

Susan Navratil - California

194. Susan, a clerk/bookkeeper and Mark, who became a firefighter were married on 5 March 1966. Susan is 5.4 and weighs 115 pounds. Mark is 5'11 and weighs 200 pounds. In 1967, Mark began to drink and use marijuana. He became physically abusive to Susan by punching and choking her, hit walls and doors, threw things and became verbally and sexually abusive. The violence occurred nearly monthly but she did not make any police reports.
195. In 1981 they moved and the violence stopped for about seven years. In 1989, a daughter, Sarah was adopted. When the child was 3-4, the father had an affair and became violent again. In 1994, the violence escalated including in front of the child. In 1995, he put a knife to Susan's stomach. In another incident in front of the child, he threatened Susan that if she called the police she would go out in a body bag. Several days later she did go to the police but decided not to press charges because she was afraid he would kill her. She filed for divorce in October and for a protection order. He continued his violence by raping her and smashing her car. She filed a police report about the rape several months later but the police said the car was his too and he could destroy it if he wished. In December, a commissioner removed the protection order and he moved back into the house.
196. In 1996, Susan again asked for a restraining order but was denied. Susan received joint legal and full physical custody of six-year-old Sarah. Later the father was put on supervised visitation because the child was afraid of him. In the spring of 1996, the mother took the child to a child psychiatrist because the child did not want to spend time with her father whom she feared. She also asked for supervised visits. A special master was appointed who had virtually the rights of a parent. The mother was forced to sign an agreement to this and did not know what the document meant – that basically she gave up her right to parent to this special master. She was ordered to stop taking the child to the child psychiatrist she had chosen.
197. In 1997, Mark filed a protection order against Susan that was denied. Disregarding the violence of the father, the special master claimed that the child was the victim of parental alienation syndrome by the mother. Mark's temper and violence were minimized even though he had admitted to some incidents. The evaluator said the child made repeated references to his temper but her statements were discounted. The mother was ordered to pay for therapy for everyone because in their eyes, she was the problem rather than the victim of his abuse. If the child showed hesitancy in wanting to see the father, it was assumed to be the mother's fault and a contempt citation would issue. Further the child was ordered to send a picture and letter weekly and put up a photo of her father in her room. In December 1997 the divorce was finalized with mutual restraining orders and signed in February 1998. The child began overnight visits with the father.
198. In early 1998, the child wrote a plea for help that was ignored by the so-called professionals working on the case. Instead, a few months later, the father got

temporary physical custody when, in the hearing, the father falsely claimed the mother had a gun. The mother received supervised visitation, a three year criminal restraining order issued against her and she was given supervised visitation though a doctor stated that she is not mentally ill, has no signs of psychosis, depression or anxiety, is rational but distressed at the separation from her daughter. In August the Department of Social Services received a referral from a third party about the child. The referral source said the child appeared undernourished and neglected and was left home alone at night to wander around the apartment complex. In spite of the report, the father was given permanent sole physical custody of the child in October with joint legal custody but supervised visits with the mother. For two years the mother only saw the child sporadically because the father did not bring her to the visits. Yet no allegations of parental alienation were made against him.

199. In January 1999, the child's therapist reported the child was depressed, had low-self esteem and concentration, and was quick to regress under stress. A counselor made a report for neglect because of bruises and a cut that needed stitches. The father said he could not get her to shower. In March of 1999, mother was finally able to have overnight visits. Upon return in April, the father was not there so the mother called a police officer to verify that she had returned the child. The child then told the officer her father was abusing her but again was not believed. The pediatrician said the child was unusually sick, was withdrawn, had flat affect and regressed to sucking her thumb at age 10. The doctor said her overall health had declined and her emotional stress increased and recommended more time with mother. Yet in January 1999, the mother's motion for joint custody was denied and supervised visits were decreased. Between 12 June 1999 and December 2001, Susan only had two brief visits with her daughter. Yet the father was not charged with parental alienation.
200. After having good credit her entire life, the mother was forced into bankruptcy. The court continued to claim that while they knew the mother loved the child and was a good mother, she would alienate the child from her father so he maintained custody. The restraining order against mother was extended another year, and though she was disabled, ordered her to pay nearly \$1,000 a month in child support income out of less than \$2,000 total income. The court ordered her to look for work though her doctor said she remained under treatment.
201. In 2000, the father stopped visits and the mother saw her child only twice in 12 months. Once again an investigative expert was hired by the court and minimized the father's domestic violence. Though the child was referred to as almost catatonic after the custody change, custody was not changed back nor was the father punished for stopping visits. Susan was to apply for additional disability funds and the father was to go to anger management, which he never completed. Professionals confirmed that Susan was perfectly normal mentally but her request for reasonable accommodation for her physical disability was denied.
202. During this time the father was not the care giver for the child but had a live-in nanny. Thus the court substituted the perfectly competent protective parent for a

hired employee. This nanny wrote to the mother in 2000 that she was afraid for the child because the child was being mentally and emotionally abused and neglected by the father. The supervised visitation monitor reported an incident when the father tried to have an unknown person pick up the child. When she objected, the father verbally assaulted her and drove recklessly. No action was taken.

203. In 2001, the mother saw her child outside of the court ordered visitation and an arrest warrant was issued for her. In December the county attorney dismissed it when Susan demanded a jury trial rather than a plea bargain. She was threatened with suspension of visitation if she did not go to counseling but the father never went to anger management though ordered twice. No sanctions were levied against him. Again a doctor informed the court that the mother had no evidence of psychotic though, pressured speech, flight of ideas or any thought disturbance, impulsivity or paranoid projection. In contrast, a woman from the Stanford University Hospital Trauma Center reported that the father had an explosive outburst at her. In a December hearing, the mother's witnesses were not allowed to testify and her declaration was not admitted.
204. In January 2002, the mother presented eight counts of contempt for the father refusing to bring the child to visits. No action was ever taken against the father civilly or criminally. In contrast, the mother had two counts of criminal charges for seeing the child outside of the supervised visits. In May the child reported the father grabbed her and pushed her against a wall – the same kind of behavior he had done to Susan years before. The child said she was grabbed and wrestled into the shower and she had found sexual pictures in the house of girls her age. Now 13, the child ran away from the father's home. The police detained her, talked to the father and then returned her to him. According to the child, she was held by the police for 9.5 hours without sleep, food or a bathroom until she told them that her mother had put her up to it so she could be let go. Again Dr. Silverman stated to the court that Susan had no psychiatric problems and poses no threat to anyone. Yet in October, the mother was ordered to have no contact with the child for 30 days of therapeutic counseling for the girl. The mother was prohibited from contacting the daughter's therapist.
205. In January 2003, the father and child had an argument and he threw her out of the house. She stayed with friends for nearly a month, but finally had to return to her father's house because of school. In 2003, the court dismissed the mother's motions for contempt for the father's refusal to bring the child to visitation. In July, the child reported that the father grabbed her and touched her breast and then dropped her off at her mother's. The child reported the assault but the police took no action. On 27 July 2003, the daughter began living full time with her mother. In December 2003, the child wrote declarations and a Writ and spoke publicly about her father abusing her. In spite of that, she was later ordered to return to the father.
206. In January 2004, the court mediator recommended supervised visitation for the father based on his behavior and the child's fear of him. Yet another person reported in a declaration the father's irrational and compulsive behavior and his obsession with

denigrating Susan and also the judge's disrespectful treatment of Susan in court. The father then began to harass that person who responded to the father with a cease and desist letter. In February 2004 the child appealed to the court. She stated that the father had physically abused her and sexually assaulted her. She said he threw garbage at her, threatened her with juvenile detention, broke down her door while she was changing, threw her into walls, threw her into the shower with her clothes on, threw her clothes into the middle of the room and the hall way. After being told not to come by the mother's house, the father continued to stalk mother and daughter by standing by the gate, calling her name, whistling, ringing the doorbell, and waiting at the bus stop.

207. On 18 March 2004, in spite of her clear statements of abuse, the child was ordered by the court again to return to the father's. Mother was again put on supervised visitation after the child had lived with her for a year. The child again ran away from her father's and stayed with her friends, so as not to implicate her mother. Father filed a contempt action against the mother anyhow, and the mother was charged for contempt for allegedly removing the now 15-year-old child from school. In June 2004, the mother was in a car accident and could not attend the hearing and had no money for an attorney. The court issued an arrest warrant for her. Even though eight contempt motions against the father were repeatedly continued and then denied, one contempt motion against the mother when the teenager ran away and the mother was not even able to be in the courtroom, was granted against the mother.
208. Astonishingly, after this, the court services personnel recommended supervised visits with mother! The father then filed an accusation of child abduction. The child, now 14.5, filed a writ of habeas corpus in federal court to restore her individual liberty and freedom from physical and sexual abuse, opinion, expression and association. This writ never went forward because the child had to flee from the abusive father again.
209. The now teenager again notified the attorney appointed for her that she was being abused and did not want that attorney to represent her because she did not listen to her. In April and September, she spoke at family violence conferences about her ordeal.
210. During the time the child was with the mother, the father paid nothing in child support. But the court continued to garnish the mother's retirement income for child support for father. They also ordered termination of her spousal maintenance. This was overturned at the higher court in an opinion that said the action looked to be a punitive sanction in violation of policy.
211. In October 2005, the child, now 16, appeared in a PBS documentary Breaking the Silence: Children's Stories. In December 2005, she was at friends when an air pellet pistol was fired and the police came. When they called the father, he said to let her stay there. But in mid March 2006, he took her to live with him in Santa Cruz. She again ran away when her father hit her in the head in April 2006. She stayed with friends.

212. The child was not informed of a March 29 juvenile court hearing about her and since she did not show up, a warrant was issued for her arrest. In July 2006, the child was arrested by the police. The juvenile court sent her to live with her father again. She was put on probation, ordered to stay away from the teen who shot the pistol and do community service. The father however invited the teen to visit and then reported that the child had violated the probation and she was ordered to more probation and community service. Again in December 2006, the now 17.5 year old Sarah ran away from her father's home after he became violent, and stayed with friends. In January 2007, her probation officer made a mandated report of child abuse for the December violence. At the time of filing this suit, the child was on the run again, staying with friends.