

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

2 Q. (BY MR. SLATE) That's what you're going to  
3 rely on to prove you're not a liar?

4 A. What's the question?

5 Q. You're going to sit here and rely on a doctor  
6 possibly talking to someone else and not actually call  
7 the doctor yourself?

8 A. I don't understand your question.

9 Q. Do you know by your own medical records in your  
10 own file contact, it shows the last time Dr. Bachim ever  
11 had anything to do with this case was on July 21st?

12 A. I don't recall.

13 Q. Prior to hematology even coming back on  
14 July 24th.

15 A. What's the question?

16 Q. Do you realize that hematology reports came  
17 back on July 24th?

18 A. Right. But I've spoken to her after July 24th  
19 and it's nothing that has changed.

20 Q. And she hasn't seen the child since before  
21 then?

22 A. She's seen the records.

23 Q. Ma'am, you realize that you're here today to  
24 justify your removal of people's children, right?

25 A. Correct.

1           Q.    Are you telling us that this is the kind of  
2 investigations that you do and authorize removal of  
3 people's children without ever speaking to doctors that  
4 actually see the kids before you make a case on medical  
5 issues?  Is that how you do investigations, ma'am?

6           A.    What's the question?

7           Q.    Ma'am, do you rely on doctors that don't even  
8 see the children to make your medical removal cases, yes  
9 or no?

10          A.    Incorrect.

11          Q.    Okay.  Well, how come you did that in this  
12 case?

13          A.    Did what?

14          Q.    You relied on a doctor who hadn't seen the  
15 child since, oh, I don't know, two months prior to when  
16 you did the removal?

17          A.    Because he have access to the records.

18          Q.    And you talked to her on what day before the  
19 removal?

20          A.    I hadn't.

21          Q.    So you just blindly authorized a removal  
22 without even thinking to go and call?

23          A.    Call the doctor?

24          Q.    Yeah.

25          A.    I hadn't talked to the doctor at the point of

1 removal.

2 Q. Is that a good idea to talk to them before the  
3 removal or not?

4 A. I spoke to the social worker.

5 Q. Do you need to talk to the doctor or not?

6 A. It's best practice to talk to the doctor, yes.

7 Q. But you didn't do best practice?

8 A. I didn't talk to the doctor.

9 Q. Ma'am, do you understand the questions, yes or  
10 no? You didn't talk to the doctor, right, even though  
11 it's best practice?

12 A. Right.

13 Q. I'm not trying to be confusing. Are you  
14 confused?

15 A. A little bit.

16 Q. Okay. So you put on there in this affidavit:  
17 "Safety placement -- Child safety placement was made  
18 with paternal grandparents while the department waited  
19 for hematology reports." Well, when were those  
20 hematology reports going to come in?

21 A. I can't answer that question.

22 Q. What hematology reports had the department  
23 requested?

24 A. I can't answer that question.

25 Q. Why?

1           A.    Because I don't request records.

2           Q.    You what?

3           A.    I don't request records.

4           Q.    So you don't know when this investigation was  
5 going to be over or when the child safety placement  
6 would be over?

7           A.    Investigations are ongoing, so we continue to  
8 collect information as we have been, even with this  
9 going on, continued to collect information regarding the  
10 case.

11          Q.    Okay.  And so up to September 18th, how come  
12 there is no entries in the event logs showing any  
13 information was collected on this case after August --  
14 from August 28th to August (sic) 18th?

15          A.    I can't answer that question.

16          Q.    What was the ongoing investigation?  I mean,  
17 let's look at your event log, ma'am.  Here on  
18 Exhibit 55, we've got events August 23rd, 2018.  The  
19 next event; 9/18.  How come there is nothing in between  
20 those two?

21          A.    No contacts was entered.

22          Q.    What?

23          A.    No contacts was entered.

24          Q.    What was the ongoing investigation?  What were  
25 you doing?

1           A.    I can't answer that question.

2           Q.    Why?

3           A.    Because I'm not the person that requests this  
4 information.

5           Q.    That what?

6           A.    I wouldn't be the person that requests the  
7 information.

8           Q.    You're the supervisor?

9           A.    But I don't request information.

10          Q.    So when you become a supervisor, you don't have  
11 to do anything else other than say it's the worker's  
12 fault?

13          A.    No.   I rely on the information provided to me  
14 by the worker.

15          Q.    Okay.   So if a worker isn't providing any  
16 information to you, how can you make a call to remove  
17 people's children?

18          A.    Well, at that point, the child -- the children  
19 were back in the care of the alleged perpetrators.   The  
20 child is vulnerable age with multiple injuries.

21          Q.    We know they're the alleged perpetrators  
22 because you didn't do any more investigation into all  
23 the other people that had access to the kids, right?

24          A.    Incorrect.

25          Q.    Who else were the people you did investigations

1 to, ma'am? We just covered this earlier.

2 A. The alleged perpetrators. They are named as  
3 alleged perpetrators.

4 Q. By who?

5 A. By the intake report.

6 Q. Was made by who?

7 A. The reporters are confidential.

8 Q. Okay. But that -- so someone making a report  
9 is all you need to remove people's kids? You don't have  
10 to investigate it?

11 A. You have to investigate it.

12 Q. Okay. So from that report, what did you do to  
13 confirm or to rule out that the parents were  
14 perpetrators?

15 A. There was no information to rule out that they  
16 were, in fact, the perpetrators. There was information  
17 to suggest that the vulnerable age child with multiple  
18 injuries had received injuries while in the care of --  
19 either Mom or Dad's care, lack of explanation, multiple  
20 injuries to his skull.

21 Q. Ma'am, you can say that a hundred times, but it  
22 doesn't change the fact that you didn't go and talk to  
23 anybody who else had access to the child, right?

24 A. According to Mom, no one had access to her  
25 child.

1           Q.    Ma'am, we just went through your own records.  
2 Are you now going to try and refute your own records?

3           A.    I'm not refuting.

4           Q.    Yes or no?

5           A.    I don't understand your question.

6           Q.    Are you trying to refute your own records that  
7 we just spent almost an hour going through and showing  
8 these contacts with the church and with the cousin  
9 watching the kids?

10          A.    No.

11          Q.    Okay. So your own records say it, and, yet,  
12 you're here today saying no one else had the ability to  
13 do this?

14          A.    You asked me about why the contact was not --

15          Q.    No. I asked you what you did to rule out  
16 anyone else or to explain for the parents.

17          A.    I don't understand your question. Explain to  
18 the parents?

19          Q.    How come you don't understand anything I ask  
20 you? Somebody teach you to say that over and over  
21 again? Somebody coach you to say "I don't understand  
22 the question," every time I ask it?

23          A.    No.

24          Q.    Why do you keep doing it?

25          A.    Because I don't understand what you're asking.

1           Q.    Do you think you someone who can't understand  
2 questions should be making calls to remove people's  
3 kids?

4           A.    I think the way you word your questions --

5           Q.    Do you think you're intelligent enough to make  
6 the call to remove people's children?

7           A.    I believe so, yes.

8           Q.    Well, how come when we just went through the  
9 investigation records, and it said clearly that there is  
10 a second cousin watching the kids two times a week, five  
11 hours a day -- it says that clearly -- you didn't go and  
12 investigate it; and, yet, you removed the kids based  
13 upon saying there was no one else it could possibly be?  
14 Let me guess, you don't understand, right?

15          A.    I don't.

16          Q.    When we have Exhibit No. -- I'm going to show  
17 you this. This is Exhibit No. 64. What are these?

18          A.    Just conference notes between myself and Lavar.

19          Q.    Who types them up?

20          A.    I type them up.

21          Q.    Okay. In your conference notes here, tell me  
22 what this note means.

23          A.    At the time, with the information that we had,  
24 we were considering a safety plan to allow Mom to  
25 continue a bonding period with the baby because, at that