use it. I only used  
3 it, like, a couple of times.

4 Q Okay. Your fold-up bed?

5 A Yeah. And I think that was Amaya's bed. After she had her  
6 seizure.

7 Q Okay. Did you ever talk to Dwight about what was happening  
8 to you?

9 A Yeah.

10 Q What did you say to him?

11 A I -- I didn't, like, say -- but, like, I, like, I was throwing hints.  
12 You know, it's like --

13 Q Yeah.

14 A You know, I'm trying to --

15 Q So what type of hints --

16 A -- tell him.

17 Q What type of hints were you throwing?

18 A I was, like -- I said, you know, he -- he was asking me a  
19 question. And then when Janet got done whooping me, he was talking  
20 to me, like, he was, like, asking me, like, what was going on. And I was,  
21 like, well, you know, she keeps on hitting me. Then he goes, well, why  
22 are you doing this? Why are you doing that? I was, like, because she  
23 won't let me -- like, I was just, like -- it -- I was saying the obvious, but  
24 the obvious wasn't obvious enough for him.

25 Q Okay. What about when, let's say, Janet went somewhere, if

1 she went on a trip or went on an errand and Dwight took care of you, did  
2 the -- did the same rules still apply?

3 A Yeah. But, like, he didn't -- he wasn't more, like, strict about it.  
4 Like, he was more, like, lenient.

5 Q Okay. Could you give me an example?

6 A If we had to go to the bathroom, like, he wasn't going to, like,  
7 say, like, if we told him, like, it was, like, yeah, go ahead. But, like,  
8 there's just, like, a couple of times where, like, he would tell Janet. Like,  
9 oh, they kept using the bathroom, like -- and then she would say that we  
10 were taking advantage of it.

11 But, like, when she went on vacation, he -- if we were to ask  
12 him, he would be, like, yeah, go ahead.

13 Q Now, if he was taking care of you, would -- were you ever  
14 present when he would all and speak to Janet in regards to, like, can  
15 they do this, can they do that?

16 A Yeah. A couple of times. Like, he would ask, like -- like, what  
17 time do -- what time do they set up until they can go to the bathroom  
18 again? How many times can they go to the bathroom? And all this.

19 Q Like, how do you consider his level of involvement in  
20 comparison to Janet's?

21 A The same exact.

22 Q Okay. In what way? Why do you say that?

23 A Because he had all the opportunities, he's a grown man, he  
24 could have said something, and she -- he is just as wrong as Janet and  
25 they're -- all of them are as -- just as wrong, because they could have

1 said something. Because they knew what they -- what they -- what she  
2 was doing. Well, all of them were doing were wrong. So he could have  
3 said something and, like, said, you know, like, told CPS or something.

4 Q Okay. And when you say all of them, you're talking -- are you  
5 talking about Danielle too?

6 A Yeah.

7 Q Okay. Now, were there times with Janet that you went to the  
8 doctor's?

9 A Yeah. I went to the doctor for -- she said I had diabetes. We  
10 went to this peds place, this peds -- peds kids --

11 Q Okay.

12 A -- something like that.

13 Q And when you went to the doctor, did the doctor think you had  
14 diabetes?

15 A Yeah.

16 Q Okay. And did they run any tests to see if you had diabetes?

17 A Yeah. I got my blood drawn a couple of times to see if I had  
18 diabetes and, like, as a problem said -- they only said I had diabetes.

19 Q Okay. And -- but did you ever have to have, like, insulin or  
20 any medicine for your diabetes?

21 A No. I just took Pediasure and, like, they had me on a diet.

22 Q Okay. When you would go to the doctor, would you speak to  
23 the doctor, or would Janet speak to the doctor?

24 A Janet would speak to the doctor.

25 Q And when she spoke to the doctor, would she -- would she

1 say, like, everything that was going on in the house, like, you know,  
2 they're eating blended food or they're getting eight hours of sleep -- like,  
3 what types of things would she tell them?

4 A She said that, like, we were eating healthy, we were eating  
5 right, and we had enough sleep, you know, we had enough sleep.  
6 Yeah.

7 Q Besides diabetes, did Janet tell you that there was anything  
8 else wrong with you medically?

9 A No. It was only diabetes that I had.

10 Q You said that Janet gave you guys Pediasure. Was the  
11 Pediasure for all of you or -- or just one or two?

12 A I'm pretty sure it was only me. But she gave it to the three of  
13 us.

14 Q Okay. And how -- was she supposed to give it to you every  
15 day? What were the doctor's orders?

16 A Every day. I don't know the doctor's orders. But she gave it to  
17 me, like, three times a day.

18 Q Okay.

19 A Or when she would put it -- she would put it in our food.

20 Q All right. And did you get that for, like, a long period of time,  
21 like, months, or was it just a couple of weeks?

22 A It was only, like, a month. A month and a half. A month and  
23 another month's half, right? I don't know.

24 Q Now, as you sit here today, do you have diabetes?

25 A No.

1 Q What babysitter -- you said Ms. Andrea, what other babysitters  
2 do you remember at the house?

3 A Ms. Jackie, I think that's her name. It starts with a J.  
4 Ms. Jan -- Ms. Jen, Ms. Jan. I think it was Jan.

5 Q Oh, it was Ms. Jen? Okay.

6 A Yeah. Ms. Rebecca. And that's it.

7 Q When the babysitters were at the house or the nannies,  
8 whatever you want to call them, did you -- were there as strict of rules?

9 A No. Rebecca, she -- she got in trouble because she wasn't,  
10 like, strict, like, at all. Like, she would -- she would take us out to the  
11 store and, like, buy us food. And, like, she would, like, let us sneak it.  
12 She would let us sneak it upstairs and she would, like, give us blankets  
13 and stuff. So, like, we wouldn't be cold at night. And she would, like, let  
14 us, like, take showers and --

15 Q When you said she got in trouble, who did she get in trouble  
16 with?

17 A Janet. Because Danielle told Janet. And Ms. Rebecca was  
18 writing the CPS report on Janet and, like, on the -- well, I don't know  
19 specifically on Janet, but, like, she was writing the CPS report. And I  
20 think Danielle found out about it and told Janet.

21 And then Ms. Jan, she was -- she was, like, no, she was -- she  
22 was better than her. She -- she wasn't strict with, like, the things that  
23 she had to do, like, feed us and stuff. Like, she just gave us, like,  
24 regular food.

25 Q Would she sneak you guys food?

1           A     Yeah. Well, yeah.

2           Q     Do you know -- when you said that Ms. Rebecca got in  
3 trouble, did Ms. Rebecca get fired or did she just get in trouble?

4           A     She got fired.

5           Q     Now, were there a few times that CPS came to the house?  
6 And when I say came to the house, I'm not saying, like, came to the  
7 house because of the foster kids, you know, like we talked about their  
8 therapists coming and their trainers. But did CPS come and interview  
9 you and your sisters a few times?

10          A     Yeah. They -- they came a lot. Like, they came a whole lot  
11 when Ms. -- I think Ms. Andrea wrote a CPS report. And Amaya -- it was  
12 mainly because Amaya kept, like, telling people. But me and Ava were  
13 too scared to say, yeah, this is going on. Because, like, we didn't know  
14 if they were going to believe us, if, like, we were going to get in trouble  
15 for telling the truth, so we just lied. And then Janet took it as if, like, we  
16 wanted to stay. And, like, we were thankful for having the house.

17          Q     Did -- when CPS would come and talk to you, where would  
18 they talk to you at?

19          A     The first house, it -- the Jubilee house, was in my room. Well,  
20 my old room. The -- it's, like, a pink room. And the second house was  
21 in -- they didn't come in the second. They didn't go -- CPS didn't come  
22 in the second house.

23          Q     Okay. But when you spoke to CPS, you stated that you  
24 didn't -- you didn't tell them the truth about what was going on?

25          A     Yeah.

1 Q Did Janet ever tell you what to say or what not to say to --

2 A Yeah.

3 Q -- people about what was going on?

4 A Yeah. She told us -- because this one night Janet was  
5 beating me, and, like, I was screaming and crying. And then my tooth  
6 fell out, because she banged my head against the couch. So then my  
7 tooth fell out. So then the -- the -- she said that CPS or, like, somebody  
8 was outside the house, like, listening and they heard, like, screaming  
9 and stuff going on. So then the next day she was, like, if they ask you,  
10 like, why was there screaming, just say that you and your sister, Amaya,  
11 were fighting.

12 Q And I apologize, I want to backtrack for a second, because  
13 you said one of the times that she slammed your head into the toilet, it --  
14 it cut your head open in the back?

15 A Yeah.

16 Q Is that right? Did -- were you -- did you kind of have a, like, a  
17 bump there or an open sore?

18 A Yeah. Like, right now? Yeah.

19 Q Then or now, I guess.

20 A Yeah, I still have it.

21 Q Did you ever -- would you ever pull your hair out?

22 A I think I did once, like, when I was, like, angry. Because, like,  
23 she would make me hate myself. I hated myself when I was with Janet,  
24 because, like, I felt guilty, because, like, she made it seem like it was our  
25 fault that we were getting beat and stuff. So then, like, I was, like, do

1 stupid stuff and, like -- like, get angry. And, like, I couldn't hit her,  
2 because I was, like, I'm over here 40 pounds, I couldn't hit her. So, like,  
3 I was just taking my anger out. But I stopped that.

4 Q Okay. When you went -- before you went to Marvelous Grace  
5 Girls Academy, did you guys and go and have physicals done?  
6 Meaning, like, did you go to the doctor and they check your health; do  
7 you remember that?

8 A No.

9 Q Okay.

10 A We only went -- I only went with -- when we had doctors'  
11 appointments, and then when she stopped telling people, oh, I had  
12 that -- well, she kept on telling people I had diabetes, but when she  
13 stopped going to the -- I don't remember what the doctor was. When  
14 she stopped taking me there, we didn't go to any more doctors'  
15 appointments except for dentist.

16 Q Okay. Did you -- did you ever go on family vacations with  
17 them or family trips to anywhere?

18 A Yeah.

19 Q Where did you go?

20 A We went to Ohio when we were still in foster care.

21 Q Okay.

22 A And we went somewhere else, and I think it was Ohio. And  
23 then we went to Florida, we went to Disney -- Disney World, right?  
24 That's -- we went to Disney World. And it was with -- we went to family  
25 reunions. We went to California and Arizona. We went to Phoenix. And



1 we went to California and I think that's it.

2 Q When you went to Disney World, I assume that there's, like,  
3 rides there and things to do?

4 A Yeah.

5 Q Did you get to go on the rides and do those things?

6 A Only, like, two or three of them.

7 Q Okay. Why -- why was it only two or three of them?

8 A Because -- I don't know, because we were in trouble. She  
9 didn't let us go, like, on a lot of them.

10 Q Did you ever go to any amusement parks in California that you  
11 remember?

12 A We went to Knott's Berry Farm.

13 Q What about Knott's Berry Farm, did you go on any of the rides  
14 there?

15 A No. She took Autumn and Ivy, and me and my sisters were  
16 just sitting there.

17 Q When you went to the Marvelous Grace Girls Academy in --  
18 in 2013, where did Janet tell you you were going?

19 A To a -- she didn't really -- she just said that we were going to  
20 get help or something.

21 Q Okay.

22 A Like, they were going to, like -- they were basically going to  
23 take care of, like, we were going to live with them, but if we were to, like,  
24 do -- like, pee on ourselves there, then they would whoop us. But they  
25 whooped us.

1 Q Okay. Now, while you were there, did you -- were you on any  
2 type of special diet?

3 A No.

4 Q Did they blend your food?

5 A No.

6 Q Were there any rules about going to the bathroom?

7 A No.

8 Q Did you have any accidents on yourself while you were there?

9 A Only, like, one time.

10 Q Okay. After you were there for a while, did you open up to  
11 some of the staff about some of the things that had happened to you  
12 with Janet and Dwight?

13 A I didn't really, like, open up. I was just, like, Ms. Holly, she  
14 had -- she was brushing my hair, she was getting ready for -- we were  
15 getting ready for church and I didn't really like brushing the back of my  
16 hair. But now I can. But then I didn't really like brushing it, because I  
17 thought I was going to, like, hurt myself.

18 So then I had asked if she wouldn't brush it, and she was, like,  
19 Why not? And I was, like, I can't tell you, because, like, you're going to  
20 tell my parents. And she goes, No, it's okay. Like, you can tell me. And  
21 I told her about how she had hit my head against the rim of the -- not the  
22 rim -- the lid of the toilet. And she had said, Okay. And then I guess she  
23 told somebody or something.

24 Q Okay. While you were at the Marvelous Grace Girls  
25 Academy, did a CPS worker from Florida come and speak with you?

1           A     Yeah.

2           Q     And did you talk to them about some of the things that were  
3 happening in the house when you lived with Janet and Dwight?

4           A     Yeah.

5           Q     Did you tell them the difference or do you remember telling  
6 them the difference between how Janet treated you as foster kids  
7 compared to how she treated you as adopted kids?

8           A     Yeah.

9           Q     And what did you say?

10          A     As foster kids, she wasn't as disciplined. Like, when we  
11 would, like, if we were to do something, she would just, like, hit us in our  
12 mouth and stuff or flick us, or she would just, like, hit us on our butt.

13          Q     Do you remember telling them that your parents were so nice  
14 to you and loved you before you were adopted, but now that they -- now  
15 they hate you?

16          A     Yeah.

17          Q     After you had that interview -- well, during that interview, did  
18 you want to come back to Las Vegas to Janet and Dwight's house?

19          A     No.

20          Q     Were you scared to come back?

21          A     I mean, I didn't even know what was going on. It was just,  
22 like, house. I don't know. Like, I was -- yeah, I was scared to come  
23 back. I wouldn't -- I wouldn't want to go back.

24          Q     Did you talk to the lady who was interviewing you about being  
25 scared to come back?

1           A     I -- I don't think so.

2           Q     And after you spoke with them, did someone from Las Vegas  
3 CPS come and get you and your sisters and bring you back?

4           A     Yeah.

5           Q     And while you were -- when you came back, did you sit down  
6 and were you interviewed like a sit-down formal interview at -- kind of  
7 over by Child Haven?

8           A     Yeah.

9           Q     And while you were in -- during that interview, did you draw  
10 several pictures when you were talking to them trying to explain the  
11 set-up of the house and things like that?

12          A     Yeah.

13          Q     I'm showing you what's been marked for purposes of  
14 identification as State's Proposed -- let me get them in order. Okay.

15          A     Uh-huh.

16          Q     All right. It's 118 and then 123 through 125. If you could  
17 thumb through those.

18          A     What?

19          Q     If you could just look through those?

20          A     Oh. Okay. [Witness complies.] I don't even know what this  
21 is.

22          Q     Okay. So you don't remember --

23          A     I don't -- I don't know what --

24          Q     118?

25          A     -- [indiscernible]. Yes.

1 Q Okay. But the rest of them, 120 -- I think it's 123, 124, and  
2 125, do you recognize those?

3 A Yeah.

4 Q All right. And are those pictures that you drew during your  
5 interview?

6 A Yeah.

7 Q All right.

8 MS. BLUTH: So, Your Honor, at this time, I'd move into  
9 evidence 123, 124, and 125.

10 THE COURT: Any objection?

11 MS. McAMIS: Just relevance based on our prior objections,  
12 similarly.

13 THE COURT: All right. Those will be admitted.

14 [State's Exhibit Nos. 123 through 125 admitted.]

15 BY MS. BLUTH:

16 Q I'm going to show you 123; what are we looking at here?

17 A The first house, but windows are uneven, because it was a  
18 one-storey house. And the windows, like, are right here, like, right next  
19 to the door.

20 Q Okay.

21 A Do I circle it or?

22 Q No, that's okay.

23 A Okay.

24 Q We get it. So the windows were just even?

25 A Yeah.

1 Q And this was you showing the Jubilee garden house?

2 A Yeah.

3 Q All right. And now I'm showing you 124. All right. So I want

4 to ask you some questions. So right up here you say this is the loft,

5 right?

6 A Yeah.

7 Q And then what's this thing up here in the left that you say is

8 red?

9 A I think it was red. It was the -- the pull-out couch, and it was,

10 like -- it was, like, right in that picture with the pillows and stuff.

11 Q Oh. Okay. So, like, the little couch/ottoman pull-out thing?

12 A Yeah.

13 Q Okay. And then this says Amaya and then Anastasia and

14 then tell me what -- what's going on here?

15 A I forgot to write her name. But that was my board and then

16 Amaya's board, and then right in the middle, that was Ava's board,

17 because she would always, like, move around and stuff.

18 Q Okay.

19 A So then they put the little woods to, like, prevent her from

20 moving around.

21 Q So where was the wood placed?

22 A On the side. And --

23 Q These -- is that this right here?

24 A Yeah.

25 Q Okay. And then what's down here at the bottom?

1           A     What is down there? It's probably, like, the fan or something.  
2           Q     Okay. But you don't remember --  
3           A     Or it was probably, like, the TV. Because the TV was right in  
4 front of this part, right in front of the couch.  
5           Q     Okay. And then I'm going to show you State's 125. All right.  
6 And what's this person doing right here?  
7           A     Oh, that's Janet kicking me.  
8           Q     And is that you?  
9           A     Yeah.  
10          Q     And what did you draw yourself doing in the picture?  
11          A     I was crying.  
12          Q     I'm showing you now State's 218. And if you need me to  
13 approach, I can -- I can approach, if you can't see very well. But who's  
14 this person right here?  
15          A     That's me.  
16          Q     Can you see -- what are you doing there?  
17          A     I'm crying.  
18          Q     And had you had an accident?  
19          A     Yeah.  
20          Q     Can you see it on the floor?  
21          A     Yeah.  
22          Q     And showing you State's 111. What's that?  
23          A     That's the ruler that they would hit us with.  
24          Q     When you use the -- you said paint -- you used the term paint  
25 stick earlier; is that what --

1 A Paint stick ruler, yeah.

2 Q But is that the same thing?

3 A Yeah. Yeah.

4 Q Okay. Now I'm showing you State's 204; were these the  
5 numbers on the -- the catheter bag you were talking about?

6 A Yeah.

7 Q And now showing you State's 217; who's that?

8 A That is me.

9 Q Okay.

10 A Yeah.

11 Q And is this one of the days that you had accidents --

12 A Yeah.

13 Q -- an accident?

14 A That -- I think that was, like, the day where I kept on doing it.  
15 Like, I couldn't stop. Like, I kept on having diarrhea.

16 Q Okay. And even though you were having diarrhea, like, could  
17 you control the diarrhea coming out of you?

18 A No.

19 Q And what -- were you still getting punished?

20 A Yeah.

21 Q And then the last thing I want to talk to you about is -- well, two  
22 things actually. So when you came back to Las Vegas and you had that  
23 interview, did you also have a medical examination, where they took  
24 pictures of you and documented your injuries?

25 A I don't know if they took pictures.



1 Q Okay. But do you remember having a --

2 A Yeah.

3 Q -- doctor look at you?

4 A Yeah.

5 Q And then after you were in foster care for, like, a couple of  
6 days or a couple of weeks, did you move back in with Ms. Debbie?

7 A Yeah.

8 Q And then did Ms. Debbie formally adopt you guys? Like, is  
9 she --

10 A Yeah.

11 Q -- your adoptive mother?

12 A Yes.

13 Q Okay. Do you have any stomach issues -- have you had any  
14 stomach issues since you left the Solander house?

15 A No.

16 Q Have you had any toileting issues after you left the Solander  
17 house?

18 A No.

19 Q And the last thing I want to ask you is besides the catheters  
20 going in your private, did Ms. Janet ever stick anything else up your  
21 private?

22 A Yeah. She took that paint stick [indiscernible] in Ava's closet,  
23 because her closet was, like, a walk-in closet. So it was, like, right there.

24 Q Okay. Can you explain to me how -- first of all, was that in the  
25 first house or the second house?

1           A     The second house.

2           Q     So you were already adopted?

3           A     Yeah.

4           Q     And what happened to -- what caused, if you remember, her  
5 to take the paint stick and stick it in your vagina?

6           A     I think I had an accident.

7           Q     Okay. And so were -- where -- did Ava and Amaya go into the  
8 bedroom with you?

9           A     No. It was just me and Janet.

10          Q     And did you -- were you standing, sitting, laying down?

11          A     I was laying down, like, the position where she would put the  
12 catheter inside me, in Ava's old bedroom inside the closet. Well, it was,  
13 like, halfway inside.

14          Q     Okay. And when we -- when we say that -- when you say the  
15 paint stick went in your vagina, like, just a little bit of it? The whole  
16 thing? Like, explain it to me.

17          A     It was just, like, a little bit. Like, she was -- she was trying to,  
18 but it was, like, then she just stopped.

19          Q     Okay. How -- did it actually go inside your private though?

20          A     No, I don't think so.

21          Q     Okay. One second.

22               MS. BLUTH: Court's indulgence, Your Honor.

23          Q     Okay. So I am approaching you with what's been marked as  
24 State's Proposed 245. And I'm going to have some questions in regards  
25 to were the stick went. Okay?

1 A Okay.

2 Q Okay. So what do you recognize this picture to be?

3 A A vagina.

4 Q Okay. Thank you. And can you show me where the stick  
5 went?

6 A Like, not inside, but it was, like, she was trying to --

7 Q Okay.

8 A -- like, put it inside.

9 Q Okay. So you see these -- these things that -- right here that  
10 are listed as the labia majora, these bigger lips?

11 A Yeah.

12 MS. McAMIS: Well, objection. Leading.

13 MS. BLUTH: Well, I'm just using it as a demonstrative aid.

14 THE COURT: I don't think it's --

15 MS. BLUTH: I'm setting up a question. Okay.

16 BY MS. BLUTH:

17 Q Do you know when I say --

18 MR. FIGLER: Is there an objection?

19 THE COURT: Well, it's -- that objection is overruled.

20 But just make sure you ask open-ended questions.

21 BY MS. BLUTH:

22 Q Okay. So in these big lips, the labia majora that I'm pointing at  
23 right there --

24 A Uh-huh.

25 Q -- show me where the stick went in relation to them?

1 A It was just, like, right here. Like right here.

2 Q Okay. In this inside area?

3 A Yeah.

4 Q But not all the way in that hole right there?

5 A Yeah. Not all the way.

6 Q Okay.

7 MS. BLUTH: And, Judge, for the -- may I use it as a  
8 demonstrative aid on the -- publish it so she can point?

9 THE COURT: Sure.

10 MS. BLUTH: Thank you. So for the record, Judge, it's State's  
11 Proposed 245 that I'm publishing.

12 BY MS. BLUTH:

13 Q So Anastasia, could you just show what you were just showing  
14 me -- myself and Ms. McAmis?

15 A Circle it?

16 Q So here I pointed to you where the labia majora, and then tell  
17 me -- tell us where it went past -- from there?

18 A The labia -- labia minora.

19 Q Okay.

20 A Minora.

21 Q That's where the -- and the paint stick area was this -- this  
22 inside fold right here, labia?

23 MR. FIGLER: Your Honor.

24 THE COURT: Yeah. Can you -- can you touch the screen  
25 and explain to us --

1 MS. McAMIS: Yes.  
2 MR. FIGLER: So blatant.  
3 THE WITNESS: I asked that exactly.  
4 MS. BLUTH: I'm sorry, what?  
5 THE WITNESS: I asked you if I had to circle this.  
6 THE COURT: So right in this area that you're pointing to?  
7 BY MS. BLUTH:  
8 Q Oh. This -- okay. The name.  
9 MR. FIGLER: Your Honor, I'm going to -- I'm going to clear it.  
10 THE COURT: Just point with your finger what part of your  
11 body the paint stick went.  
12 THE WITNESS: Oh, the paint stick. Okay. It was, like, right  
13 here, but it didn't actually go inside the hole.  
14 THE COURT: Okay. But it was -- by the hole?  
15 THE WITNESS: Yeah.  
16 THE COURT: Okay.  
17 BY MS. BLUTH:  
18 Q And when you're using the term hole, are you talking about  
19 the hole in the picture right here that's labeled --  
20 A Yeah.  
21 Q -- vagina?  
22 A Yes.  
23 Q Okay.  
24 MS. BLUTH: And that concludes my direct examination, Your  
25 Honor.

1 THE COURT: Maybe we should take our evening recess.

2 Ladies and gentlemen, we're going to go ahead and take our  
3 evening recess. The court has a calendar on various unrelated matters  
4 in the morning, so for that reason we will not be able to reconvene  
5 until 11:00 a.m. 11:00 a.m. tomorrow.

6 During the evening recess you are reminded that you're not to  
7 discuss the case or anything relating to the case with each other or with  
8 anyone else. You're not to read, watch, listen to any reports of or  
9 commentaries on the case, person, or subject matter relating to the  
10 case. Do not do any independent research by way of the Internet or any  
11 other medium. And please don't form or express an opinion on the  
12 trial.

13 Please place your notepads in your chairs and follow the bailiff  
14 through the double doors.

15 And Anastasia, during this evening break, do not discuss your  
16 testimony with anybody else.

17 THE WITNESS: Okay.

18 THE COURT: Okay?

19 [Jury recessed at 4:37 p.m.]

20 THE COURT: Nothing for the record, right?

21 MR. FIGLER: No, we do have just based on the -- the records  
22 that you gave us, there's two concerns that I didn't mention earlier that I  
23 wanted to --

24 THE COURT: Okay.

25 MR. FIGLER: -- bring up on the record.

1 THE COURT: Also, we should put on the record the area in  
2 the vaginal area that the witness marked on the screen.

3 MR. HAMNER: Okay. For the record?

4 THE COURT: Right.

5 MR. HAMNER: So for the record, the -- the witness, when  
6 testifying, she demonstrated with her finger -- she actually marked the  
7 area in between the two labia minora. She indicated that it was between  
8 those two areas, but it didn't actually go inside the hole in which she --

9 THE COURT: The vaginal opening.

10 MR. HAMNER: The vaginal opening. And on the  
11 demonstrative aid, there actually is a -- what appears to be a hole and  
12 it's identified as being vagina. And she said it didn't go in there.

13 THE COURT: Right. And Ms. McAmis, does that correspond  
14 with the area the witness pointed to just on the demonstrative exhibit  
15 before it was published on the monitor?

16 MS. McAMIS: It -- it does.

17 THE COURT: Okay.

18 MS. McAMIS: Initially she was very hesitant to actually touch  
19 the area, and she was -- yes. I mean, it's consistent. She touched the  
20 outer area and then she did the follow-up --

21 THE COURT: Okay.

22 MS. McAMIS: -- on the screen.

23 THE COURT: As long as it was consistent with what she did  
24 up here. All right.

25 What else, Mr. Figler?

1 MS. McAMIS: Well, and my -- I -- just to make a record, my  
2 objection was leading as to the way that the question was framed when  
3 she was asked to --

4 THE COURT: Well, I think she was orientating the witness on  
5 the diagram and then she was directed to ask it really open-ended,  
6 which she did.

7 MS. McAMIS: Right. But I --

8 THE COURT: And the witness pointed to the area within the  
9 labia minora --

10 MS. McAMIS: Right. The --

11 THE COURT: -- and just right above the vaginal opening.  
12 So --

13 MS. BLUTH: So I -- I'm sure there was a record made outside  
14 my presence.

15 THE COURT: Yeah.

16 MS. BLUTH: I'd just like an opportunity to be very clear about  
17 this is I've actually never had so many objections in regards to the  
18 genitalia. It's always, like, big lips, little lips, beyond -- I mean, it's not  
19 leading if I say was it in -- was it past your big lips or before big lips? But  
20 anyways, so this time I've done even more open, to where I take a  
21 diagram. She said on direct wherever -- she goes, this labia minora --  
22 minora. So I then -- I then took my finger and said, When you say labia  
23 minora, are you talking about this? And the defense, both of them,  
24 yelled objection, said I was blatant and leading. Mr. Figler screamed the  
25 word blatant.



1                   And I don't know -- I mean, I -- I've never had this many  
2 objections in regards to the female genitalia. It's totally fine if a witness  
3 says to me where this labia minor -- minora and --

4                   THE COURT: Well --

5                   MS. BLUTH: -- so then I, on the diagram --

6                   THE COURT: Bottom line --

7                   MS. McAMIS: Well, the difference was --

8                   THE COURT: -- what we put on the record, and Mr. Hamner  
9 put on the record, is the witness touched the area inside the labia minora  
10 just above the vaginal opening. And so that's what she touched. It was  
11 done in a more open-ended way. She touched it. Ms. McAmis verified  
12 when she was looking at the diagram right in front of her. And then  
13 touched that same area again when it was published to the jury.

14                  MS. McAMIS: Just to be clear, our objection was to the fact  
15 that the State was interacting with a demonstrative instead of leaving it  
16 open-ended for the witness. That was --

17                  THE COURT: I don't know that -- that they're not allowed to  
18 interact with the demonstrative to point out areas and say, okay, which --  
19 where is it? Look, at the end of the day, it was asked in a more  
20 open-ended way. And she pointed to the area within the labia minora  
21 and above the vaginal opening. That's what she pointed to. So that's  
22 the record. As long as we all agree what she pointed to, I don't think  
23 there's any dispute there.

24                  MS. McAMIS: Okay. No.

25                  THE COURT: Fair enough?

1 MS. McAMIS: I -- I just --

2 THE COURT: All right. What else, Mr. Figler?

3 MR. FIGLER: Thank you, Your Honor.

4 Couple of things with the -- with the redacted by the court. I  
5 understand that CPS redacted some. So there were some parts that the  
6 court posted out. Let me see if I can get it directly. Court's indulgence.

7 So part of -- on one -- on page 69 of 103, there -- what  
8 appears to be just little words that were accidentally whited out. And  
9 says:

10 The foster mother --

11 And this is about Yarely, who is the witness testifying right  
12 now.

13 The foster mother attempts to get her up in the middle of the  
14 night and to limit her liquid intake.

15 Is what it looks like. And this had been before the --

16 THE COURT: Oh.

17 MR. FIGLER: This would be Ms. -- Ms. Debbie. And I can't  
18 really see --

19 THE COURT: Oh, limit --

20 MR. FIGLER: -- read the rest of that sentence.

21 THE COURT: -- her -- okay. The -- the Post-it.

22 Liquid intake at night --

23 MR. FIGLER: Okay.

24 THE COURT: -- is what it says.

25 MR. FIGLER: Thank you, Your Honor.

1 And then also on page 60 of 103, the court seems to have  
2 redacted that entire section, which was entitled: Educational Status.

3 THE COURT: Right.

4 MR. FIGLER: But it does look like in the middle of those two,  
5 the word discipline is in there. And then at the bottom, the word medic is  
6 at the bottom there. And I just wondered if that had anything to do with  
7 discipline or medical issues.

8 THE COURT: Oh, no. You know, discipline -- are you talking  
9 about the bottom pair -- which --

10 MR. FIGLER: Can I show -- may I approach, Your Honor?

11 THE COURT: Sure.

12 MR. FIGLER: And I'm looking on page 60 of 103 --

13 MS. BLUTH: Got it.

14 MR. FIGLER: -- in the new notes.

15 It's, like, I circled the two circles of the words that look like it  
16 might be discipline or medical. I mean, it might have been another  
17 word --

18 THE COURT: That's so weird. Just as discipline for  
19 time-outs, like, for just regular --

20 MR. FIGLER: At school or with -- at the home, either way, can  
21 we have that section and what about the word medical?

22 THE COURT: Oh. Regarding medication logs.

23 MR. FIGLER: So if she was on some sort of medication log or  
24 something, that's before she went to Solanders, I think that would be  
25 relevant.

1 THE COURT: Okay. Well, there's nothing. That's all it says  
2 is medication logs.

3 MR. FIGLER: So I would ask this --

4 THE COURT: The sentence is:

5 Yarely reports that she has to go to bed early for discipline.

6 Jacqueline reported time out, Jocelyn reported that she lost weight  
7 prior to getting into trouble.

8 So, I mean, it's just --

9 MR. FIGLER: Can I get that or --

10 THE COURT: -- it just X'd it out, because it's appropriate  
11 discipline, I thought.

12 MS. BLUTH: Here's the deal. The way that Your Honor did it  
13 was you put Post-its over --

14 THE COURT: Right.

15 MS. BLUTH: -- you know, so there's certain words that  
16 Mr. Figler -- Your Honor --

17 THE COURT: No, I get it. And all I'm saying is that's what it  
18 is. It was -- look, I mean, you could get it, not get it. But there was  
19 nothing inappropriate in the discipline. And my feeling is this. They're  
20 kids. So they're going to have disciplinary issues just like any normal  
21 kid, and as long as the discipline -- as long as the issues weren't  
22 consistent with what, you know, toileting things or extreme acting out or  
23 something like that, or the discipline wasn't inappropriate, I didn't really  
24 feel like it was relevant. Because kids are going to have behavioral  
25 problems, even the best kid. And a time out or going to bed early or

1 withholding privileges are appropriate disciplines. And so I didn't really  
2 think that you needed to get all these extra pages dealing with that kind  
3 of a thing.

4 In terms of the medication logs, I don't know what that is  
5 offhand. But again, you were provided anything -- look, a -- a doctor's  
6 appointment -- look, the kids had colds or the flu and went to the  
7 doctor's. That's not out of the ordinary for a child. So I didn't really think  
8 that that's relevant for anything, if somebody gets a sore throat and they  
9 get an antibiotic, I didn't really think that needed to be disclosed in the  
10 records.

11 You got the stuff relating to the bone and spine and the knee  
12 pain, because that was related to the obesity. And that ties in with the  
13 diet. So you got that information.

14 And as I recall, anything else in here that you didn't get related  
15 to a cold or the flu or an ear infection, the kinds of things that, you know,  
16 are acute, you get an antibiotic or something and that resolves the  
17 situation. So to me, I didn't see it as relevant to anything. And all kids  
18 get infectious disease here and there and they're treated for it. So I  
19 really didn't see the need to disclose all of those records.

20 MR. FIGLER: Okay. On page 55 of 103 --

21 MS. BLUTH: Well, Judge, I'm -- I'm going to object to us  
22 going through --

23 THE COURT: Yeah, I mean --

24 MR. HAMNER: Yeah.

25 MS. BLUTH: Everything that's redacted. You already made

1 this decision. So him reading between the Post-it notes is -- I mean,  
2 you -- you're the judge, you made the decision, and we're not going to  
3 go through page by page and him literally reading the between the lines.

4 THE COURT: Right.

5 MR. HAMNER: I mean -- I mean, that's the whole purpose of  
6 the in camera review. I mean, and the only way we're even having this  
7 raised is just because the photocopies --

8 THE COURT: Well, and the reason the post -- I mean, it was  
9 done very quickly.

10 MS. BLUTH: Right, I know.

11 THE COURT: Because I've been getting these records and I  
12 have to turn them over right away. And so I might have taken a  
13 Wite-out, in, you know, another case and done it really carefully. But  
14 here, because I had such a quick turnover, I'm just trying to get the  
15 records to you.

16 MR. FIGLER: Okay. So for the record, then, the defense is --  
17 because we don't get a hearing on what is and isn't redacted, only what  
18 we can know about, so that's why we made the record. And on page 55,  
19 there seem to be therapy notes relating to Jacqueline, which would --

20 THE COURT: What are you talking about?

21 MR. FIGLER: Page 55 of 103.

22 THE COURT: Where it says therapy?

23 MR. FIGLER: It's redacted at the bottom -- correct. It does  
24 appear to be therapy notes related to Jacqueline, and in the pages  
25 preceding that --

1 THE COURT: Well, everybody knows these kids are getting  
2 therapy.

3 MR. FIGLER: Okay. So it --

4 THE COURT: And that's just part of the thing. That doesn't  
5 mean you get all of the therapy notes. If there's nothing really being said  
6 in the therapy and there's no issues.

7 MR. FIGLER: That's --

8 THE COURT: That, again, I'm looking for --

9 MR. FIGLER: That's fine, Your Honor.

10 THE COURT: I'm telling you what you're getting.

11 MR. FIGLER: I'm not arguing.

12 THE COURT: You're getting things that relate to behaviors,  
13 you're getting things that relate to medical treatment beyond just the  
14 normal kinds of colds and flus that a kid would get. Anything else you're  
15 getting. And, you know, you've got anything -- the only discipline that  
16 the foster mother was criticized for was the yelling, so you go that.

17 MR. FIGLER: Right.

18 THE COURT: Everything else is just, like I said, the normal  
19 time-outs, this and that, anything relating to the bed wetting you got.  
20 And the treatment for the bed wetting, you got that. So that's all there  
21 was.

22 MR. FIGLER: Okay. Just for the record, and defense asked  
23 this before, and I'm sure that the -- the court has done it, but with these,  
24 as new notes keep coming in during the course of the trial, based on our  
25 request, based on our information, we'd ask that the unredacted

1 discovery, which was sent in camera for in camera review or to the court  
2 for in camera review be entered in its entirety under seal, of course.

3 THE COURT: It all is. Basically, here's what we get.

4 MR. FIGLER: As a court exhibit.

5 THE COURT: There's a court exhibit of what was not given.  
6 There's a court exhibit of what was given.

7 MR. FIGLER: Okay. So what's not given would be the same  
8 page --

9 THE COURT: Of course.

10 MR. FIGLER: -- but just unredacted.

11 THE COURT: Right.

12 MR. FIGLER: Okay. Just wanted to make sure that that was  
13 entered --

14 THE COURT: Of course.

15 MR. FIGLER: -- because that's our request.

16 THE COURT: I mean, there's always -- what's the point of  
17 giving just what was given if nobody knows what wasn't given? So  
18 yeah, there's two exhibits --

19 MR. FIGLER: Well, I -- I think everyone's done appeals  
20 where --

21 THE COURT: There's a not -- well, I don't know -- look, I don't  
22 know what other people are doing, but to me, I've always done a court's  
23 exhibit of given and not given.

24 MR. FIGLER: Great. That's all we ask.

25 THE COURT: So. Okay.



1 MR. FIGLER: One other little housekeeping thing. This is on  
2 the defense. We inadvertently -- and we had asked out -- just because  
3 we've been in the middle of trial, we had filed a motion, we had asked  
4 our legal assistant to bring it over for filing in open court, but apparently  
5 she did it electronically so it's set for some time in the future. It was a  
6 request for the records of any complaint or I guess you'd call it discipline  
7 of April -- or, sorry, Gail Anderson over at CPS. She was the -- if you  
8 recall, the person who was removed from the -- the Solander house and  
9 then she was replaced by the other DFS worker --

10 MR. HAMNER: [Indiscernible.]

11 MR. FIGLER: -- who came in. We did it as -- styled it as a  
12 *Henthorn* motion. It was filed. I alerted, because we had requisitioned  
13 various records from DFS, I had alerted Ms. Jorgenson that that was  
14 going to be a pending motion as to whether or not it can be released or  
15 not. Ms. Jorgenson has, if anything, those materials ready to turn over  
16 upon a court order.

17 THE COURT: Okay.

18 MR. FIGLER: So it's something that probably needs to be  
19 determined. And it's my apology that we didn't just bring it over days  
20 ago as an open court filing. That was our office error. But it -- it should  
21 be on file.

22 THE COURT: Has the State seen this? Did you serve the  
23 State with copy?

24 MS. BLUTH: If you got it in Odyssey, they didn't print it for -- I  
25 didn't see it, but -

1 THE COURT: I mean, they should have --

2 MR. FIGLER: We've all been in trial.

3 THE COURT: -- also served the State when it was filed.

4 MR. FIGLER: Right. I think that would have happened. I'm  
5 guessing that both Ms. Bluth and Mr. Hamner, because they're in trial,  
6 would not have been available to see it. So I don't hold that against  
7 them at all. That's -- usually just goes over to the DA motions.

8 MS. BLUTH: Yeah, they're going to turn it over just like  
9 *Henthorn* material, I'd ask that it, you know, goes in camera.

10 THE COURT: So you don't -- all right. I mean, they can turn it  
11 over to me and I'll review it.

12 MR. FIGLER: All right. So I will -- we'll prepare a written  
13 order, because I'm sure that's what Ms. Jorgenson would want.

14 THE COURT: Right.

15 MR. FIGLER: We'll bring that over tomorrow.

16 THE COURT: Okay.

17 MR. FIGLER: And then I'll inform Ms. Jorgenson to do that to  
18 the court for in camera inspection. And that should facilitate that by the  
19 time that our appropriate witness would come in on Wednesday or  
20 Thursday.

21 THE COURT: Okay.

22 MR. FIGLER: So we got that covered. Thank you.

23 THE COURT: Okay.

24 MS. BLUTH: And then, Judge, for my hearing tomorrow, that  
25 sentencing, I'm going to ask everybody to -- to be at the end with the --

1 with the speed. I --

2 THE COURT: Okay.

3 MS. BLUTH: I don't even know if anyone's really speaking. I'll  
4 go find out right now.

5 THE COURT: K.

6 MS. BLUTH: But I'm just going to tell defense counsel,  
7 because I'm not going to come here at, like, 9:30, you know what I  
8 mean? At 9:30.

9 THE COURT: Right.

10 MS. BLUTH: So I'll just -- what I'm saying is I'm going to trail  
11 that till the end.

12 THE COURT: That's fine.

13 THE MARSHAL: What time are we starting tomorrow?

14 MS. BLUTH: 11:00.

15 MR. FIGLER: So we're not -- we don't have to be here  
16 till 11:00 or the doctors --

17 THE COURT: The worst we've told -- wait, you told the Mileti,  
18 right?

19 MS. BLUTH: Yeah. Actually, I was doing that right now.

20 THE COURT: Lawyers to be here at 10:30.

21 MS. BLUTH: Yeah, I'm going to tell him that right now. I  
22 totally forgot to do it at lunch.

23 THE COURT: So theoretically, 10:30 for the hearing on the  
24 subpoena. And then 11:00 for the jury.

25 MR. FIGLER: Can Ms. McAmis be here by herself for that

1 one?

2 THE COURT: Sure.

3 MR. FIGLER: I don't think that might -- okay.

4 THE COURT: I mean, I'm assuming the defense position is, if  
5 possible, you want her here live.

6 MR. FIGLER: Yes.

7 MS. McAMIS: That's correct.

8 MR. FIGLER: That is our position.

9 THE COURT: Okay.

10 MS. BLUTH: And that's my position too. The one thing we  
11 agree on.

12 MR. HAMNER: Have a good night, Your Honor.

13 THE COURT: Bye, good night. Thank you.

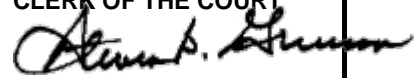
14 [Court recessed at 4:54 p.m., until May 6, 2018, at 11:00 a.m.]

15 ///

16  
17  
18  
19 ATTEST: I do hereby certify that I have truly and correctly transcribed  
20 the audio/video proceedings in the above-entitled case to the best of my  
21 ability.

22 

23 Shawna Ortega, CET\*562  
24  
25



TRAN

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

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

BEFORE THE HONORABLE VALERIE P. ADAIR, DISTRICT COURT JUDGE

**JURY TRIAL - DAY 16**

TUESDAY, MARCH 6, 2018

APPEARANCES:

FOR THE STATE:

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

FOR THE DEFENDANT:

CAITLYN L. MCAMIS, ESQ.  
DAYVID J. FIGLER, ESQ.

ALSO PRESENT:

GERALD L. TAN, ESQ.

RECORDED BY: SUSIE SCHOFIELD, COURT RECORDER  
TRANSCRIBED BY: JD REPORTING, INC.

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**W I T N E S S E S**

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1 LAS VEGAS, CLARK COUNTY, NEVADA, MARCH 6, 2018, 11:28 A.M.

2 \* \* \* \* \*

3 (Outside the presence of the jury)

4 THE COURT: All right. We're turning to the trial  
5 State versus Janet Solander. Ms. Solander is here along with  
6 her counsel, the State, and representing the witness,  
7 Dr. Miletic --

8 MR. TAN: Yeah, Gerald Tan, Bar Number 13596, and I'm  
9 also here on a related issue -- perhaps we can talk about it  
10 afterwards -- with Dr. Steven as well.

11 THE COURT: All right. And your law firm is?

12 MR. TAN: Carroll, Kelly, Trotter, Your Honor.

13 THE COURT: All right. All right. Did you have an  
14 opportunity to review the State's application and the factual  
15 recitation set forth by the State.

16 MR. TAN: I am aware, yes. I'm aware of the facts,  
17 Your Honor.

18 THE COURT: All right.

19 MR. TAN: I think with Dr. Miletic our argument is  
20 basically twofold, Your Honor. First, it's our position that  
21 there was no valid service of a subpoena.

22 THE COURT: Right.

23 MR. TAN: And, you know, the statute expresses in the  
24 Nevada Supreme Court has interpreted that statute as requiring  
25 personal service of the subpoena. That wasn't accomplished

1 here. Now, if the --

2 THE COURT: Wasn't personal service somewhat tacitly  
3 waived by virtue of the fact that they were in communication  
4 with the district attorney's office, and nobody ever said, oh,  
5 there hasn't been personal service? I mean, let's face it.  
6 Many witnesses waive personal service.

7 This theoretically isn't an adversarial proceeding  
8 between the witnesses and the State. It's obviously an  
9 adversarial proceeding between the State and the defendant in  
10 this case, and just to let -- in any event, wasn't there a  
11 tacit waiver of the requirement for personal service by virtue  
12 of the fact that the negotiation, so to speak, were going on  
13 between the office and the district attorney representing --

14 MR. TAN: Well, there was another doctor that we have  
15 also represented, Dr. Rhee, who has also testified, and we've  
16 cooperated with the State to arrange for that.

17 THE COURT: Right.

18 MR. TAN: It's my understanding that the  
19 communications with the office manager Ms. Bias [phonetic] did  
20 not indicate that she was accepting service or that we were  
21 waiving anything, and I would be hesitant to place that  
22 burden --

23 THE COURT: Can I cut to the chase here?

24 MR. TAN: Sure.

25 THE COURT: And I'll just tell you what I told the



1 State yesterday.

2 MR. TAN: Sure.

3 THE COURT: They can try to accomplish personal  
4 service on Dr. Mileti, and Dr. Mileti will no longer have the  
5 option of appearing via Skype. Then she can show up and  
6 testify, and the State doesn't have to make any accommodations.

7 And, Mr. Figler, Ms. McAmis, you might want to listen  
8 in and weigh in here.

9 Because as you know, the defendant in a criminal case  
10 has a right of confrontation, and the defense who's  
11 representing Ms. Solander in this case which carries a penalty  
12 of life in prison if convicted, they've asked that Dr. Mileti  
13 appear in person pursuant to their exercise of what they  
14 believe to be the constitutional parameters of the  
15 confrontation clause.

16 So, you know, if I say go serve her in person, then  
17 Dr. Mileti can appear in person, and no accommodation needs to  
18 be made for her to appear via Skype. So my point is is that  
19 the road you want to take?

20 MR. TAN: Well, no. Well, I think --

21 THE COURT: Because, you know, the State can ask her  
22 to appear. We can remove any appellate issue that the defense  
23 can raise if Ms. Solander is convicted and just make her appear  
24 if they serve her in person. The State was willing to  
25 accommodate her and ask that she appear via Skype over some

1 objection that's been made by the defense because they prefer  
2 to have her here in person. I'm just advising you as to what's  
3 going on.

4 MR. TAN: Absolutely. Absolutely, Your Honor, but I  
5 think in a different situation I probably would have been able  
6 to convince my client to cooperate, you know, regardless of the  
7 service issues, but I think what's complicated this issue, Your  
8 Honor, is that Dr. Miletì is medically unavailable, and we have  
9 submitted a letter from her OB/GYN on that issue.

10 You know, it is in connection we told the State it's  
11 in connection with her recent labor and delivery. With all due  
12 respect, I'm not going to put all the medical details on the  
13 record. If you require those details, I will request that we  
14 discuss that --

15 THE COURT: Well, the letter was a little bereft of  
16 detail to say the least, and here's the thing. I don't  
17 understand why Dr. Miletì couldn't appear via Skype or couldn't  
18 be wheeled in in a wheelchair or something like that to testify  
19 live. I certainly don't understand what the issue is with her  
20 testifying via Skype.

21 MR. TAN: Well, I think it's --

22 THE COURT: I mean, it's not like she's had a heart  
23 attack or a stroke or she's not septic, you know, something  
24 where she's so ill. So I'm not grasping why --

25 MR. TAN: Well, Your Honor, if I -- no, I completely

1 understand, Your Honor, but if I had the opportunity --

2 THE COURT: And, frankly, unless there's something  
3 unusual about Dr. Mileti's pregnancy or childbirth, you know,  
4 where there was a lot of tearing or something like that, I  
5 mean, I think, frankly, she's setting women back a hundred  
6 years that, you know, after giving childbirth you can't -- you  
7 can't -- you're not competent, what, to testify via Skype? So  
8 I do need more information candidly.

9 MR. TAN: Yeah, absolutely, and I'd be willing to  
10 provide that. It's just that this information could impact  
11 her. It could be prejudicial. If I could have an opportunity  
12 just to explain it to you in chambers so that we can just -- so  
13 I don't have to put this on the record as far as the medical  
14 details of her condition.

15 MS. BLUTH: Whatever Your Honor wants to do. I would  
16 ask to be present during that conversation because there is  
17 nothing --

18 THE COURT: As well as the defense because, again,  
19 they have -- I mean, there is Ms. Solander's right to confront  
20 the witnesses against her because I had even said, Well, why  
21 not use just the records. That was objected to very strongly  
22 by Ms. Solander's defense counsel in this case. So any  
23 communication between you and I, and I understand you may not  
24 want to put it on the record publicly. I would at least ask  
25 that Ms. Bluth and at least one of the defendant's attorneys be

1 present for that communication because, again, it impacts not  
2 just Ms. Bluth putting on her case, but the defense and their  
3 ability to cross-examine effectively the witness.

4           So if you want to do that, that's fine, but as I  
5 said, I don't understand unless there's, you know, like a -- I  
6 don't understand why she couldn't sit in a chair in her home  
7 and appear via Skype. I mean, whether she has blood pressure  
8 issues or swelling issues or bleeding issues or tearing issues,  
9 I just can't imagine what she could have. I mean, even if she  
10 were in the hospital, as you know, depositions occur in the  
11 hospital. Testimony is preserved. So I don't know what would  
12 be so unique about Dr. Mileti's situation that she wouldn't be  
13 able to appear using technology.

14           MR. TAN: Understood, Your Honor, and if it's Your  
15 Honor's position that, you know, even if she was bleeding that  
16 she wouldn't --

17           THE COURT: Well, I mean, I don't understand why she  
18 couldn't appear via Skype if that were the issue. I mean, I  
19 understand she might not want to come into the courtroom if  
20 there was some kind of issue like that, but I don't -- you  
21 know, I mean, clearly if she were on a ventilator or something  
22 like that she couldn't testify, or she was under the influence  
23 of heavy narcotic medication or something like that, but if  
24 it's just a bed rest recommendation based on, I don't know,  
25 postsurgical issues or something like that, I don't know why

1 that couldn't be accommodated via Skype.

2 As I said, I proposed the solution of relying on the  
3 records, and that was strongly objected to by Ms. Solander's  
4 counsel just so you know where we are right now.

5 MR. TAN: Understood, Your Honor.

6 THE COURT: All right. If you want to go in chambers  
7 with counsel we can do that.

8 MR. TAN: Yeah, briefly, Your Honor. Thank you.

9 (Proceedings recessed 11:37 a.m. 12:08 p.m.)

10 (In the presence of the jury)

11 THE COURT: All right. Court is now back in session.  
12 The record should reflect the presence of the State through the  
13 deputy district attorneys, the presence of the defendant and  
14 her counsel, the officers of the court, and the ladies and  
15 gentlemen of the jury.

16 And, Anastasia, you are still under oath. Do you  
17 understand that?

18 THE WITNESS: Yes.

19 THE COURT: Okay. Ms. McClain -- you're Ms. McAmis.

20 MS. MCAMIS: Yeah. Yes.

21 MS. BLUTH: Can we approach briefly, Your Honor?

22 THE COURT: Sure.

23 (Conference at the bench not recorded)

24 MS. BLUTH: And, Your Honor, I apologize. I  
25 apologize for interrupting Ms. McAmis, but there was two

1 questions that I didn't ask Anastasia yesterday. So before she  
2 got up, I would just ask the Court if I could reopen for those  
3 two questions.

4 THE COURT: All right. Go ahead.

5 **ANASTASIA MCCLAIN**

6 CONTINUED DIRECT EXAMINATION

7 BY MS. BLUTH:

8 Q Anastasia, yesterday we talked about several times  
9 when Ms. Janet put a catheter inside of you. You said your  
10 private part. On any of those times, did you want the catheter  
11 put inside of you?

12 A No.

13 Q And then same question in regards to the paint stick.  
14 When you were in Ava's old bedroom, and you talked about the  
15 paint stick that Ms. Janet put the paint stick inside your  
16 private, did you want the paint stick put inside your private?

17 A No. Oh, sorry. I was dozing off. No.

18 Q That's okay. I know you're really tired today;  
19 right?

20 A Yeah.

21 Q Okay. But your answer was no.

22 A Yeah.

23 MS. BLUTH: Okay. Thank you so much.

24 Sorry, Ms. McAmis.

25 THE COURT: Pass the witness?

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1 MS. BLUTH: Yes, Your Honor.

2 THE COURT: All right. Ms. McAmis, you may begin  
3 your cross-examination.

4 CROSS-EXAMINATION

5 BY MS. MCAMIS:

6 Q Okay. Anastasia, do you remember back in 2010 that  
7 you talked to Heather Richardson about having a hard time  
8 telling the difference between TV and what's real?

9 A Yeah.

10 Q Yeah, you remember talking to Heather Richardson  
11 about that?

12 A Yeah.

13 Q Okay. Do you remember what you were telling her  
14 about that?

15 A No.

16 Q Okay. But you do remember talking to her back in  
17 2010 about having a hard time telling the difference between TV  
18 and reality?

19 A Yeah.

20 Q Okay. Now, before you came into the Solander care,  
21 you actually lived with your biological mom a long time ago.  
22 Do you remember that?

23 A No.

24 Q No. Okay. Do you remember giving a statement to CPS  
25 back in March of 2014 and talking to them; right?

1           A     Yeah.

2           Q     And back in March of 2014, that was about -- about  
3 four years ago; right?

4           A     Yeah.

5           Q     So you are 13 now?

6           A     Yes.

7           Q     Okay. And you would've been 9 then?

8           A     Yes.

9           Q     Okay. And so do you feel like your memory was better  
10 back then about what happened earlier in your life?

11          A     About Janet?

12          Q     No, about just what happened earlier in your life.

13          A     No, I still don't even know what happened.

14          Q     Okay. But you do know that you gave a statement to  
15 police back in March of 2014; right?

16          A     Yes.

17          Q     And you knew that that statement was recorded,  
18 meaning they either had audio or video; right?

19          A     Yes.

20          Q     Okay. And then you knew that they typed it up after  
21 they talked to you; right?

22          A     Yes.

23          Q     Okay. And yesterday, in fact, I think you got to  
24 look, and your memory was refreshed on different things you  
25 said back in March of 2014; right?



1           A     Yes.

2           Q     Okay. All right. So do you remember telling CPS  
3 back in March of 2014 that your mother used to lock you up in a  
4 closet when your grandmother came over?

5           A     Yes.

6           Q     Okay. So you remember saying that?

7           A     Yes.

8           Q     Okay. We talked about how you are 13 now. So in  
9 2010, you were about 5 or 6 years old; is that right?

10          A     Yeah.

11          Q     Yeah. Okay. Do you remember where you were living  
12 in 2010?

13          A     Ms. Debbie's.

14          Q     Okay. Is that the only place you lived for the whole  
15 year of 2010?

16          A     I don't know.

17          Q     Okay.

18          A     2010, I don't know.

19          Q     Okay. What is the saddest thing that happened to you  
20 in 2010?

21               MS. BLUTH: Judge, I'm going to object as to  
22 relevance. What's the --

23               Did you say what's the saddest thing?

24               MS. MCAMIS: Yes.

25               MS. BLUTH: Sorry. I'm going to object.

1 THE COURT: Counsel, approach.

2 (Conference at the bench not recorded)

3 THE COURT: Sustained.

4 Ms. McAmis, rephrase.

5 BY MS. MCAMIS:

6 Q Well, how about this. You talked about living with  
7 Ms. Debbie in 2010; right?

8 A Yes.

9 Q Okay. And you lived with Ms. Debbie for probably the  
10 first six months -- five or six months of 2010; right?

11 A Yes.

12 Q Okay. What was your favorite memory from living with  
13 Ms. Debbie?

14 A We used to go to Walmart. We would eat chicken wings  
15 together after school.

16 Q What was your saddest memory from living with  
17 Ms. Debbie?

18 A I don't know.

19 Q Okay. Do you have a favorite memory from when you  
20 were 7 years old?

21 A I don't even remember being 7. Hold up.

22 Q Okay.

23 A No.

24 Q Okay. And you were 7 in the year of 2012; right?

25 A Yeah.

1           Q     Okay.  Why don't we start talking about some of the  
2 things you testified to yesterday; okay?

3           A     Okay.

4           Q     All right.  Now, you testified about some of the  
5 trips that you went on when you lived in Ms. Janet's home;  
6 right?

7           A     Yes.

8           Q     And you went on a number of trips the whole time that  
9 you lived in Ms. Janet's home; right?

10          A     Yes.

11          Q     And that included the Disney World trip that you were  
12 talking about; right?

13          A     Yes.

14          Q     And I think you testified you didn't get to go on  
15 rides; right?

16          A     No.  I said I didn't go -- I said I didn't get to go  
17 on all the rides.  I went on a couple.

18          Q     Okay.  All right.  Thank you for clearing that up for  
19 me.  So there were times that you were taken to the trips with  
20 the whole family; right?

21          A     Yes --

22          Q     That included you and -- sorry.  That included you  
23 and your sisters?

24          A     Uh-huh.  Yes.

25          Q     Okay.  That included Janet's biological daughters as

1 well; right?

2 A Yes.

3 Q Okay. And you went to Knott's Berry Farm; right?

4 A Yes.

5 Q Okay. And then you were taken to places like the  
6 beach; right?

7 A Yes.

8 Q And when you went to Disney World in 2012, you were  
9 eating regular food; right?

10 A Yeah. Yeah, I was. Yeah.

11 Q Okay. You weren't having blended food on your Disney  
12 World trip?

13 A No.

14 Q Okay. And then Ms. Janet also took you to church  
15 with you and your sisters and Danielle; right?

16 A Yeah.

17 Q Okay. How often did you go to church?

18 A I don't know, just for, like, a couple of weeks.

19 Q Okay. Only a couple of weeks?

20 A Yeah, like a month.

21 Q Okay. Like, a month?

22 A Yes, a couple is four. Four weeks equals a month.

23 Q To you a couple is four?

24 A Yes.

25 Q Okay. All right. Now, when you lived with

1 Ms. Janet, you also had chores that you had to do there; right?

2 A Yeah.

3 Q And that was after you were adopted. You and your  
4 sisters did chores together in the house?

5 A Yes.

6 Q Each of you had different assignments; right?

7 A Yes.

8 Q But sometimes you would help each other; right?

9 A Yeah.

10 Q Like with dishes, for example?

11 A No.

12 Q No, you didn't have any chores related to the dishes?

13 A No. Only Ava washed the dishes.

14 Q Okay. Because you were still kind of little at that  
15 time; right?

16 A Yeah.

17 Q Okay. One of your chores was helping pick the dog  
18 poop up outside sometimes; right?

19 A That wasn't a chore, but, yeah, I guess.

20 Q Okay. That was something that you were asked to do?

21 A That was, like, our punishment.

22 Q Okay. You describe that as a punishment. Okay. You  
23 testified yesterday that that was done with your bare hands;  
24 right?

25 A Yes.

1 Q Okay. Isn't it true that Janet bought you gloves --  
2 A Yes.  
3 Q -- to pick up the dog poop?  
4 A Yes.  
5 Q Oh, okay. Anastasia, you testified about the  
6 different times that you got your hair cut by Janet when you  
7 lived with Ms. Solander. So I have some questions about that;  
8 okay?  
9 A Okay.  
10 Q All right. So you testified yesterday the first time  
11 you got a haircut it was because you peed on yourself; right?  
12 A Yeah.  
13 Q So she cut your hair so your pee wouldn't get into  
14 your hair when you had accidents; right?  
15 A Yeah, in the bed.  
16 Q Oh, in the bed, okay.  
17 A Yes.  
18 Q Because there were times where you wet the bed?  
19 A Yes, every night.  
20 Q Every night.  
21 A Yes.  
22 Q Okay. All right. And then you also testified that  
23 one of the reasons Janet cut your hair was to take it away from  
24 you because you loved it; right?  
25 A Yeah.

1           Q     And, in fact, I think you said that she told you,  
2     You're too ugly for that hair?

3           A     Yeah.

4           Q     Okay. Now, you've been asked a lot of questions  
5     before about everything that happened in the home; right?

6           A     Yes.

7           Q     You were asked back in Florida; right?

8           A     Yeah.

9           Q     When CPS came out to talk to you in Florida?

10          A     Yes.

11          Q     And then you were also asked questions about what  
12     happened in the home back in March of 2014 when CPS talked to  
13     you here in Vegas; right?

14          A     Yes.

15          Q     And then you also testified at the preliminary  
16     hearing in court before about the different things that  
17     happened in the home; right?

18          A     Yes.

19          Q     Okay. Now, isn't it true that this is the first time  
20     you've talked about Janet cut your hair because she told you  
21     you're too ugly for that hair?

22          A     Yeah, I guess so. Yeah.

23          Q     Okay. And that's a really mean thing to say; right?

24          A     Yes.

25          Q     Okay. So you don't like Janet because she said that

1 to you?

2 A I mean, no.

3 Q Right. You don't like Janet?

4 A Yeah. I think -- yeah.

5 Q Just trying to make sure I understand you; okay?

6 A Okay.

7 MS. BLUTH: Judge, I apologize. I don't understand.  
8 I'm not sure -- I can't understand if she's agreeing with  
9 the -- can we just ask her what she means. Like yes, she does  
10 like her or, no, she doesn't like her. I'm confused. I'm  
11 sorry.

12 MS. MCAMIS: My question was pretty simple. It's you  
13 don't like Janet.

14 THE COURT: Okay.

15 MS. MCAMIS: And she said, yes, and nodded her  
16 hair -- excuse me, nodded her head.

17 THE COURT: Okay. Ms. Bluth, you can follow up on  
18 redirect.

19 THE WITNESS: Yes, I don't.

20 THE COURT: If you think it's not clear.

21 BY MS. MCAMIS:

22 Q To be clear, you agree you do not like --

23 A I don't like Janet.

24 Q Okay. So we're on the same page.

25 A Yes.



1 Q That was my question, and you are answering it.

2 A Yes.

3 Q Okay. Now, I have some questions to ask you about  
4 some of the bathroom accidents that happened in the home; okay?

5 A Okay.

6 Q Okay. So you've talked about when you wet the bed.  
7 You were younger, like 4 to 5 years old; right?

8 A Yeah.

9 Q Okay. And you had bedwetting accidents when you  
10 lived with Ms. Debbie as a foster child too; right?

11 A Yes.

12 Q Okay. And you also testified about having accidents  
13 during the daytime when you lived with Ms. Janet because you  
14 were too scared to ask to go to the bathroom; right?

15 A Yes.

16 Q Okay. And that's because every single time you asked  
17 to go to the bathroom you got hit by Janet or Dwight?

18 A Yes.

19 Q So every single time you asked to go to the bathroom,  
20 you would get hit?

21 A Yes.

22 Q Okay. Now, isn't it true that in order to go to the  
23 bathroom you asked, and then Janet or Dwight would say, okay,  
24 go to the bathroom?

25 A Yeah, but it was if -- I had to ask. If the timer.

1 If that timer didn't beep, I had to ask. It wasn't, like, I  
2 was free to go whenever I would like.

3 Q Okay. Well, you remember testifying at the  
4 preliminary hearing in this matter; right?

5 A Yes.

6 Q Okay. And you were asked at that time --

7 MS. MCAMIS: It's page 95 on June 10th.

8 BY MS. MCAMIS:

9 Q So you were asked at the preliminary hearing, And so  
10 in order to go to the bathroom, you just needed to ask, and  
11 then you could go to the bathroom; correct? And you answered,  
12 yes; right?

13 A Well, yeah.

14 Q Are you saying, Well, yeah, because that's what you  
15 testified to, or do you --

16 A Well, yeah, that's what I testified to.

17 Q Okay. And you remember testifying at the preliminary  
18 hearing having to raise your right hand before you took the  
19 stand; right?

20 A Yes.

21 Q And at that time you promised to tell the truth, the  
22 whole truth and nothing, but the truth --

23 A Yes.

24 Q -- just like when you were testifying here today;  
25 right?

1 A Yes.

2 Q Okay. So your testimony at the preliminary hearing  
3 that you provided was the truth; right?

4 A Yes.

5 Q Okay. Just like it's the truth today?

6 A Yes.

7 Q So we had talked about how you asked, and they told  
8 you to go to the bathroom, and that's what you've already  
9 testified to. Isn't it true that there were also times when  
10 you didn't ask to go to the bathroom, and then you had a pee or  
11 poop accident on yourself?

12 A Yes.

13 Q And those were times where you did not ask to go to  
14 the bathroom; right?

15 A Yes.

16 Q Okay. Now, you testified that Janet would kick you  
17 up -- you testified that Janet would kick you up and down the  
18 stairs when you needed to go to the bathroom; right?

19 A Yes.

20 Q And sometimes when she kicked you up and down the  
21 stairs you testified that you would fall when she kicked you?

22 A Yes.

23 Q Did you tumble down the stairs?

24 A Yeah, a couple of times.

25 Q All right. Did you break any bones?

1 A No.

2 Q Okay. Isn't it true that you testified previously  
3 that after Janet kicked you you'd just fall on your knees?

4 A Yeah.

5 Q Okay. So you didn't testify previously about falling  
6 up and down the stairs, just that you fell on your knees and  
7 stumbled; right?

8 A Fall on my knees and stumble, yes.

9 Q Okay. And so while we're still on this topic of,  
10 like, bathroom and bathroom accidents -- are you okay?

11 A Yeah. That was bothering me.

12 Q That's okay.

13 A Okay.

14 Q Are you ready?

15 A Yes.

16 THE COURT: Yeah. Everybody spills that. Don't --  
17 BY MS. MCAMIS:

18 Q All right. So there were rules about how much toilet  
19 paper you could have in the home; right?

20 A Yeah.

21 Q But every time you went to the bathroom to use the  
22 toilet, you got toilet squares, toilet paper squares; right?

23 A Yeah.

24 Q Okay. And at one point, there was a time when Ava  
25 was in charge of passing out the toilet squares; right?

1           A     Yeah.

2           Q     Okay. And there was a disagreement between you, Ava  
3 and Amaya about the amount of toilet paper that Ava would give  
4 out; right?

5           A     Yeah.

6           Q     Okay. And then all three of you would get into  
7 fights about Ava and how much toilet paper she gave out; right?

8           A     They were arguments.

9           Q     Okay.

10          A     It wasn't even really a argument.

11          Q     Okay. Now, you testified previously at the  
12 preliminary hearing -- or actually, yes, you testified at the  
13 preliminary hearing on this matter.

14               MS. MCAMIS: It's page 138.

15          BY MS. MCAMIS:

16          Q     And isn't it true at that time that you were asked if  
17 you got into fights, and you answered, yes?

18          A     Okay. Yeah.

19          Q     Okay. So isn't it fair to say that when you moved  
20 into Ms. Janet's home you were still learning to use the  
21 bathroom? Right?

22          A     No. I was still learning how to not pee on myself in  
23 the bed. I knew how to go to the bathroom in the daytime.

24          Q     Okay. So you were still learning how to go to the  
25 bathroom at night; right?

1           A     Yeah.

2           Q     You were just having some trouble holding your pee at  
3 night?

4           A     Yeah, because I would fall asleep, and I was, like,  
5 in a deep sleep, and they wouldn't be able to wake me up.

6           Q     Okay. So it's true then you were still learning to  
7 use the bathroom as far as nighttime going to the bathroom;  
8 right?

9           A     Yeah.

10          Q     Okay. There was a time where you had a pooping  
11 accident and didn't tell anybody; right?

12          A     Yeah.

13          Q     And you testified yesterday about a time where Janet  
14 would make you stand at a big clear trash bag all day, and you  
15 would have to go to the bathroom all day in that bag; right?

16          A     Yes.

17          Q     Okay. So all day meaning all hours of the day;  
18 right?

19          A     Not 24 hours. It was like until when that happened,  
20 since she put me in there until about nighttime.

21          Q     Okay. Until about nighttime. So isn't it true that  
22 after you had the pooping accident Janet had you stand in the  
23 trash bag so you could take your soiled clothes off and leave  
24 them in the bag?

25          A     No. No.

1           Q     No, okay. Isn't it true that after she had you take  
2 your clothes off in the bag, then she had you go upstairs and  
3 take a bath or a shower?

4           A     That was, like, a few times. The other times she had  
5 me stand in there until she wanted to -- until she felt like  
6 she -- until she felt to watch me take a shower.

7           Q     Okay. So it's your testimony that she would have you  
8 stand in the trash bag all hours of the day into the night  
9 until she felt like watching you take a shower; right?

10          A     Yes.

11          Q     Okay. Now, you remember testifying at the  
12 preliminary hearing about the trash bag incident; right?

13          A     Like, which incident?

14          Q     The one that you're talking about, where you had to  
15 stand in it all day?

16          A     That was plenty of times.

17          Q     Okay. So you remember testifying about at least one  
18 of those times at the preliminary hearing; right?

19          A     Yes.

20          Q     Okay. Now, isn't it true that at that time you had  
21 to -- you were asked, and you were standing in the bag in order  
22 so that you didn't get anything on the floor, and you answered  
23 yes, that's correct; right?

24          A     Yeah.

25          Q     All right. So that was correct. That's what you

1 testified to?

2 A Repeat that.

3 Q Of course. The question asked you at preliminary  
4 hearing was, And you were standing in the bag in order so you  
5 didn't get anything on the floor; correct?

6 A Yes.

7 Q And your answer was, Yes, that's correct?

8 A Yes, I said that.

9 Q Okay. And then you were asked -- and then you were  
10 getting undressed, throwing things that you were wearing into  
11 the bag to be thrown away; right? And you answered, yes?

12 A Yes.

13 Q Okay. And then you were going to get in the shower  
14 to take a shower to clean off all of the poop; right? And you  
15 answered, yes?

16 A Yes.

17 Q Okay. And that's when you had to stand in the bag;  
18 right? And your answer was, Well, yeah?

19 A Yes.

20 Q Okay. All right. So you testified yesterday about  
21 having to hold your urine or your poop if you had to go until  
22 the time was up for the bathroom break; right?

23 A Yes.

24 Q Isn't it true Janet was trying to teach you to hold  
25 your urine overnight? Do you know what I mean by urine?



1           A     Yes.

2           Q     Okay.  Isn't it true that Janet tried to teach you to  
3 hold your urine overnight?

4           A     No.  That was just so she could have reasons to whoop  
5 us or, like, spank us or something.

6           Q     Okay.  So it's your testimony that Janet forced you  
7 to hold your urine at night in order to spank you the next day?

8           A     Well, no.  You -- no.  What I'm saying is at night  
9 she wouldn't let me go to the bathroom.  So how am I supposed  
10 to not pee on myself if I'm, like -- if I am, well, what age  
11 was I?  7, 8.  If I'm 7 and 8, well, I should already know not  
12 to pee on myself, but she's over here not letting me go to the  
13 bathroom, and I should be able to go to the bathroom by myself.

14          Q     Okay.

15          A     But she wasn't.  She wasn't trying to potty train me  
16 to go to the bathroom at night.  She was making it worse by  
17 making me hold it.

18          Q     Okay.  So you remember talking to CPS back in March  
19 of 2014; right?

20          A     Yes.

21          Q     Okay.  And at that time, you told them that the  
22 reason Janet wouldn't let you go to the bathroom at night was  
23 that they were making you hold it because they were trying --  
24 because Janet was trying to teach you to hold your urine  
25 overnight.  Did you hear the question?

1           A     Oh. Sorry. I didn't see. Okay. Oh, yeah.

2           Q     Okay. Can you answer the question, or would you like  
3 me to repeat it?

4           A     Could you repeat it.

5           Q     Okay. So you remember talking to CPS back in March  
6 of 2014 about holding your urine overnight; right?

7           A     Yeah.

8           Q     Okay. Isn't it true that you told them back in March  
9 of 2014 that she was, meaning Janet, was teaching you to hold  
10 your urine overnight, and that's why she was having you hold  
11 it?

12          A     Yes.

13          Q     Okay.

14          A     Look, I was 9 years old then, and I'm more aware of  
15 what was going on --

16          Q     Well, I'll go ahead and ask you --

17          A     -- in the situation.

18          Q     -- questions. Ms. Bluth gets another turn to ask you  
19 questions, and you can talk all about it. We're just having my  
20 questions right now; okay?

21          A     Okay. I was just letting you know that.

22          Q     Okay. I understand, and I'll have more questions for  
23 you.

24          A     Okay.

25          Q     Okay. Now, you also testified yesterday about Janet

1 wouldn't give you any water; right? You remember that?

2 A Yes.

3 Q Okay. Now, again, you've told your story back in  
4 Florida and in March of 2014 to CPS and also at preliminary  
5 hearing; right?

6 A Yes.

7 Q Isn't it true that yesterday was the first time you  
8 testified about not getting any water from Janet ever, and you  
9 had to sneak it in the shower?

10 A No. I'm pretty sure I at least told one person. Out  
11 of all these people that I've talked to, I'm pretty sure I told  
12 one person about sneaking in water in the shower.

13 Q Okay. It's your testimony that you've told at least  
14 one person out of all of these three and now four if you count  
15 yesterday times of talking about your story that you told at  
16 least one person about sneaking the water?

17 A I should have because I know I've told plenty of  
18 people about that when we talk about what happened.

19 Q Okay.

20 A So --

21 Q So if I said to you that in your voluntary statement  
22 that you gave to CPS in March of 2014 you didn't talk about the  
23 fact that Janet never gave you water, you would dispute that?

24 MS. BLUTH: Judge, I'm going to object because I  
25 think the question is vague. At one point we were talking

1 about sneaking water, and now we're talking about withholding  
2 water, which I think are completely different.

3 THE COURT: All right. State your question.

4 MS. MCAMIS: My question is back in March of 2014, if  
5 your voluntary statement had nothing included about Janet  
6 withholding water all day, would you disagree with that? I'm  
7 allowed to move topics.

8 THE COURT: All right. I think that's a different  
9 area. So --

10 THE WITNESS: Oh, would I say yeah that I said that,  
11 that I didn't say it --

12 BY MS. MCAMIS:

13 Q But would you disagree that it's not in there?

14 A It probably isn't in there. So, yeah. Yeah. No.

15 Q All right.

16 A So --

17 Q Now, you also testified about the bathroom being  
18 locked at night so you couldn't get in to use it. Do you  
19 remember that?

20 A Yeah.

21 Q Okay. And when you were sleeping in the Wakashan  
22 house, you slept in the loft area, and right next to that was a  
23 bathroom; right?

24 A Wakashan -- oh, the second house. Yeah.

25 Q The second house, yeah. And you remember Wakashan

1 was the second house; right?

2 A Yes.

3 Q All right. Now, in the bathroom next to the loft,  
4 there was an angel nightlight; right?

5 A It was inside the loft.

6 Q Okay. So it's --

7 A Inside the loft by the sink.

8 Q Inside the loft by the sink. Okay.

9 A There's this little outlet.

10 Q So that's in the back.

11 A So you could plug it in, yes, in the --

12 Q Okay. So by the sink by the bathroom area; right?

13 A Yes, inside.

14 Q Okay. All right. And you could see at night with  
15 the angel nightlight on; right?

16 A Yeah, in the bathroom. Yeah.

17 Q Okay. And so if you needed to go to the bathroom at  
18 night, you would just walk into the bathroom with the angel  
19 nightlight on?

20 A Yes. Hold up. You said when the door was locked  
21 because --

22 Q There's no question. I'm going to ask another one.  
23 Ms. Bluth can ask you additional questions; okay? Now, you  
24 testified that Janet would make you sit on Home Depot buckets  
25 or your sisters on Home Depot buckets, and you had, like, a

1 training potty, and that's how you would do your schoolwork all  
2 day long; right?

3 A Yeah.

4 Q Okay. Isn't it true that when you weren't having  
5 bathroom accidents during the day you actually sat on black  
6 cloth chairs to do your homework?

7 A Yeah, that was before, like, we started having, like,  
8 accidents, like, in the chairs.

9 Q Okay.

10 A And then she took the chairs away, and then we had to  
11 stand up, and then, yeah.

12 Q Okay. So there was a point where you weren't having  
13 accidents multiple times every day, and you got to sit on black  
14 cloth chairs to do your homework; right?

15 A Yeah.

16 Q All right. So I want to direct your attention to La  
17 Petite Academy. You testified about that yesterday, remember?

18 A No, I didn't.

19 Q No?

20 A Not yesterday. We didn't talk about La Petite  
21 Academy.

22 Q Okay. Well, how about now. I'll ask about La  
23 Petite. La Petite Academy was a school that you went to back  
24 in the first part when you were living with Janet; right?

25 A It wasn't a school. It was a little daycare center.

1 They take us to school, and then they just took care of us in  
2 the morning and --

3 Q Okay.

4 A Yeah.

5 Q So La Petite Academy is where you went in the  
6 mornings; right?

7 A Yes.

8 Q Okay. And you actually had breakfast there; right?

9 A Yes.

10 Q And while you were living with Ms. Janet, that's when  
11 you attended La Petite Academy in the mornings; right?

12 A Yeah.

13 Q Okay. And how long did you attend La Petite?

14 A I don't know. Only for, like, a little bit, and  
15 then --

16 Q What's a little bit?

17 A From my start from when I started first grade from  
18 probably a little bit after I started first grade and then when  
19 a little bit before she took me out of school.

20 Q Okay. Do you know when that was?

21 A What month?

22 Q I'm asking you.

23 A I don't know.

24 Q Okay. You're just not sure?

25 A Yeah.

1           Q     But you are sure that you attended La Petite Academy  
2 and that you had breakfast there --

3           A     Yes.

4           Q     -- when you lived with Janet?

5           A     Yes.

6           Q     Okay. So after you lived with Janet for some time,  
7 that's when there were more accidents that started happening,  
8 just like you testified to yesterday; right?

9           A     Yeah.

10          Q     And after the accidents started happening more and  
11 more, that's when Janet started blending you and your sisters'  
12 meals; right?

13          A     Yeah.

14          Q     And you initially told everyone in CPS back in March  
15 of 2014 that Janet blended up dead mice in the food; right?

16          A     Yes.

17          Q     And you also told CPS back in March of 2014 that  
18 Janet blended up the part of the cow where the milk comes out;  
19 right?

20          A     Yes.

21          Q     And you told CPS that she got the part of the cow  
22 where the milk comes out from the store. She would cook it and  
23 blend it up with your food; right?

24          A     Yes.

25          Q     And you told CPS that she got the dead mice and cow



1 udders or the part of the cow where the milk comes out out of a  
2 can; right?

3 A Yes.

4 Q Okay. But you also told CPS that you went days  
5 without eating anything when you lived in the Solander home;  
6 right?

7 A Yes.

8 Q Isn't it true that you told CPS back in March of 2014  
9 that you'd gone years without water, just food, no water?

10 A I said that? I said I went years?

11 Q Yes, that's my question.

12 A Sorry. I was a little -- no, that is not true.

13 Q Okay.

14 A My bad.

15 Q But you acknowledge that you said that to CPS --

16 A Yes.

17 Q -- back in March of 2014?

18 A Yes.

19 Q Okay. Isn't it true you also told CPS in March  
20 of 2014 that there were times where you went a whole month  
21 without having a bathroom accident, and so you would be allowed  
22 to drink water?

23 A Yeah.

24 Q Let's talk about some of the food that you had in the  
25 home when you lived with Janet; okay?

1           A     Okay.

2           Q     All right.  So isn't it true that for breakfast you  
3 would have quinoa and oatmeal blended up?

4           A     Yeah.

5           Q     Okay.  And before that, before all the meals were  
6 blended, you also had breakfast in the home, like cereal and  
7 oatmeal just regular; right?

8           A     Yeah.

9           Q     Okay.  And then let's go ahead and stay with the time  
10 period before your food is blended just so I don't confuse you;  
11 okay?

12          A     Uh-huh.

13          Q     So before blending, you also had food from Janet like  
14 beans and rice; right?

15          A     Yeah.

16          Q     And meat; right?  Like fish?

17          A     Yeah, we had, yeah.

18          Q     Okay.  And you would also get vegetables; right?

19          A     Yes.

20          Q     Like artichokes and beets; right?

21          A     Yes.

22          Q     Okay.  And you know what those vegetables are; right?

23          A     Yes.

24          Q     Okay.  And so after the time that you stopped eating  
25 regular food, that's when all the food was blended; right?

1           A     Yeah.

2           Q     But it was the same food. It was just blended in  
3 form; right?

4           MS. BLUTH: Objection. That's speculation in regards  
5 to what the blended food was.

6           THE COURT: If she knows.

7           MS. MCAMIS: It's her observation.

8           THE COURT: Don't guess. Do you know what was in the  
9 blended food?

10          THE WITNESS: No. I just heard what Janet said.  
11 What she told us, I went along. So --

12 BY MS. MCAMIS:

13          Q     But you were in the home; right?

14          A     Yes.

15          Q     When she was making the food?

16          A     Yes.

17          Q     She didn't make it in secret, away from you; right?

18          A     No, she did.

19          Q     Okay. She made it in secret, away from you?

20          A     Yes.

21          Q     Okay. Isn't it true she made it in the kitchen?

22          A     Yes.

23          Q     And the kitchen is where meals were made?

24          A     Yes.

25          Q     Okay. All right. And you talked about having the

1 food in blended form and drinking it out of a cup; right?

2 A Yeah.

3 Q And sometimes it was a large cup, and other times it  
4 was a small cup or a bowl I think you said; right?

5 A Yeah. I don't know if I said bowl, but I remember  
6 small cup, but.

7 Q Okay. You remember at least large and small cups;  
8 right?

9 A Yeah.

10 Q Okay. Isn't it true that you also had to use a  
11 spoon, especially when you got to the bottom of a glass?

12 A Yeah.

13 Q Excuse me.

14 A Yeah.

15 Q Yeah. Okay. I have some questions for you about  
16 some of the discipline in the home; okay?

17 A Okay.

18 Q So when we talk about discipline, do you know what  
19 that word means?

20 A Yes.

21 Q What does it mean to you?

22 A When you do something that you shouldn't be doing.

23 Q Okay.

24 A You're going to get disciplined for doing it. So you  
25 can't do it again.

1 Q Okay. So the idea is you did something you're not  
2 supposed to do, and there is a consequence so you don't do it  
3 again; right?

4 A Yes.

5 Q Okay. And there were different forms of discipline  
6 in Janet's home; right?

7 A Yes.

8 Q Like when you first moved in, you were a foster  
9 child; right?

10 A Yes.

11 Q And she didn't spank you; right?

12 A No.

13 Q But she did the chart on the front of the fridge;  
14 right?

15 A Yes, she did. Yeah.

16 Q And there were stars that you got points for, and if  
17 you got enough points, you could pick a toy out of a box;  
18 right?

19 A Yeah.

20 Q Or you'd get a privilege; right?

21 A Yeah.

22 Q What's a privilege?

23 A The meaning or what was the privilege?

24 Q Actually both if you could tell us.

25 A Okay. The meaning, you get to, like, do something.

1 Q Sure.

2 A And the privilege is, like, we were able to, like,  
3 watch a movie or, like, eat popcorn or something with the  
4 movie.

5 Q Okay. And then when there was bad behavior and you  
6 got in trouble for that, you got a demerit; right?

7 A Yeah.

8 Q Do you know what I mean by demerit?

9 A No.

10 Q Okay. I'll ask it this way.

11 A Well, I get the idea, but I don't know the exact  
12 meaning of a demerit.

13 Q Well, fair enough. Well, let's not use words that  
14 you don't know the exact meaning. I don't want to put words in  
15 your mouth. You get basically negative points; right?

16 A Yeah.

17 Q So those would all be marked on the chart on the  
18 fridge as well; right?

19 A Yes.

20 Q And if you got six points, that would be a demerit  
21 where you got a consequence; right?

22 A Yeah.

23 Q And so basically you got six warnings before a  
24 punishment would be imposed?

25 A I don't remember the exact number of points, but,

1     yeah.

2           Q     But you agree you generally got a number of warnings  
3     and points --

4           A     Yeah.

5           Q     -- before a punishment would be imposed; right?

6           A     Yeah.

7           Q     Okay. And some of the punishments included, like,  
8     getting yelled at; right?

9           A     Yeah.

10          Q     Or having no movie time; right?

11          A     Yeah.

12          Q     Okay. And some of the punishments would include  
13     spankings; right.

14          A     In foster care or --

15          Q     I'm asking you.

16          A     We didn't even do -- no, we didn't get spanked. We  
17     only got hit. We only got popped in our mouth or flicked like  
18     this or just hit on the butt or something.

19          Q     Okay. And then after the adoption, you continued on  
20     with this chart system for some time; right?

21          A     I don't think so.

22          Q     Okay. So at some point the chart system basically  
23     just stopped working with you girls; right?

24          A     Yeah.

25          Q     Okay. And then you got in trouble in other ways in

1 the house. You got in trouble, and you'd get timeouts; right?

2 A In foster care, yeah.

3 Q Okay. And then when the timeouts stopped working,  
4 Janet moved on to different forms of discipline; right?

5 A Yes.

6 Q Okay. And that would include, like, if you got in  
7 trouble for lying you'd get a spanking; right?

8 A Yes.

9 Q Okay. Now, you testified yesterday about some of the  
10 spankings that you got. I'm going to ask you some questions  
11 about that. There were times that Janet spanked you with her  
12 hand; right?

13 A No.

14 Q No, Janet never spanked you with her hand?

15 A No, not that I remember of.

16 Q Okay. You remember talking to CPS back in March  
17 of 2014 about the different ways that Janet would discipline  
18 you; right?

19 A Yes.

20 Q Okay. And you remember telling CPS back in March  
21 of 2014 that one of the ways that she would discipline you was  
22 spanking you with a glove on her hand?

23 A I did say that, but the glove wasn't on her hand.  
24 Like, the words didn't come out correctly. She took the glove,  
25 and, like, she held it with her hand, but then she had hit us



1 with the glove.

2 Q Okay. So you acknowledge back in March of 2014 that  
3 you spoke to CPS and you said she spanked us with the glove on  
4 her hand; right?

5 A Yes.

6 MS. BLUTH: May I have a page number, please.

7 MS. MCAMIS: Sure. Generally it's pages 60 to 64.

8 BY MS. MCAMIS:

9 Q But your testimony now is that you did not accurately  
10 describe the spankings back in March of 2014; right?

11 A Yeah.

12 Q Okay. But you acknowledge back when you talked to  
13 CPS you promised to tell them the truth at that time too;  
14 right?

15 A Yes, but I was -- I was, like, my words didn't come  
16 out correctly. So I was -- it wasn't even that I was lying on  
17 purpose. When I was reading my paper, my testimony, I thought  
18 of it, and I said, no, I should've word it differently.

19 Q Okay. So you're wording it differently now?

20 A Yes.

21 Q Okay. Instead of what you told them back in March  
22 of 2014?

23 A Yes.

24 Q So you acknowledge that the words that you were using  
25 are different?

1           A     Yes.

2           Q     Okay. Now, you also talked to CPS about how Janet  
3 was not the only one who spanked you; right?

4           A     Yeah.

5           Q     And, in fact, you testified to that yesterday; right?

6           A     Yes.

7           Q     And Danielle spanked you too.

8           A     Yes.

9           Q     And Danielle would spank you with paint sticks too;  
10 right?

11          A     They weren't even a spank. It was just like a hit.

12          Q     She'd just hit you?

13          A     Yeah, it wasn't, you know, like, pull your pants  
14 down. It was just, like, it was a hit.

15          Q     Okay. But you acknowledge that Danielle also hit you  
16 then with a paint stick?

17          A     Yes.

18          Q     And you talked about how Danielle hitting you with a  
19 paint stick left marks on your body too?

20          A     Yes.

21          Q     And then isn't it true that back when you talked to  
22 CPS in March of 2014 you described that there were marks on  
23 your body from you and Amaya fighting the day before you talked  
24 to CPS in March of 2014?

25          A     I don't recall saying that but --

1 Q Okay. Well, would looking at your --

2 MS. MCAMIS: Page 64.

3 BY MS. MCAMIS:

4 Q Would looking at your statement refresh your memory  
5 on that?

6 A Yes.

7 Q Okay. So I'm going to approach with page 64 of the  
8 statement that you gave to police back in March -- or excuse  
9 me, to CPS back in March of 2014. If you could look at page 64  
10 for me, and it's starting around -- you can read the whole page  
11 if you'd like, but my questions are actually about halfway  
12 through. So if you could start from 15, line 15 and read to  
13 the bottom silently to yourself.

14 A Okay.

15 Q Did you have an opportunity to read that?

16 A Yes.

17 Q Did it refresh your memory about what you talked to  
18 CPS about back in March of 2014?

19 A I mean, I said it, but I don't remember it physically  
20 coming out of my mouth but I said it.

21 Q Okay. So you acknowledge that the page says you were  
22 asked questions about the marks on your body; right?

23 A Yes.

24 Q And you were pointing to the different marks on your  
25 body; right?

1           A     Yes.

2           Q     And you said, Then there was, well, this was from me  
3 and a fighting -- excuse me I'll start that over. That's not  
4 what it says.

5           A     Yeah.

6           Q     Then there was -- well, this was from me and Amaya  
7 fighting, and then the interviewer said, Okay, and you  
8 continued, From last yesterday. And then the interviewer said  
9 All right, and you continued, But we just fight, me and Amaya.  
10 The interviewer said, Okay. That's what that --

11          A     Yeah. I was told to say that by Janet because she  
12 said -- she told us exactly what to say, and I wasn't going to  
13 say nothing different. I wasn't trying to get beat. So I just  
14 said the exact same thing that she told me which was to say  
15 that you and Amaya were fighting, and that's why they heard it  
16 from me on all this.

17          Q     Okay. Now, you acknowledge that this statement is  
18 from when you interviewed with CPS in March of 2014; right?

19          A     Oh, yeah.

20          Q     So that was not when CPS went out and came to your  
21 home; right?

22          A     No.

23          Q     Yeah, this interview wasn't at your home; right?

24          A     No. Yes. I know.

25          Q     Okay. And so Janet didn't tell you what to say

1 before you talked to interviewers back in March of 2014; right?

2 A No.

3 Q You'd been out of that home since November of 2013;  
4 right?

5 A Yes.

6 Q It had been four months since you had contact with  
7 Janet and she was telling you what to say to CPS; right?

8 A I had contact with her, but, yes.

9 Q Well, but you had contact with her, but you didn't  
10 know in advance you'd be speaking to CPS on that day in March  
11 of 2014; right?

12 A No.

13 Q Okay. So when you talked to CPS in March of 2014,  
14 those were all of your words; right?

15 A Yes.

16 Q You were trying to explain what happened to you?

17 A Yes.

18 Q Okay. And that's when you talked about you and Amaya  
19 fighting, and that's what left a mark; right?

20 A Yeah.

21 Q Okay. Now, in the same interview you talked about --  
22 we already discussed Danielle hit you with paint sticks and  
23 they left marks; right?

24 A Yes.

25 Q And you also talked about how Dwight hit you with

1 paint sticks, and they left marks as well; right?

2 A Yeah.

3 Q Okay. Anastasia, you testified yesterday about Janet  
4 beating you at a time and where you hit yourself on the couch.  
5 Do you remember testifying about that?

6 A Yeah.

7 Q Isn't it true that's the first time you've testified  
8 about that incident?

9 A Yeah.

10 Q You didn't testify about that at the preliminary  
11 hearing; right?

12 A Yes. But my mind, now that I'm talking about it  
13 again, I remember new stuff.

14 Q Okay.

15 A That had happened.

16 Q Right. But you're testifying today about things that  
17 happened; right?

18 A Yes.

19 Q That you've already talked about before; right?

20 A Yeah.

21 Q And you talked to Florida CPS; right?

22 A Yes.

23 Q And you didn't tell them anything about a couch  
24 incident; right?

25 A No, because I wasn't thinking about that. I was just

1 thinking about, like, stuff that automatically came to my head.

2 Q Okay.

3 A Some of these things I have to dig deep down for all  
4 the stuff that she's done. I have to, like, search my mind,  
5 and I don't know. I just thought of that one. I just thought  
6 of it.

7 Q Okay. That's fair. That was the first time you  
8 talked to anybody. Sure. Right?

9 A Yeah.

10 Q Okay. And then you talked to CPS in March of 2014  
11 after you talk to Florida; right?

12 A Yes.

13 Q And you didn't tell them anything about the couch  
14 incident; right?

15 A Yes, I didn't.

16 Q Okay. And they asked you questions at the end, like  
17 is there anything else you want to tell us or anything else we  
18 need to know; right?

19 A Yes.

20 Q They let you talk as long as you needed to; right?

21 A Yes.

22 Q Okay. And then you also talked about all of your  
23 experiences at the preliminary hearing; right?

24 A Not all, but, yes.

25 Q Okay. But you were asked questions about all of the

1 different things that Janet did to you at the preliminary  
2 hearing; right?

3 A Yes.

4 Q Okay. And you didn't say anything about the couch  
5 incident at that time?

6 A No, because --

7 Q My question was just a yes or no. Ms. Bluth can ask  
8 you follow-up; okay?

9 A Okay.

10 Q All right. Now, you also testified about having to  
11 put soiled underwear on your head or in your mouth. Do you  
12 remember that?

13 A Yes.

14 Q Okay. Isn't it true that you didn't tell CPS back in  
15 March of 2014 that you had to put soiled underwear on your head  
16 or in your mouth?

17 A Did I not or did?

18 Q That you did not.

19 MS. BLUTH: Judge, I'm going to object as to vague.  
20 If I could just get clarification in regards to Florida CPS or  
21 Nevada CPS.

22 MS. MCAMIS: I did the date. I said March of 2014.

23 MS. BLUTH: Well, I don't have the dates in front of  
24 me. So if I could just --

25 THE COURT: Which --



1 MS. MCAMIS: I'm talking about Nevada.

2 MS. BLUTH: Okay. Thank you.

3 MS. MCAMIS: Uh-huh.

4 BY MS. MCAMIS:

5 Q How about I ask the question again because we just  
6 talked a whole bunch about it. Is that okay?

7 A Yeah.

8 Q Okay. Now, isn't it true that you didn't tell  
9 anything about this soiled underwear on your head or your mouth  
10 to CPS in Nevada when you talked to them in March of 2014?

11 A No, because I think I recall reading that in my  
12 statement. I don't know. I might be wrong.

13 Q Okay.

14 A I'm pretty sure I recall reading that on my testimony  
15 or --

16 Q Well, you know that --

17 A -- whoever I talked to.

18 Q Sorry.

19 A Yeah.

20 Q You know that I've asked you a lot of questions about  
21 the different things that you've said in this statement; right?

22 A Yes.

23 Q And I don't have a page to point to where you talked  
24 about putting soiled underwear on your head or in your mouth;  
25 right?