

STATE OF COLORADO



Colorado Department of Human Services

people who help people

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December 13, 2004

Ms. Shirley M. Berens
2735 S. Teller Street
Denver, Co. 80227

Re: Case # SE 04-0647

Dear Ms. Berens,

Upon your request for a hearing in the above referenced appeal, we met to discuss the facts surrounding the county's confirmation of your responsibility for an incident minor emotional abuse to Ronal Pedrin on November 10, 2003. After reviewing the county record and all of the information that you submitted and considering the comments made by you and Ronal's treatment staff, I do not see that there is a preponderance of evidence at this point to sustain the confirmation at hearing. Therefore, I am overturning the confirmation of emotional maltreatment. This means that the Trails report of abuse will show that the confirmation was overturned as the appeal outcome and it also will not show up on an employment check. The Division of Administrative Hearings and the county will be advised of this action.

For the Child Abuse/Neglect Dispute Review Section,

Margery T. Bornstein,
Supervisor

Cc: Division of Admin. Hearings
Denver County DHS
Attorney General's Office

PRE HEARING STATEMENT

**Shirley M. Berens
Grandparents Resource Center
Appellant**

vs.

**Denver County Department of Human Services
Appellee**

Case No. SE 20040647

Cross Ref.: Case No. 89 JN 78, 91 JV 125, 00 JV 2748, 04 JV 0125

BEFORE THE DIVISION OF ADMINISTRATIVE HEARINGS
ON BEHALF OF THE STATE DEPARTMENT OF HUMAN SERVICES
STATE OF COLORADO, 1120 Lincoln Street, Suite 1400, Denver, CO 80203

Case No. SE 20040647

Cross Ref.: 89 JN 78, 91 JV 125, 00 JV 2748, 04 JV 0125

PRE HEARING STATEMENT

In the Matter of

SHIRLEY M. BERENS

Appellant,

v.

STATE DEPARTMENT OF HUMAN SERVICES

Appellee.

Appellant submits her Pre-Hearing Statement. Filed separately is a list of witnesses and a description of all documents proposed to be offered at the hearing as evidence.

Shirley M. Berens
Pro Se
2735 S. Teller Street
Denver, CO 80227
303-980-1970

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B. **PENDING MOTIONS:**

NONE

C. **POINTS OF LAW**

According to Denver Department of Human Services guidelines (Colorado Child Welfare Handbook Appendix B page 12.9 – 10), emotional maltreatment is when the parent or caretaker's acts or omissions have caused or are likely to cause identifiable and substantial impairment to the child's psychological or intellectual capacity or functioning or when the child is severely emotionally disturbed and is not receiving treatment.

(People v. D.A.K., 596 P. 2d 747 (1979), C.R. S. * 19-3-102). The Child Welfare Handbook refers to this case in defining "emotional abuse". Its reference in this case before the Administrative Law Judge is not relevant. The two cases are vastly different.

D. **STATEMENT OF ISSUES PRESENTED FOR REVIEW**

UNDISPUTED FACTS:

Appellant Shirley Berens is the grandmother and adoptive mother of Ronal Pedrin. Ronal lived in the family home with Shirley for several years.

DISPUTED FACTS:

Denver Department of Human Services Alleges that Appellant emotionally abused her grandson Ronal C. Pedrin.

E. **STATEMENT OF THE CASE**

Case # 04JV0125, Cross Ref: 89 JN78, 91 JV 125, 00 JV 2748,

Nature of the Case

Date Case Accepted for Ongoing Services: 11/14/2003

Reason for Intervention: Denver Dept. of Human Services received a telephone call from a Children's Hospital staff member regarding the minor child, Ronal Pedrin (Ron) when the respondent mother refused to pick up her adoptive son/grandson from the hospital at discharge and return him to their home.

F. DIAGNOSIS OF RONAL PEDRIN:

Autism, Asperger's Syndrome - Alternate Name: Pervasive Developmental Disorder (PDD)

G. STATEMENT OF FACTS:

Ronal Pedrin was born February 18, 1987. His mother Natalie was in labor for three days. When the baby was finally born, it was doubtful that he would live. Doctors gave him an Apgar score of one. Somehow he pulled through, but was a fitful child; he was never content; he never wanted to be held, or sleep, or play with toys. He threw up and cried almost constantly. No one seemed to know what was wrong with him. The family moved to Buena Vista in 1990. Chaffee County Dept. of Social Services intervened and removed Ronal and his brother Jeremy from the family home, putting them into foster care. Ronal remained in foster care homes until 1997, when his grandmother Shirley adopted him.

Ronal had always exhibited odd behavior. Even now, he pulls on his hair when upset and rocks himself to sleep. At age 5, he jumped out of the school bus and dashed into traffic. He was suspected of killing a foster parent's newborn puppies. He had been diagnosed with ADDHD, developmental disabilities, Charcott Marie Tooth and Schizophrenia. He spent time at Myron Stratton-Cleo Wallace in Colorado Springs and Westminster, Centennial Peaks in Louisville, Denver Children's Home for Day Treatment, Jefferson Hills and Vision Quest. His medications changed as the diagnoses changed, but nothing affected the downward spiral of his condition. When his grandmother adopted him and brought him into the family home, things seemed to improve. She taught him how to cook and clean up after himself, and as he got older, she taught him to make his own doctor and therapist appointments, and how to navigate the public transit system to get there. He was attending school daily, but his behaviors were becoming more aggressive. As he approached the 6-foot tall mark and grew to 245 pounds, aggressive behavior became a worry to the family and to the school. He became uncooperative and threatening.

When Ronal threatened suicide twice in 2003, he was taken seriously and removed to Denver General and Children's Hospital for psychiatric holds. Late last year, a new diagnosis was made by Dr. Hildegard Messenbaugh of Third Way Center; it was determined that Ronal has Asperger's Syndrome. This diagnosis seems to fit, but the outlook for Ronal's life is bleak. Ronal needs constant supervision to avoid harm to himself or others. He does not understand that there are consequences to his actions, and he cannot feel any emotions, including guilt. Ronal sees each situation as unique and is unable to generalize from the similarities between situations. He also has limited concrete communication skills. He basically has no boundaries and is unable to internally control himself. Similarly, he is unable to have his feelings hurt, because one of the hallmarks of Asperger's Syndrome is that the person cannot experience any emotions at all, neither

good nor bad. Outside influences do not affect his cognitive ability or psychological stability. It will be necessary for him to be in an institutional setting for the rest of his life.

Shirley Berens appeared last fall in a dependency and neglect case. The plea she entered was based not on truth, but out of desperation. She knew she was unable to continue to shelter Ronal in the family home, due to safety concerns. The laws in Colorado are so designed that a parent of an emotionally disturbed child has to plead to some sort of allegation in order to get state-supported assistance. This she did to ensure that her grandson would be cared for in the best possible manner, without threat to his brother and the rest of his family.

H. WITNESSES:

1. Natalie Pedrin, (biological mother) - Subpoenaed
P.O. Box 27064
Denver, CO 80227
303-980-5707
2. Ronal A. Pedrin, Sr. (biological father) - Subpoenaed
P.O. Box 27064
Denver, CO 80227
303-980-5707
3. Diana Wood – MSW - Subpoenaed
Senior Social Caseworker
Family and Children’s Services
Department of Human Services
1200 Federal Boulevard
Denver, CO 80204-3221
720-944-2517
4. Christine A. Beaulieu, MSW - Subpoenaed
Youth Senior Social Caseworker
Family and Children’s Services
1200 Federal Boulevard
Denver, CO 80204-3221
720-944-1093
5. Ruth A. Buechler – Attorney at Law - Subpoenaed
1888 Sherman Street, #640
Denver, CO 80203
303-256-5401

I. EXPERTS:

1. Hildegard Messenbaugh, M.D. - Subpoenaed
Third Way Center
1290 York Street
Denver, CO
303-320-3790 Ext. 10

2. Steven Ferrindo, MSW - Subpoenaed
Third Way Center
1290 York Street
Denver, CO
303-320-3790 Ext. 10

3. Yuna Yi, MSW - Subpoenaed
Third Way Center
1290 York Street
Denver, CO
303-320-3790 Ext. 10

4. Tim Wright MSN - Subpoenaed
Third Way Center
1290 York Street
Denver, CO
303-320-3790 Ext. 10

5. David P. Dougherty - Subpoenaed
Attorney at Law
2129 13th Street
Boulder, CO 80302
303-546-0546

6. Janet Bensen-Jones LCSW - Subpoenaed
P.O. Box 19643
Denver, CO 80219
303-727-9960

J. ARGUMENT

Fact # 1:

Human Services erred in its findings that Shirley M. Berens emotionally abused her grandson, Ronal Pedrin, because he admitted to Third Way Center's therapists that he lied about the alleged abuse by his grandmother Shirley Berens. Ronal has been diagnosed with Asperger's Syndrome, a form of Autism, and Pervasive Disorder, which causes him to act abnormally and have very limited social skills.

Fact # 2:

There is no relevance between referenced case *People v. D.A.K., 596 P. 2d 747 (1979), C.R. S. * 19-3-102* and *Berens v. State Department of Human Services*. There is no substantial evidence that the child was emotionally abused, or had a lack of parental care, quite the contrary. Appellant gave excellent emotional, physical, financial, and social care to the child. Appellant never subjected the child to any maltreatment or abuse, but for years was the strongest advocate the child had. The child always received proper medical, educational, mental and social care while in the care of his adoptive mother.

The child lived in a good, clean, healthy environment where he learned many life and social skills. Since the child has been diagnosed with Asperger's Syndrome, his current doctors have recommended that he be institutionalized and not live at home.

The child that is mentioned in *People v. D.A.K., 596 P. 2d 747 (1979), C.R. S. * 19-3-102*, had a mother who could not take care of him and did not have the tools to protect or raise her child. The court found because of the mother's maltreatment and neglect she had emotionally abused her child. In the *People v. D.A.K., 596 P. 2d 747 (1979)* case the child is not mentioned to have had a brain disorder or have been psychologically impaired in any way, so it can be assumed that the child in the *D.A.K.* was normal, and therefore capable of being emotionally abused by the parent.

C.R. S. * 19-3-102:

This cited law is not relevant.

Fact #3:

There is no substantial evidence that Ronal Pedrin suffered emotional abuse as defined by the Child Welfare Handbook.

The Child Welfare Handbook States that Emotional Abuse is “the impairment of a child’s emotional or psychological development”. Examples of emotional maltreatment may include:

- **Rejecting** – refusing to acknowledge the child’s worth and the legitimacy of the child’s needs. The child is given the message “You don’t belong, I don’t want you, you are no good, you have no worth.”
- **Isolating** – cutting the child off from normal social experiences, preventing the child from forming friendships and from participating in typical social relationships, thus depriving the child of opportunities to master the skills of friendship formation and maintenance, making the child believe he or she is alone in the world.
- **Terrorizing** – verbally assaulting the child, creating a climate of fear, bullying and frightening the child, playing upon the child’s worst fears, and making the child believe that the world is a capricious and hostile place.
- **Ignoring** – being psychologically unavailable to the child and thus depriving the child of essential stimulation and responsiveness, starving the child emotionally, depriving the child of the psychological sustenance upon which development depends, exposing the child to danger and not providing expectable protection.
- **Corrupting** – mis-socializing the child, stimulating the child to engage in destructive and antisocial behavior, and reinforcing deviance, making the child unfit for normal social experience and thus setting the child up for rejection by peers and adults.

Possible Physical Indicators

- No unique indicators

Possible Behavioral Indicators

- No unique indicators

Possible Family Indicators

- No unique indicators

Fact # 4:

The appellant placed the child outside of the home voluntarily so that the child could get state-supported services to ensure the best care. The appellant expected cooperation and support from Human Services.

From the Colorado Child Welfare Handbook Appendix H. Page 18:6-7:

From time to time, children may also be placed outside of their homes voluntarily. When this occurs and it appears that the child will remain out of the home for more than 90 days, the department or agency with which the child has been placed is required to file with the court a petition for review of the need for placement before the 90 days expires. The court may then issue a decree providing for the voluntary placement of the child with an agency in which public moneys are spent for the child's care, without the threat of terminating parental rights with respect to the child. The placement is renewable when it is documented that the child has an emotional, physical, or intellectual disability that necessitates care and treatment for longer than 90 days (C.R.S. 19-3-701). The court must also find by a preponderance of evidence that continued placement is necessary and in the best interests of the child and the community. The court may grant one 90-day extension for the review of the need for placement.

For any child who is to be placed out of the home for longer than 18 months, the court must hold a permanency planning hearing no later than 12 months after the placement, 42 U.S.C. 675 (5) © (2), as amended) to determine the future status and permanent plan for the child. All petitions for review of the need for placement filed with the court must be accompanied by an evaluation for placement prepared by the agency recommending the placement, or with which the child has been placed.

Evaluations for this purpose should include an assessment of the child's:

- Physical and mental health,
- Developmental status,
- Family and social history, and
- Educational status.

Recommended placements and their cost should also be included in the evaluation or social study, including recommended level of intensity and duration. If the petition recommends a change of legal custody, it should also explain the other alternatives that were explored and the reason that they were rejected.

If, based on the information presented, the court does find that placement out of the home is necessary and in the best interests of the child and the community, it will enter a specific order for placement in a facility or setting which best meets the needs of the child. If the court deviates from the recommendation of the evaluation for placement in a manner that results in a difference in the cost of the disposition order by the court and

the cost of the disposition recommended by the caseworker, the court shall make specific findings of fact relating to its decision including the monthly cost of the placement. Placements outside of the state of Colorado are not supposed to be ordered by the court unless there is no appropriate facility for the child within the state, nor is a child supposed to be placed in a facility other than the one recommended in the evaluation, without specific findings of fact by the court as to why such a placement is being made.

Fact # 5:

Ronal Pedrin's neurological disorder has affected his ability to interact socially, communicate normally, and act responsibly.

According to Denver Department of Human Services guidelines (Colorado Child Welfare Handbook Appendix E. Developmental Disabilities page 15.37 – 38), Autism and Pervasive Developmental Disorder NOS (not otherwise specified) are developmental disabilities that share many of the same characteristics. Usually evident by age three, autism and PDD-NOS are neurological disorders that affect a child's ability to communicate, understand language, play and relate to others.

In the diagnostic manual used to classify disabilities, the *DMS-III-R*, autism is listed as a category under the heading of "Pervasive Developmental Disorders. " A diagnosis of autism is made when an individual displays 8 of 16 symptoms listed across 3 major areas; social interaction, communication, and restricted repertoire of activities and interests.

Autism is one of the disabilities specifically defined in the Individuals with Disabilities Education Act (IDEA), the federal legislation under which children and youth with disabilities receive special education and related services. IDEA defines autism as "a developmental disability significantly affecting verbal and nonverbal communication and social interaction, usually evident before age 3 that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences."

Characteristics

Some or all of the following characteristics may be observed in mild to severe forms:

- Communication problems (e.g. using and understanding language);
- Difficulty relating to people, objects, and events;
- Unusual play with toys and other objects;
- Difficulty with changes in routine or familiar surroundings; and
- Repetitive body movements or behavior patterns.

Educational Implications

Early diagnosis and appropriate educational programs are very important to children with autism or PDD.

PL. 101-476, the Individuals with Disabilities Education Act (IDEA), formerly PL 94-142, includes autism as a disability category. From the age of three, children with autism and PDD are eligible for an educational program appropriate to their individual needs. Educational programs for students with autism or PDD focus on improving communication, social, academic, behavioral, and daily living skills. Behavior and communication problems that interfere with learning sometimes require the assistance of a knowledgeable professional in the autism field who develops and helps implement a plan which can be carried out at home and school.

Resources

- Cohen, D.J. & Donnellan, A.M. (1987). Handbook of autism and pervasive developmental disorders. Silver Springs, MD: V.H. Winston & Sons. (Telephone: 1-800-225-5945.)
- Hart, CA (1993), A parent's guide to autism; Answers to the most common questions. New York; Pocket Books, Simon & Schuster Co. (1-800-223-2336)
- Journal of Autism and Developmental Disorder. (Available from Plenum Publishing Corporation, 233 Spring Street, New York, NY 10013. (1-800-221-9369.)
- Powers, M.D. (ED.) (1989). Children with autism: parent's guide. Rockville, MD: Woodbine House. (Telephone: 1-800-843-7323 (outside DC area); (301-468-8800 (in DC area).
- Schopler, E., & Mesibov, G.B. (Eds.). Several books are available in the Current Issues in Autism book series; Communication problems in autism (1985); Social behavior in autism (1986); Autism in adolescents and adults (1983); Effects of autism on the family (1984); and High-functioning individuals with autism (1990), (All are available from Plenum Publishing at the address above. Telephone: 1-800-221-9369.)

Fact # 6:

Ronal Pedrin has been diagnosed with Asperger's Syndrome.

According to Yale Medical School, **Asperger's Syndrome**, also known as Asperger's Disorder or Autistic Psychopathy, is a **Pervasive Developmental Disorder (PDD)** characterized by severe and sustained impairment in social interaction, development of restricted and repetitive patterns of behavior, interests, and activities.

These characteristics result in clinically significant impairment in social, occupational, or other important areas of functioning.

In contrast to **Autistic disorder (Autism)**, there are no clinically significant delays in language or cognition or self-help skills or in adaptive behavior, other than social interaction.

Prevalence is limited but it appears to be more common in males. Onset is later than what is seen in Autism, or at least recognized later. A large number of children are diagnosed between the ages of 5 and 9. Motor delays, clumsiness, social interaction problems, and idiosyncratic behaviors are reported. Adults with Asperger's have trouble with empathy and modulation of social interaction - the disorder follows a continuous course and is usually lifelong. Asperger's is not easily recognizable - in fact, many children are misdiagnosed with other neurological disorders such as Tourette's Syndrome or Autism. More frequently, children are misdiagnosed with Attention Deficit (and Hyperactivity) Disorders (ADD & ADHD), Oppositional Defiant Disorder (ODD), or Obsessive-Compulsive Disorder (OCD).

Such mistakes in diagnosis lead to a delay in treatment of the disorder, though many pharmaceuticals and natural remedies are used to treat multiple neurological and pervasive developmental disorders. Remedies used today range from St. John's Wort tea to drugs such as Haldol and Ritalin. Treatments vary to a great degree with the individual patient - no single medication or remedy works for everyone - and **AS cannot be completely cured.**

K. STIPULATIONS

Shirley Berens agreed to plead guilty "through no fault of my own" in the dependency and neglect case so that Ronal Pedrin could get state-supported help. It is believed that in this case, the pleas made were used against the Appellant personally.

L EXHIBITS:

1. Affidavit – Hildegard Messenbaugh M.D.– Third Way Center Dated June 1, 2004
2. Affidavit – Hildegard Messenbaugh M. D. – Third Way Center Dated March 26, 2004
3. Affidavit – Yuna Yi MSW – Third Way Center - May 6, 2004
4. Affidavit – Steven Ferradino MS – Third Way Center - May 4, 2004.
5. Affidavit – Tim Wright, LPC – Third Way Center - May 18, 2004
6. Affidavit – Diana Wood MSW (Denver Department of Human Services) September 8, 2003.

7. Affidavit – David Dougherty – Attorney at Law – May 17, 2004
8. Affidavit – Ronal Pedrin – Third Way Center – May 22, 2004.
9. Affidavit – Jeremy Pedrin - Brother of Ronal Pedrin – May 18, 2004.
10. Affidavit – Natalie Pedrin – Mother of Ronal Pedrin – April 26, 2004.
11. Report – J.B. Jones, LCSW Affidavit – August 3, 2004.
12. Resume - Hildegard Messenbaugh M.D.
13. Resume - Yuna Yi MSW
14. Resume - Steven Ferradino MS
15. Resume - Tim Wright LPC
16. Resume - David Dougherty – Attorney at Law
17. Resume - J.B Jones, LCSW
18. Chapter 1: Mission and Philosophy of Child Welfare Services in CO.
19. Christine Beaulieu – Personal Notes on case 04 JV 0125
20. Petition in Dependency or Neglect, February 4, 2004 Case No. 04JV0125
21. Family Services Plan February 5, 2004 Case No. 04JV0125
22. Dispositional Hearing, April 13, 2004, Case No. 04JV0125
23. Permanency Planning Hearing July 9, 2004 Report Case No. 04JV0125
24. Letter from the State of Colorado Dated October 29, 2003 on expungement of child abuse charges.
25. Colorado Children’s Code – 2004 “Definition of Emotional Abuse”
26. Colorado HB 1093 - Al Knight Denver Post Columnist, his view of emotional abuse.
27. Denver County Assessment of Allegations of Child Abuse dated April 9, 2004.
28. Case Number 04 JV 1475 Ronal Pedrin; Charges 38-89-Distrubing the Peace and 38-93 Assault dated April 2, 2004.
29. What is Asperger’s Syndrome - **FAAAS, Inc.**TM Families of Adults Afflicted with Asperger's Syndrome.
30. Request for State Level Fair Hearing
31. Schizophrenia Drugs Linked to Diabetes
32. *People v. D.A.K.*, 596 P. 2d 747 (1979), C.R. S. * 19-3-102

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above NOTICE was sent via courier pickup and by placing the same in the U.S. Mail, at Denver, Colorado to:

Wade Livingston, F.A.A.G.
1525 Sherman Street
Denver, CO 80203
303-866-5228

Margery Bornstein
Department of Human Services
1575 Sherman Street
Denver, CO 80203
303-866-3631

Biography of Benno Paul Berens
1917-1994

By Shirley M. Berens

My name is Benno P. Berens. I am a great-grandfather and I died in 1994. I was a WWII veteran and I fought for the rights of every American in the Second World War. During WWII, I was one of the "Fighting Seabees" stationed in the Philippines. I spent my civilian life in Kansas and Colorado. Tragically, before I died, I was denied the rights to see my great grandchildren, Ronal and Jeremy. Maybe because of that, I chose to die on Grandparents Day in 1994.

In 1991 my great-grandchildren were put into foster homes by the Chaffee County Department of Social Services. At that time, I was 74 years old, in ill health and got around with the help of a walker. Although I was in fragile health, each time there was a hearing concerning my great-grandchildren I appeared in court. During my struggles to visit and possibly adopt my great-grandchildren, I was imposed upon and put under armed guard by an officer of the court. The lawyers on the case requested this because they said I was a violent person. Although this was demeaning, I succumbed to it because I really hoped that I would see justice done.

But during my lifetime no justice was done for my family, or for my great-grandsons. I was forbidden to see my great-grandchildren even though I was dying. Chaffee County Department of Social Services told my daughter Shirley that they felt it would not be in the best interests of the children to see me. So I was denied my final wish, to be in the presence of my darling great grandsons, Ronal and Jeremy, before I died.

Now I leave a legacy for my daughter to fulfill. My last wishes are that my daughter fight for the rights of all grandparents, and see to it that the day comes when all Americans, whether they be black, white, or brown, receive their God-given right to see their grandchildren. It is my dream that all parents understand how important grandparents are to their children, and children to their grandparents.

I hope that one day all those with political power will understand that justice needs to be served. And it is my hope, too, that those grandparents raising America's children will have the support that they deserve to raise the future leaders of the United States.

May 18, 2004

To Whom It May Concern:

My name is Jeremy Pedrin; I am the brother of Ronal Pedrin and grandson to Shirley M. Berens. I want to write this letter to express my thoughts about my grandmother and my brother.

I have lived with my grandmother since I was three years old and my brother came to live with us when he was 9 years old. All the years my brother lived with us he caused us all many struggles with his behavior. My grandmother and I tried our best to help Ronal but nothing seemed to work.

My grandmother has never abused my brother or me; in fact, she has given up many things to keep us together. Ronal did many things to upset the household and my grandmother cried many times in frustration not knowing what to do to help him.

All the time Ronal lived with us the house was in chaos and sometimes I was afraid of him because he would threaten to hurt me but I knew my grandma would never let that happen. I never understood why my brother did the things he did, but I loved him anyway and I knew my grandmother loved him too.

When my brother lied about my grandma it upset me very much because Chris (Ronal's Social Worker) never believed what my grandma said, and turned and twisted everything. Ronal lied about being abused when living with us. My grandma told this to Chris, but Chris never believed her.

My grandma tried to teach Ronal to cook, clean up his room, take a bath, do his med's and go to the doctors and she even let him go out in the community to buy his lunch at restaurant's and take the bus to the show. But, Ronal never seemed to be happy and I never knew why. My grandma thought sometimes the medicine wasn't right or that he didn't want to live with us.

Dr. Hildegard Messenbaugh talked to me about my brother's disability Asberger's Syndrome and now I know what he does, he doesn't mean and that he will always need someone to help him live his life. I love my brother just the way he is. I am glad Hildegard explained to me why my brother acts the way he does, it helps me understand him and to forgive him for all the bad things he did.

I want the emotional abuse charges dropped on my grandma because she never hurt Ronal she has only helped him the best she could and tried to give him a home. My grandma does a lot for me that is why I am an honor student at Henry Middle School. I am that because my grandma loves me. I am 14 years old and I love living with my grandma, I love my parents who visit me all the time and they are a large part of my life because of my grandma. We are a whole loving family who loves Ronal and want him to have a happy life.

Sincerely,

Jeremy M. D. Pedrin

Grandparents Resource Center

P.O. Box 27064

Denver, CO 80227

303-980-5707

April 26, 2004

To Whom It May Concern:

My name is Natalie Pedrin and I am the biological mother of Ronal Pedrin and I am writing this affidavit in support for my mother Shirley Berens

The problems with Ronal Pedrin started June of 2003. It was about the end of June when he tried to hit me. Instead of hitting me, he hit a photo hanging on the wall of his bedroom. After that incident I made sure I was never left alone with him. I realized then that he had explosive behaviors and this was of a great concern to me. After that incident my mother Shirley Berens went to court to get him placed into day treatment at Denver Children's Home for the summer. All summer long Ronal had problems getting to Denver Children's Home and my husband had to leave work to go find him, or my mother had to leave her job to locate him. Seems he had trouble catching the van from Denver Children's Home. They met him each morning at Burger King on Alameda and Sheridan. Then sometimes he would over-sleep or just plain refused to go.

My mother got him a mentor for the summer a man that worked for me at the Grandparents Resource Center, his name was Dal Gordon. Mr. Gordon was involved with the youth groups at his church and was nice enough to take Ronal under his wing. Mr. Gordon took him places and did things with him at his church; Bear Valley Church of Christ. Ronal seemed to enjoy going but that didn't last long, he has a lot of trouble keeping focused. Ronal started not to like Dal because he put down limitations on his behavior when he was with him. Ronal didn't like that so Ronal threatened to hurt Dal by pushing him down the stairs. After that my mother had Dal stop helping him because she was afraid that Ronal would hurt him, and that concerned her.

As the summer closed and school opened Ronal became occupied with activities at Abraham Lincoln High School. Ronal was assigned a different teacher this year her name was Barbara Brooks-Smith because his old teacher moved to another school district. I don't think she had as much background on Ronal as the previous teacher, because when my mother or I would talk to her she didn't seem to get what Ronal's condition was, and had trouble acting accordingly. My mom went to several teacher-parents conferences and met his teacher. Her only comment was she didn't think the teacher understood Ronal; that she wore rose colored glasses when it came to Ronal's mental illness. Mom felt she lacked skills in being the kind of special education teacher Ronal needed, and she didn't understand what she was dealing with referring to Ronal's mental illness.

In October, Ronal missed quite a few days of school because he said he was sick and he or the teacher called my mother job so much that my mother almost got put on suspension. So, I told my mother that if Ronal got sick or he needed to be picked up

from school I would do it as well as making any phone calls to the doctor. I had power of attorney to speak to the school as well as to the doctor's for my mother.

When Ronal did come home from school sick we directed him to take the bus to the doctor which is only twenty minutes away. He would say he was sick then disappear and we could not find him, and he would come home a couple hours later saying he had stopped at the store or went to see a friend. Or he told us he was on the bus or doing something else. Ronal's took the bus to Kaiser every two weeks to get medicine and his blood checked and my mother was teaching him how to make his appointments and how to get to them. She was teaching him life skills, because within less than two years he would be eighteen years old. We both were concerned that if stated to live independently he wouldn't know how to get to the doctor or do other things for himself.

In October 2003 Ronal told us he was going to stay after school for a Halloween Party and that a teacher would bring him home around 10:00 PM. My mother and I questioned this. In the meantime, Ronal told Jeremy that he was going to score some pot and smoke some the night of the party. Jeremy called me and told me about it and I told my mother. We both confronted Ronal and immediately called the school to find out about the party Ronal was talking about. We were told that, yes they were having a party and no it would not last until 10:00 PM, that it would be over by the end of the school day. Ronal really got mad and when he got Jeremy alone he threatened to hurt him, but we didn't find this out until after Ronal went to Children's Hospital.

In November Ronal said a lot of lies including that he would kill himself if he was made to return to my mothers house and the school had him admitted to Children's Hospital for a 72 hour mental health hold. It was at this time Jeremy told me, " that if

Ronal came home he would run away from home because he was afraid of Ronal.” So, my mother said, he is not coming home. I think he needs to be placed for his safety as well as Jeremy’s. My mother told all of this to Chris Beaulieu, Ronal’s social worker but it seemed she didn’t believe my mother. My mother called Chris Beaulieu and told her that she felt Ronal needed to be placed and that she should pick him up at Children’s Hospital and place him in residential treatment.

Ronal was placed in Visionquest and than later at Third Way Center where he resides today. It was in February 2004 that I was present at a staffing when Ronal told Chris Beaulieu and the staff at Third Way that he had lied about his grandmother abusing him that he had told people lies about her. This was long before Chris Beaulieu filed emotional abuse charges on my mother. I think Chris knew all along that my mother never abused Ronal but only wanted to believe that she did. When my mother talked to Chris on the phone I was always on three-way with my mother so I heard everything that was said between Chris and my mother. I heard my mother say many times that Ronal lied about her abusing him.

If you have any further questions you can call me on 303-980-5707.

Sincerely,

Natalie D. Pedrin
Programs Director
“Parents Without Custody”
Grandparents Resource Center