

Karla Johnson Case Summary: CPS Fraud in Arizona and Oklahoma

Maternal grandmother's four [4] grandsons were taken by Child Protection Services in Arizona and Oklahoma beginning in 2009, resulting in a 10+-year battle whereas mother, Sara Ybarra-Johnson and maternal grandmother fought to bring to light the Department of Child Safety's fraud perpetrated on their family. The Johnson case involves due process and RICO violations, illegal contracts, medical malpractice coverup, including medical kidnapping. Maternal grandmother and her family hope to obtain justice, the boys returned home, and the players/state actors held accountable for their crimes.

Four Grandsons Seized

2009, May 4th Isaiah Johnson -seized at 14 months old - allegations of medical neglect.

2009, Oct. 12th Wilfredo Pellot III -seized directly from the hospital at 4 days old because the state took Isaiah*

2011, June 6th Josiah Johnson -seized directly from the hospital in Oklahoma at 3 days old because Arizona had taken his older brothers*

2014, Feb. 5th Jayden Johnson - seized at 7.5 months old because Arizona had seized his three older brothers*

* **In violation of ARS 8-821A** "the child's sibling shall also be taken into temporary custody only if reasonable grounds independently exist."

CPS' Unauthorized Access into Isaiah's Medical Records

2008, Oct Prior to Isaiah's diagnosis of Cerebral Palsy a social worker at Phoenix Children's Hospital referred mother, Sara and Isaiah to Healthy Families who conducted a feeding assessment. CPS morphed this feeding assessment into a CPS report the following month citing neglect, which resulted in CPS Joy Taylor contacting our family.

2008, Nov. 8 CPS continued to track Isaiah as Susie James, CPS worker researched Isaiah's medical records and documented the following: "Data shows that ■ [Isaiah] was seeing two pediatricians, 2 neurologist and a eye doctor at this moment as well as going to Phoenix Children's Hospital. Registered with DDD and Healthy Families who will be providing him services." See **(Exhibit A1 James)**

CPS' Personal Vendetta against Maternal Grandmother

2008, Dec. 1 Was the underlying motive for Rhonda Cash, CPS supervisor's personal vendetta to target maternal grandmother and destroy her family based upon the fact that maternal grandmother filed a complaint against Rhonda Cash and her subordinate Joy Taylor for threatening her daughter, Sara?

2009, May 4th Maternal grandmother attended the Team Decision Meeting [TDM] with her daughter, Sara at the CPS office with regards to Isaiah. During this meeting Rhonda Cash, CPS supervisor threatened maternal grandmother when she stated: *"I will ensure that you will not be a party to this case, I am going to make sure you never see your grandson, Isaiah again....I will ensure that the judge will really be pissed off at you."* An unknown CPS worker made a false 911 call, which resulted in 7 Phoenix police units arriving at the CPS office to specifically detain maternal grandmother and mother with threats of arrest. During this detainment Cash threatened maternal grandmother with arrest for 'custodial interference,' which resulted in an unidentified police officer instructing maternal grandmother to put her hands behind her back because he was going to arrest her

In violation of the Fourth Amendment "unlawful detention."

2009, July 7th Maternal grandmother and mother filed Police Report 2009-91084268, which documents some of the events that occurred on May 4, 2009. Pg. 4 Par. 1 *"Sara stated that on 05/04/09 when [Isaiah] was removed from her custody, that CPS worker Rhonda Cash told her that she did not care what documentation they had of doctor care for [Isaiah] and that Rhonda said she was taking [Isaiah] because Karla [m. grandmother] pissed her off."* See **(Exhibit B1 Police Report)**

IMPORTANT NOTE: CPS' pattern and practice are to seize all children living in the home. CPS did not seize maternal grandmothers two [2] three [3] yr. old granddaughters nor her thirteen [13] yr. old son. Why is Isaiah not safe but the other children are safe?

CPS Reports Target Maternal Grandmother **Reports Withheld from the Court Record**

Contrary to the fact that Arizona judges made reference to and included in their orders CPS caseworkers reports, which are officially entitled "Report to the Juvenile Court for Preliminary Protective Hearing and/or Initial Dependency Hearing" not one of these reports were found in the court case file also called the Docket.

2009, May 13th The first hearing for Isaiah, Judge Holt falsely claimed *"the Department had made attempts to identify and assess placement with the child's grandparents or another member of the family,"* contrary to Cash and Hagen's report to the court dated 2009, May 12, which states

“...family members are ineligible for placement at this time...” CPS workers Rhonda Cash and Jennifer Hagen comprised several false allegations against maternal grandmother in their report to the Court without merit and without evidence with regards to Isaiah, thus Cash keeping her threat to ensure maternal grandmother would not see her grandson again.

In violation of ARS 8-829 (4) “If the child is not placed with a grandparent or another member of the child's extended family including a person who has a significant relationship with the child within sixty days after the child is removed from the child's home, the petitioner has the burden of presenting **evidence** that such placement is not in the child best interests at the first court hearing...”

2009, Sept. 9th Amy Kromer, CPS worker report to the court states: “*Maternal Grandmother is restricted from having any contact with Isaiah*”

In violation of ARS 8-513(C) sets forth the right of a child in out-of-home care to maintain contact with relatives and friends.”

2009, Oct. 21st Amy Kromer and Dawn Tate, CPS workers, [similar to the report to the court by Cash and Hagen] comprised several false allegations without merit and without evidence against maternal grandmother in their report to the court with regards to her second grandson, Wilfredo, thus continuing Cash’s threat to ensure maternal grandmother would not see her grandson(s) as their report falsely claimed: “...*Karla Johnson, with whom CPS has major concerns ...with placing the children with Maternal Grandmother due to the fact that the older child was neglected while living in her home ... and has not been shown to be a placement that would be consistent with meeting the child’s needs and being a part of the CPS team.*”

2011, July 12th Maternal grandmother and mother were waiting for a scheduled court hearing in Oklahoma with regards to her 3rd grandson, Josiah, without provocation or just cause maternal grandmother was accosted by four [4] Tulsa county sheriff officers, who used threats to arrest maternal grandmother for ‘contempt of court’ and physically removed maternal grandmother from the court building who acted on the verbal order of Judge Pace. Maternal grandmother filed a complaint with Tulsa County Sheriff’s Internal Affairs. Due to mother, Sara’s strong objections Judge Pace permitted maternal grandmother back into the court hearing and apologized. To date Internal Affairs took no action with regards to maternal grandmother complaint with this incident. See (**Exhibit C1 Complaint to Tulsa County Internal Affairs**)

In violation of the Fourth Amendment “unlawful detention” and 18 USC §1512 “Tampering with a Witness.”

2011, Sept. 19th Dorothy McGaw, CPS worker came to maternal grandmother and mothers’ home and stated: “*Your home is really clean, I have no concerns... You guys aren’t beating up each other, so I have no concerns over that. I would hope that my co-workers would be truthful, I can’t guarantee...I know you have a bad taste of CPS.*” See (**Exhibit D1 McGaw home meeting**)

2011, Sept. 20th McGaw stated in a recorded telephone conversation with maternal grandmother:

"Do I really have concerns about the other children home? No, I really don't. Do I have concerns? No."

2011, Sept. 20th Dorothy McGaw and Krista Bergren CPS workers, [again similar to the report to the court by Cash/Hagen and Kromer/Tate] comprised several false allegations without merit and without evidence against maternal grandmother in their report to the Court with regards to her third grandson, Josiah, thus a continuation of Cash's threat to ensure maternal grandmother would not see her grandson(s) as their report states: *"Josiah's contact with his maternal family should be restricted...."*

2011, Oct. 4th McGaw stated in a recorded telephone conversation with maternal grandmother and mother, Sara when mother questioned McGaw about the false allegations she made against mother in her Sept. 20, 2011 report to the court @ 3:10 McGaw confessed: *"Anything that I got, anything that I wrote in this court report I got from past reports....I got off of historyIt's been reported, so that's my knowledge. I don't know if it's not true or not.... I got that from previous court reports, which I am supposed to go off as that being true."* See **(Exhibit D2 McGaw 1st conversation)**

2011, Oct. 4th In a second recorded telephone conversation between maternal grandmother, mother, Sara and McGaw @4:14 claimed: *"The reason we're not placing with your mother...there's other reasons why Josiah wasn't placed in your mom's custody. I went off previous records and previous court reports...."* @6:13 McGaw claims: *"I have to go off of previous reports, that's your history, that's what other people reported...I had to go off previous reports...my concerns for not placing Josiah in your care....I'm basing that as the truth."* See **(Exhibit D3 McGaw 2nd conversation)**

2014, Jan. 14th Michael Messinese, CPS worker in a recorded phone conversation @ 3:15 acknowledged he obtained our current address by going into Sara's food stamp profile. When maternal grandmother refused to comply with Messinese demand to bring Jayden and mother to the CPS office he threatened maternal grandmother when he stated @ 5:40 *"I can file a petition with the juvenile court, get a court order to pick up that child from your daughter."* See **(Exhibit D4 Messinese take Jayden)**

Appx. two hours after the phone call, a very agitated and angry Messinese toward maternal grandmother [because she did not comply with his demands] along with Melinda Foy and another unidentified CPS worker beat on maternal grandmother's door and Messinese threatened maternal grandmother: *"I am taking Jayden because you refuse to cooperate."*

In violation of ARS 8-803(3) "The worker has no legal authority to compel the family to cooperate with the investigation and [D] "Refusal to cooperate in the investigation.... does not constitute grounds for temporary custody of a child."

2014, Feb. 5 Special Note: When Phoenix Police officers assisted CPS in the seizure of Jayden, who again used threats and coercion to break into our home and arrest maternal grandmother and mother if we did not give CPS physical custody of Jayden. Phoenix police officer, Brian Coudret documented a Field Interrogation report No. 1402050252, which states: *"Officers observed no obvious signs of abuse or neglect at that time."* See **(Exhibit D5 Coudret report)**

2014, Jan. 23rd Messinese and Foy, CPS workers [again similar to the report to the court by Cash/Hagen, Kromer/Tate and McGaw/Bergren] comprised several false allegations without merit and without evidence against maternal grandmother in their report to the court with regards to her fourth grandson, Jayden, another continuation of Cash's threat to ensure maternal grandmother would not see her grandson(s) as their report states: *"It is recommended that Jayden be made a ward of the courts until a time when the mother, Sara Johnson, is able to separate herself from the control of her mother..."*

Maternal Grandmother Denied Familial Rights to Grandsons by CPS and Judges

Maternal grandmother was denied the opportunity to refute the false allegations made against her by CPS in the courts.

In violation of maternal grandmothers protected right to Procedural Due Process pursuant to the Fifth and Fourteenth Amendments of the U.S. Constitution.

2009, Sept. 2nd Maternal grandmother filed a 'Motion to Intervene, Notice of Rights of Participation and Request for Placement.' See **Exhibit (E1 Maternal Grandmothers Motion to Intervene)**

2009, Oct 7th Judge Cathy Holt failed to protect the best interest of Isaiah and protect the child-family unit when she denied Isaiah's extended family and maternal grandmother 'Motion to Intervene' when she failed to order CPS to conduct a kinship study before she denied maternal grandmother her grandsons as Holts order states: *"It is ordered denying the maternal grandmother's Motion to Intervene, Notice of Right of Participation and Request for Placement for the reasons stated on the record"* without reference to statute, without evidence from CPS to substantiate the denial, without a home visit and interview. See **Exhibit (E2 Oct. 7, 2009 minute entry)**

In violation of ARS 8-514.03 (b) "The department shall conduct one or more home visits and interview the applicant. The Department of Economic Security may interview other household members; review the applicant's personal and professional references.;

In violation of ARS 8-829 (4) "If the child is not placed with a grandparent or another member of the child's extended family including a person who has a significant relationship with the child within sixty days after the child is removed from the child's home, the petitioner has the burden of presenting **evidence** that such placement is not in the child best interests at the first court hearing...";

In violation of ARS 8-514 "The order of placement preference is: with a parent; **grandparent**; in kinship care with another member of the child's extended family, including a person who has a significant relationship with the child";

In violation of ARS 8-514 (B)(2-3), "A grandparent has preference of placement over another member of the child's extended family";

In violation of ARS 8-514.03(a) "promote the placement of the child with the child's relative for kinship foster care" [This statute protects the child family unit and is in the best interest of the child.];

In violation of ARS 8-514 (B) (2-3), "A grandparent has preference of placement over another member of the child's extended family";

In violation of ARS 8-845(A)(2) "permits the juvenile court to award a dependent child to a grandparent or another member of the child's extended family including a person who has a significant relationship with the child....";

In violation of Arizona Rules of Civil Procedure 21(b)(2) "applicant's claim or defense and the main action have a question of law or fact in common" [Maternal grandmother met this threshold.] and Federal Rules of Civil Procedure Rule 24 (b)(1)(B) "...Once the statutory condition is met, there is a presumption that intervention by a grandparent **must be granted.";**

In violation of 42 U.S.C. §671(a) (19) Relative Placement provides that "the State shall consider giving preference to an adult relative over a non-related caregiver when determining placement for a child.";

In violation of Federal Rules of Civil Procedure Rule 24(a) (1) "On timely motion, the court **must permit anyone to intervene who is given an unconditional right to intervene by a federal statute."**

2010, Sept. 10th Amy Kromer, CPS worker failed to notify maternal grandmother within 15 business days with the written notification of the specific reason for denying maternal grandmother her grandson(s) without conducting a kinship study thus denying maternal grandmother's notice of her right to appeal.

In violation of ARS 8-514.03 (b) "The department shall conduct one or more home visits and interview the applicant...." ;

In violation of ARS 8-514.03(C) "the department shall provide written notification to the applicant within fifteen business days. The notice shall include the specific reason for denial, the applicant's right to appeal and the process for reviewing the decision." thus denying maternal grandmother's right to appeal.

BOLO [Be on the Lookout] of Maternal Grandmother **Issued to all AZ Courts**

2014, Aug. 7th Maternal grandmother was informed by MCSO Sgt. Kelly that presiding Judge Norm Davis authorized the Marshal's Office of the Inspector of the Maricopa County Superior Court of Arizona to conduct a background check on maternal grandmother and issue a BOLO (Be On the Lookout) dated 01/8/2014, which reflected the picture from maternal grandmother's

driver's license and states "No criminal history. "Subject Johnson has been trying to present her case to the Grand Jury. At 1 W. Madison St, Phx. Her daughter's children were taken by CPS and she is accusing the courts of being corrupt and running a Kidnapping ring. She blames specifically Judge Ishikawa and Judge Coury. (CCB). Contact your supervisor & Inspector Fensky of Safran, should you see her enter your facility." See **(Exhibit F1 BOLO)**

Malicious Prosecution of Maternal Grandmother **Fraudulent Contempt of Court Charges**

2015, Jan. 25th Maternal grandmother and a friend made a video, (<https://youtu.be/ZADtxptHz-4>), and posted on social media ie: Facebook and You Tube, which exposed Judge Sinclair telling her daughter, Sara at the hearing of Jan. 6, 2015 that she was changing the case plan for Jayden from reunification to severance and adoption, and Sinclair exclaimed to her daughter "It's not a matter of evidence, ma'am."

2015, Feb. 3rd Contrary to the irrefutable electronic recording of the court hearing of Jan. 6, 2015 See **(Exhibit G1 Recorded hearing Sinclair)**. Judge Sinclair committed misrepresentation, fabrication and fraud when she attempted to cover up her crime and provided her 'wet ink' signature to the Jan. 6, 2015 minute entry with the following statement: "All attendees of the hearing are admonished by the Court from disclosing any personally identifiable information mentioned in the proceedings and that doing so shall be deemed in contempt of court." See **(Exhibit G2 Jan.6, 2015 minute entry)**

2015, May 8th The audio recording reveals that maternal grandmother addressed the court with the following statements at the elapsed times noted:

@ 10:23 "There was no order signed by a judge for us to appear. I didn't receive proper service of process."

@ 10:38 "We were not given the option to have an attorney present."

@18:02 "I am confused about the attorney general's motion to show cause. He talks about civil contempt with criminal charges. I would like the court to clarify if this is civil contempt or criminal contempt."

@27:20 "Before these proceedings even go on we have to establish that this court has jurisdiction."

@27:51 "Jurisdiction once challenged cannot be assumed, it must be decided."

@28:23 "We need to establish jurisdiction even before we can continue." In defiance of my statements Judge McNally refused to recuse herself.

@ 41:37 McNally ignored my request for "a jury trial with the right to confront my accusers a protected due process right.

The audio recording proves McNally used coercion and threats of jail time against maternal grandmother when she stated:

@18:33 "Civil contempt of court means that the purpose behind the contempt proceeding is to coerce compliance with a court order, so it's not to punish anyone for something that they've done, it's to gain compliance."

@25:04 "I will take every action what's necessary to gain compliance."

@44:40 *"This is one of the rare circumstances where jail is used as a coercive measure instead of a punishment, so I'm sure if you're sitting in jail it feels like punishment no matter what the purpose is, but the law permits the use of jail as a coercive measure to get compliance with a court order."* See **(Exhibit G3 Recorded hearing McNally)**

2015, July 15th In defiance of the fact that maternal grandmother did not testify at any hearing prior to July 15, 2015 AAG Hutcheson submitted a fraudulent motion entitled "Findings of Contempt and Contempt Orders" FIVE days before the conclusion of the evidentiary hearing July 20, 2015, which states: *"This matter came before the Court on May 8 for a status conference and June 29 and July 20, 2015 for evidentiary hearings...The court heard, considered and weighed all of the testimony from witnesses Karla Johnson..."* Hutcheson's pre-written Contempt Order requested the court issue the following order: *"IT IS ORDERED Karla Johnson can purge herself of this Contempt finding by paying for and cooperating with an independent service to remove all materials that she published in violation of court orders by August 31, 2015 and have that same service issue an affidavit certifying successful removal. "IT IS FURTHER ORDERED if all the materials are not removed, Karla Johnson shall self-surrender to the Maricopa County Jail by September 1, 2015."* See **(Exhibit G4 Hutcheson Contempt Order)**

2015, Aug. 12th McNally's Ruling-Under Advisement states: *"In this case, DCS alleges that on January 6, 2015, Judge Sinclair admonished the participants in Court that the proceedings were confidential and that the observers were prohibited from publicly disclosing any information and from using audio or video recordings. The DCS motion states: "The Court also made clear that assent to the stated conditions was require to prevent closure of the proceedings to all non-parties and individuals lacking a recognized right to be present and that any violator would be deemed in contempt of court." This court took judicial notice of the "For the Record" recording of the hearing before Judge Sinclair on January 6, 2015. This court also listened to the CD that had been offered into evidence in Exhibit 25 by ... and Ms. Johnson. The recordings are the same regarding the opening comments by Judge Sinclair. The minute entry they states that "All attendees of the hearing are admonished by the Court from disclosing any personally identifiable information mentioned in the proceedings and that doing so shall be deemed in contempt of Court." "In reviewing the record, this Court finds that there is no evidence that such an admonition was given, nor is there evidence that Ms. Johnson or ... were advised of the confidentiality of the proceedings (beyond taping the hearing) or warned that their failure to obey could result in contempt proceedings." "In this case, DCS has failed to meet its burden of proof.....For this reason, IT IS ORDERED denying the Motion and the request for contempt findings."* See **(Exhibit G5 McNally Ruling)**

CPS' and Judges Crimes Covered up by AZ State and Federal Officials

Every agency, government official either failed to respond or declined to investigate the crimes committed against the Johnson family with the unlawful seizure of these boys by CPS and the crimes committed by judges as maternal grandmother and mother reported these crimes to every state office they could locate ie: Ombudsman Citizens Aid, Family Advocacy, Special Investigations Internal Affairs, CPS Directors - Clarence Carter, Charles Flanagan, and Greg McKay, Attorney General Tom Horne and Attorney General Mark Brnovich, Presiding Superior Court

Judge Norm Davis, Sheriff Joe Arpio, Maricopa County District Attorney Bill Montgomery, Governor Janice Kay Brewer and Governor Douglas 'Doug' Ducey, John McCain, Jeff Flake, Jon Kyle, Ben Quayle, Maricopa County Grand Jury, Arizona FBI, and Arizona US Attorney.

Primary examples include:

Maricopa County District Attorney Bill Montgomery's Office

2012, August 22nd Detective Alan Walker in a recorded telephone conversation with maternal grandmother after he came to maternal grandmother's home and reviewed the evidence of the seizure of Isaiah and Wilfredo made the following statement at the elapsed times noted. See (Exhibit H1 Walker Recording)

@4:26 Walker: *"What you showed me doesn't make sense; your temporary custody order that was filled out on Isaiah is blank where it says **other**. **Is it legal?** If I would to issue you a court order seizing property or yourself I would have to articulate why. But in the CPS document it's **blank**. **Is it even legal to begin with?** **You don't take someone or something without a reason.** It's a legal document."*

@ 10:18 Walker: *"We open the door, if we establish in the investigation that the original action on Isaiah was **tainted either by error either or willful conduct then we have a case that we would refer to the US Attorney's office for violation of civil rights.**"*

@11:57 Walker: *"If the AG produces a file and the information you've got there is in there and it wasn't submitted to the courts, that's a violation, that's a **misconduct issue on the part of the AG**. **If the reports you have aren't in the file now we have an issue of the file being incomplete and incompetency on the part of CPS.** If you've got a medical report from a Dr. and you've got all this information and it's not in the CPS file that is the official record of this child...."*

@ 12:42 Walker: *"If it's [Dr. Chapman's report] not in the CPS file then something incredibly bad has happened here. Either such a level of misconduct and gross incompetency that the entire system should be basically shut down and reorganized under a different format or someone's lied."*

@13:41 Walker: *"You prove the trail of documents. So in the case of the Dr.'s report you contact the doctor's office, there would have been a letter or memo in the doctors file that a copy was given to CPS. **If CPS doesn't have the record there's only two answers is either A, someone lost it or someone removed it. Either way it indicates that there is a major problem here.**"*

Maternal Grandmother: *"Especially if CPS said they were taking Isaiah because of medical neglect that would be a vital document?"*

@15:10 Walker: *"Exactly, **if it's [Dr. Chapman's report] not in the file CPS has a problem.** On the other hand, in house visits done by the lady from the blind those reports I read when I was in your house, and I looked at them and they were **very positive** reports. But if those reports aren't in the CPS file and then we bring the people in who made those reports say and oh, yes I turned that report in.you see where we are going with this thing, it becomes not simply stupidity, of **someone missing something but someone removing something**"*

@19:31 Walker: *"The question.....if it's becoming a widespread practice to be incompetent with the paperwork, to not follow the files, to not document the files, to not turn the records in it's still is an indictment into the system." See (Exhibit H2 Walker Transcript)*

2012, Aug. 22 Walker informed maternal grandmother in a phone conversation that he gave CPS a professional courtesy of 30 days – until Sept. 10th to produce the CPS file by Grand Jury subpoenas.

2012, Sept. 11 Walker sent maternal grandmother an email, which states: *“The CPS Records were not sent, The State has contacted my prosecutor advising her that based upon the statutes controlling the release of records pertaining to children that the State needs a Court Order. My Prosecutor was prepared for this and is going forward on the Court Order. Once it is issued it will be served on the State and the State will have to comply.”*

2012, Sept. 11 In a recorded conversation between maternal grandmother and Todd Stone, records division of CPS, maternal grandmother asked Stone what statute CPS was citing to ignore the grand jury subpoena’s issued by the Maricopa County District Attorney’s office. Maternal grandmother informed Stone that a grand jury subpoena is a court order. See (**Exhibit H3 Stone**)

In violation of the fact that a grand jury subpoena is a **court order** directing the recipient to produce the listed documents. **It is compulsory.** Failure to comply constitutes contempt of court and can result in a fine or possibly even a jail sentence.

2012, Sept. 12 The Attorney General’s office contacted Walker with fabricated and misleading claims that maternal grandmother threatened Stone with obstruction of justice charges, which is far from the truth. Walker in turn called maternal grandmother and left a voice message with the following false claims made by the Attorney General’s office: *“I received a call yesterday afternoon from the AG’s office, informing me that you called Todd Stone at CPS and threatened him with obstruction of justice charges. That phone call may have cost you this investigation. Because the emails you sent and the phone call, you now have placed yourself in the position of being without credibility. If a defense attorney would put you on the stand today with those phone calls and emails you sent they would make you look like a deranged person.....You are not to engage in any action involving this investigation, if you do you could be subject to criminal charges for interference with a police officer. Don’t call my witnesses, which Todd Stone will be one of them.....quite frankly I fully expect my superiors to tell me to shut the file down.....you have to live with the repercussions.”* See (**Exhibit H4 Walker VM**) See (**Exhibit H5 Walker Threats**)

2013 June 24 The investigation by Detective Walker was shut down as Vicki Kratovil, Bureau Chief, Special Crimes Bureau as she sent a letter to maternal grandmother and mother, citing MCAO Report Number 2012-00022, which falsely claims *“The investigation is closed; there was no criminal conduct and criminal charges are not warranted.”* See (**Exhibit H6 Kratovil letter**)

Attorney General Mark Brnovich

2015, June 8th Maternal grandmother, mother and six (6) other Arizona families put together binders of our cases with exculpatory evidence of CPS’ crimes committed against each family to AG Brnovich’s office and other government officials.

2015, Sept. 21st Georgia Davies, Special Agent/ Special Investigations responded to our documented exculpatory evidence falsely claimed: *"Based on a review of all information... it has been determined that this office will not initiate a criminal investigation in this matter."* See **(Exhibit H7 Davies letter)**

In violation of *The Attorney General and Department of Law Handbook (Revised 2013)*

1.3.11 "The Attorney General also investigates and prosecutes violations of the State's Racketeering Act, ARS 13-2301 to 2323, See ARS 21-422(B)(5) The Racketeering Act defines.. certain acts committed for financial gain...including kidnapping, obstructing justice, false claims, or statement";

1.4.1 "The Attorney General as a constitutional officer and elected official, is also entrusted with the duty to protect the public interest... Because the Attorney General is elected by the people of this State...he has an obligation to the people of the State to ensure that the laws governing state agencies are carried out... responsible for ensuring that the laws the legislature has enacted are enforced." ;

1.4.2. "The Attorney General is charged with investigating **public corruption** and other illegal activities that may involve **public officers or employees....**;and will **vigorously-investigate and prosecute any public officer or employee engaged in illegal activity.**" ;

1.9.2.1. "As the attorney for the State, The Attorney General serves the people of Arizona and has the sworn obligation to uphold the State's constitution and laws ARS 38-231-234" ;

1.9.2.5, "ER 1.13 "There is....no inherent conflict of interest for the Attorney General to enforce civil or criminal laws against State officials....the Attorney General has a duty on behalf of the State to investigate and take appropriate action if there is any claim of illegal acts by state officers or employees."

Arizona FBI Field Office

2012, April 28th Maternal grandmother mailed a Criminal Complaint with exculpatory evidence of the crimes committed by CPS and the courts with regards to the seizure of her grandsons, Isaiah, Wilfredo and Josiah to the Arizona FBI field office.

2012, June 27th James L. Turgal, Jr., signed by Kurt A. Remus sent a letter to AAG Daryl Dowdell, which states in part: *"...The Johnson family also feels that CPS and the courts are violating their civil rights and suppressing exculpatory evidence. The purpose of this letter is to advise you that our office was contacted by the Johnson family regarding an alleged civil rights complaint... This matter has been assigned to Special Agent Ezell Grigsby."* See **(Exhibit H8 FBI Letter to AAG)**

2013, March 27th In a recorded conversation with Agent Grigsby maternal grandmother and mother reported that CPS did not have a doctor to substantiate medical neglect allegations with Isaiah and when he was seized the police used threats to break into our home and threats to arrest us. Maternal grandmother cites case law with regards to police seizing a child absent imminent danger, exigent circumstances and without a court order.

@12:53 Grigsby falsely claimed: *"I have no evidence of that (police breaking into your house)" is in violation of the 4th Amendment.* See **(Exhibit H9 Recorded Conversation Grigsby)**

Maternal grandmother informed Grigsby a video was documented of the police threatening to break into our home, absent exigent circumstances, and imminent danger to seize my grandson, Wilfredo Oct. 16, 2009, See **(Exhibit H10 Part 1 & H11 Part 2 Police Attempting to Break into Home)**

2013, April 15th Based upon the letter received from the FBI, Agent Grigsby never opened an investigation as per the letter from Douglas G. Price, again signed by Kurt A. Remus claims: *"This will acknowledge receipt of your complaint that was received by FBI Field Office dated April 20, 2012."* [Actual date April 28, 2012] *"In the complaint it is alleged that Arizona Child Protective Services (CPS) along with attorneys and judges were illegally removing children from their homes under false allegations... The Complaint further alleged that the above mentioned were kidnapping children for profit, operating as a criminal enterprise, violating civil rights, violating rights of due process, suppression of exculpatory evidence to fraudulently steal federal funds... it has been determined that **there is not sufficient predication to open a civil rights investigation by the FBI.**"* See **(Exhibit H12 FBI Letter to Maternal Grandmother)**

2013, April 25th After receipt of the letter from the FBI above maternal grandmother contacted Agent Grigsby and discussed the following in a recorded conversation at the elapsed times noted: **@5:12** Grigsby falsely claimed: *"Police officers just don't go to people's houses and take children out."*

@5:43 Grigsby falsely claimed: *"They don't have to physically have a warrant in hand.. There's no predication of an offense for an investigation to be opened by the FBI."*

@9:25 Grigsby falsely claimed: *"As far as them violating your civil rights, ie your 4th Amendment, I don't have that violation to investigate, it does not exist."*

@9:47 Grigsby acknowledged he obtained the video [Oct. 16. 2009 the warrantless seizure of Wilfredo] and he falsely claimed: *"I do not consider that breaking into the home."*

@18:02 Grigsby claims *"the video is not evidence of that".."*

@18: 13 maternal grandmother informed Grigsby in the video *"I can clearly hear the police officers say pick the lock we're coming into that home one way or the other."* Grigsby falsely claimed: *"That still does not constitute them violating your 4th Amendment, because you heard them say that."*

@19:19 Grigsby falsely claimed: *"That's probably not the best way to go about doin' it"...but however they are within their rights to do it."*

(@19:34 Grigsby falsely claimed: *"if the child is in danger and they have information provided to them by a reliable source ie CPS".."* Maternal grandmother interrupted - *"Why do you say CPS is a reliable source?"* He responded: *"They are acting within the scope of their duty."* [He could not identify the imminent danger when the police threatened to break into my home May 4, 2009 with the seizure of Isaiah.]

@22:48 Grigsby falsely claimed: *"there's no violation of your civil rights from the Phoenix police department."*

@24:57 Maternal grandmother asked Grigsby: *"my next chain of command would be..?"* He responded *"It's done!"* See **(Exhibit H13 Recorded Conversation Grigsby)**

For more explicit case details See **(Exhibit I1 Maternal Grandmother's Affidavit)** and See **(Exhibit I2 The Johnson Family)**

Conclusion

Since the inception of this case in 2008 (initiated by medical malpractice) to CPS' unlawful seizure of Isaiah in 2009, and the subsequent seizure of his brothers this family was denied the familial relationship with these boys and an innocent mother was deprived of her natural right to parent her four (4) sons. Had mother's exculpatory evidence not been fraudulently suppressed from the record, mother would have been exonerated of CPS' false allegations of 'medical neglect.'

The Civil Rights and Constitutional violations are so severe and fundamentally opposed to the foundation of our country that the gross injustice of this case alone warrants the immediate investigation of Arizona's CPS and judicial systems by authorities outside the state of Arizona. Authorities such as a Human Trafficking Committee and/or the Department of Justice who possesses the empowerment and authority to bring forth criminal charges against State actors for their criminal acts, acts comprised of RICO violations, Starks law violations, seditious conspiracy (18 U.S.C. §2384) amongst many other violations, and conduct an investigation into medical billing fraud. Maternal grandmother and her family hope to obtain justice with the immediate return of these four (4) boys who were unlawfully seized by CPS.



Karla Johnson



Exhibit List

A1 James

B1 Police Report

C1 Complaint to Tulsa County Internal Affairs

D1 McGaw home meeting

D2 McGaw 1st conversation

D3 McGaw 2nd conversation

D4 Messinese take Jayden

D5 Coudret report

E1 Maternal Grandmothers Motion to Intervene

E2 Oct. 7, 2009 minute entry

F1 BOLO

G1 Recorded hearing Sinclair

G2 Jan.6, 2015 minute entry

G3 Recorded hearing McNally

G4 Hutcheson Contempt Order

G5 McNally Ruling

H1 Walker Recording

H2 Walker Transcript

H3 Stone

H4 Walker VM

H5 Walker Threats

H6 Kratovil letter

H7 Davies letter

H8 FBI Letter to AAG

H9 Recorded Conversation Grigsby

H10 & H11 Police Attempting to Break into Home

H12 FBI Letter to Maternal Grandmother

H13 Recorded Conversation Grigsby

I1 Maternal Grandmother's Affidavit

I2 The Johnson Family