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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE

STATE OF ARIZONA, )  
 )  
Plaintiff, )  
 )  
vs. ) No. CR20170042  
 )  
LEIZZA ADAMS, )  
 )  
Defendant. )  
\_\_\_\_\_ )

June 7, 2018  
Bisbee, Arizona

BEFORE: The Honorable WALLACE R. HOGGATT, Judge

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
MITIGATION HEARING and SENTENCING  
PART ONE

APPEARANCES:

FOR THE PLAINTIFF:  
Sara Ransom, Deputy County Attorney

FOR THE DEFENDANT:  
Perry Hicks, Attorney at Law

PREPARED BY:  
Penny Nyander  
AZ CR No. 50219

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## I N D E X

WITNESS:	EXAMINATION BY:	ON PAGE:
SHAUNICE WARR	Mr. Hicks	10
	Ms. Ransom	27
	The Court	45
	Mr. Hicks	46
	Ms. Ransom	46
AGENT J ALLEN	Ms. Ransom	50
	Mr. Hicks	81
	Ms. Ransom	86
DEBRA SCOTT	Ms. Ransom	87
DET. TODD BORQUEZ	Ms. Ransom	100
	Mr. Hicks	109
	The Court	110
	Ms. Ransom	111

## EXHIBITS:

NUMBER:	DESCRIPTION:	RECEIVED ON PAGE:
None	admitted	

## 1 P R O C E E D I N G S

2 THE COURT: State of Arizona against Leizza Adams.  
3 CR201700425. The record may show that Mrs. Adams is  
4 present, not in custody, represented by Mr. Hicks.  
5 Ms. Ransom is here for the state. And the case detective is  
6 here.

7 And we have this matter on the calendar for  
8 mitigation with sentencing to follow. Are the parties ready  
9 to proceed?

10 MR. HICKS: Yes, your Honor.

11 MS. RANSOM: Yes, your Honor.

12 THE COURT: Very good. Well, it is on the  
13 calendar for mitigation hearing. So, Mr. Hicks, that makes  
14 me inquire of you. How many witnesses do you have?

15 MR. HICKS: Your Honor, I intend to call one  
16 witness, Shaunice Warr. The state, I understand, is going  
17 to call some additional witnesses. If they do I may -- I  
18 would reserve the right to call rebuttal witnesses, if there  
19 is any need to.

20 THE COURT: All right. Ms. Ransom, how many  
21 witnesses do you intend to call?

22 MS. RANSOM: Um, your Honor, the state does intend  
23 to call four witnesses, previously disclosed to Mr. Hicks;  
24 Case Officer Borquez, Agent Robert Edward, Agent JC Allen,  
25 and CASA Advocate Debra Scott. They're all here.

1           THE COURT: All right. Very good. And let me  
2 inform counsel and the parties that I do have a hearing at  
3 3:00. But that is essentially agreed to. I'll recess -- if  
4 this case is still going at that time, I will recess this  
5 hearing. And, unfortunately, everyone will have to leave  
6 because it's a mental health hearing. But that is agreed  
7 to, and it shouldn't take any longer than five minutes, if  
8 that.

9           Also, I am going to have to take the returns from  
10 the grand jury today. I'm assuming they're still working.  
11 I haven't heard anything. So whenever I get the word that  
12 they're ready to go, I will recess this matter.

13           And they're downstairs in Division 5, right? Is  
14 that where they are?

15           THE BAILIFF: Yes.

16           THE COURT: Okay. So when I get the word that  
17 they're ready for me to take the returns, I'll recess this;  
18 and I will go downstairs so people will not have to clear  
19 out of this courtroom for that.

20           Well, with that, would the parties like to give a  
21 brief opening statement? Ms. Hicks?

22           MR. HICKS: Thank you, your Honor.

23           First off, I'm going to call one witness. And  
24 part of the reason I'm going to call one witness is because  
25 at sentencing, when we get to sentencing, I may be talking

1 for 15 or 20 minutes. And I just want to warn the parties,  
2 the opposing party, of that, and the court. A lot of what  
3 I'm going to be talking to the court about is contained in  
4 the presentence report, letters of recommendation, and items  
5 quoted in the presentence report, and the items that come  
6 out here.

7           So I'm going to call the one witness. I'm  
8 probably not going to call any other witnesses. Um, but,  
9 um, I am going to be talking a little bit longer than normal  
10 when we actually get to sentencing.

11           Um, I'm going to be asking the court to place  
12 Leizza on probation. I'm going to argue that it's the best  
13 for her, the best for the children, and the best for  
14 society. And I'm going to give the court the reasons that I  
15 believe that is true.

16           The, the case is a difficult one. It, um, has  
17 some of the most horrendous facts in it that I've ever dealt  
18 with in a child molest case, either representing a defendant  
19 or being involved in any way. And the person that committed  
20 those crimes is dead, and I don't think that any of us  
21 regret that very much.

22           The person was dangerous. He was a sociopath. He  
23 was extremely manipulative. He could lie without expressing  
24 any signs of lying, as most sociopaths are able to do. And  
25 he did horrible things to his own children.

1           My client, were she the normal person that appears  
2 in this court, um, the state might have a better argument.  
3 But she isn't, in any form or fashion. There's -- it's  
4 alluded to in the presentence report by the presentence  
5 report writer. And the, and the analyst that she quotes:  
6 Lisa has a number of potentially significant issues.

7           I don't know, and I haven't -- because of that  
8 report I was actually going to continue the sentencing and  
9 the presentence hearing and sentencing and get a, a, um, an  
10 additional evaluation. But that evaluation, I believe, is,  
11 is pretty spot on correct.

12           I don't know what her, what her issues are. But  
13 it is a combination or one of a number of issues; PTSD from  
14 childhood and from being married to Paul Adams. But I think  
15 there's something more. It is very difficult for her to  
16 talk to people. It's difficult for her to look at a person.  
17 It's difficult for her to, when I say -- in any event, your  
18 Honor, I don't want to get into all of it. But I'm going to  
19 be arguing at the end that probation is appropriate. And  
20 I'm going to be asking the court to impose that.

21           THE COURT: Thank you, Mr. Hicks.

22           Ms. Ransom, would you like to give an opening  
23 statement?

24           MS. RANSOM: Yes, your Honor. Thank you very  
25 much. The defendant accepted a no contest plea with open

1 probation. However, the state made abundantly clear that it  
2 intended to seek prison. And she is exposed to anywhere  
3 from a two to 7.5 years term should the court agree with the  
4 state and impose a prison sentence. The defendant's gross  
5 failure to act is a life sentence to her children.

6           The state does anticipate that you will hear  
7 mitigation testimony to that effect. But she asks this  
8 court for leniency. There is absolutely no cause for this  
9 court to be lenient to a person who knows that her eldest  
10 daughter had previously been sexually assaulted by her  
11 husband and then directs that same daughter to sleep in the  
12 same room where her husband spends the day watching  
13 pornography, nude and masturbating, and indeed sleeps. She  
14 threw her daughter to the wolf, and then she buried her head  
15 in the sand. That is not a circumstance that requires any  
16 form of leniency from this court.

17           The state already gave her leniency with the plea,  
18 your Honor, in that she was facing the rest of her natural  
19 life in prison had this matter gone to trial; and now she's  
20 only facing 7.5 years maximum for the life sentence she  
21 imposed upon her children.

22           Now the defendant wants to tell you that she was  
23 victimized by the husband. Respectfully, it seems to be a  
24 red herring. She gave multiple interviews to authorities.  
25 She did not disclose in her interviews with authorities.

1 Um, and when she was -- any sort of abuse. And when she was  
2 specifically asked in detail about abuse, pretty much what  
3 she said was that her husband threw things at her; and she  
4 felt he was a jerk because he wouldn't follow the rules.

5 I don't know what sort of heinous abuse she's  
6 talking about experiencing, but certainly this court has  
7 seen worse from situations; and those people were able to  
8 protect their children.

9 Even assuming that she is a victim of abuse at the  
10 hand of her husband, your Honor, that does not excuse what  
11 she stood by and allowed him to do to her children. It also  
12 does not excuse that she repeatedly lied to authorities  
13 about her knowledge of the existence of abuse in her house.

14 The PSR indicates that this defendant suffers from  
15 avoidance. You can call it avoidance. I call it  
16 manipulation. And it is very self-interested manipulation  
17 that we get from this defendant. And you'll hear from  
18 authorities, she was willing to talk until it, until the  
19 talking went to her role in these events. And then she  
20 would refuse repeatedly to answer questions and, as we now  
21 know, just simply lied about knowing about the molestation.

22 She decided to lie about that until after she got  
23 her favorable plea and then opened up and disclosed to the  
24 probation officer: Oh, yes, actually, um, Paul Adams  
25 disclosed to me maybe as far back as 2010 that he performed

1 oral sex on my young daughter. I guess I -- it just slipped  
2 my mind the repeated times I was talking to authorities  
3 previously.

4 This is not a person entitled to leniency. This  
5 is a person that needs to go to prison for the egregious  
6 abuse she allowed her children to suffer for years. Thank  
7 you, your Honor.

8 THE COURT: Thank you, Ms. Ransom.

9 Before we hear from the first witness, I'm  
10 reminded that there is still on the calendar a pretrial  
11 conference set for Friday, June 14th -- or June 15th, excuse  
12 me, 2018, at 9 a.m. I'm vacating that.

13 I have received and I've read the presentence  
14 report, a packet of letters submitted by Mr. Hicks, one  
15 through five, and an addendum from the probation department  
16 containing statements from the children's guardian ad litem,  
17 Ms. Dailey, who is here. And also a statement from the  
18 children's court-appointed special advocate. That's  
19 Ms. Scott. I don't know if she is here.

20 (Ms. Scott raises a hand.)

21 THE COURT: Oh, Ms. Scott is here. Okay. So both  
22 of the authors of those statements are here as well.

23 With that, Mr. Hicks, you may call your first  
24 witness.

25 MR. HICKS: I would call Shaunice Warr.

1 THE COURT: All right. If you would please come  
2 forward, the clerk will administer the oath or affirmation.

3

4

SHAUNICE WARR

5 called as a witness herein, being first duly sworn, is  
6 examined and testifies as follows:

7

8

THE COURT: Please take the witness stand.

9

Ma'am, go ahead and have a seat.

10

11

12

13

14

I would like to make sure that we can all hear  
your answers when you give them, so when you answer please  
speak into the microphone. You can adjust it, move it  
around if you need to. And would you spell your last name  
for me?

15

THE WITNESS: My last name is Warr, W-A-R-R.

16

THE COURT: Okay. Thank you.

17

Mr. Hicks, you may proceed.

18

19

EXAMINATION

20 BY MR. HICKS:

21

Q And would you spell your first name?

22

A Shaunice, S-H-A-U-N-I-C-E.

23

Q Okay. And, Shaunice, in what town do you live?

24

A I live here in Bisbee.

25

Q Okay. And who are you employed with?

1           A     Federal government. I work for the Border Patrol.

2           Q     And how long have you been with the Border Patrol,  
3     Shaunice?

4           A     Seven years.

5           Q     What do you do as a Border Patrol Agent?

6           A     We patrol the line. We look for those who have  
7     entered illegally, arrest them. We look for people who are  
8     bringing drugs into the country. Many different things like  
9     that.

10          Q     In, in that capacity did you know Paul Adams?

11          A     I did. He was an agent at my station when I  
12     started there in Douglas, Arizona.

13          Q     In Douglas, Arizona.

14          A     Yes, sir.

15          Q     And can you tell the court, um, why was Paul Adams  
16     terminated from Border Patrol?

17          A     The first -- he was actually -- the first time he  
18     had given his car or loaned his car to an illegal, um,  
19     woman, that he was sleeping with actually. She was taking  
20     something illegal up to Phoenix, was pulled over; the  
21     registration came back to him. They put him on light duty,  
22     did an investigation. And what they did is they took his  
23     law enforcement away from him. So they took his badge, his  
24     gun, and gave him a missions support job.

25                     The second time he was fired. He made terroristic

1 threats against our station. And it's the Douglas Border  
2 Patrol station. He had to go to court for this. He had to  
3 go to classes, anger management. And then he had to  
4 reapply. They brought him back. And I believe he was at  
5 Naco station in the missions support roll for like a week  
6 when he was arrested, and obviously fired again.

7 Q Were you surprised that he had made terroristic  
8 threats against the Border Patrol station while he was a  
9 Border Patrol agent?

10 A Not at all.

11 Q Okay. Why?

12 A Um, he had talked about things like that before,  
13 um, just in passing. Or he would say: Oh, I'm joking  
14 around. Um, whenever he was angry he had a quick temper,  
15 quick, quick temper. And if you made him angry, he was  
16 going, like he was going to come for you. So that day he  
17 was angry at some supervisors; and, boom: I'm going to come  
18 back here, and what if people just started picking off as  
19 they come out of the station.

20 That kind of stuff. He had said that before as  
21 well.

22 Q When you were in the room with Paul at the Border  
23 Patrol station did you make an effort to make sure that you  
24 were not the first person that he would confront?

25 A I was always personable to Paul. I would say hi

1 because I was not going to be the first one when he went  
2 crazy to be shot basically. I knew his day would come. He  
3 was crazy. He just had this explosive personality. He -- I  
4 don't know how to explain it. He had a horrible temper.

5           And he -- I mean, even other agents would say to  
6 me, you know: Hey, does that guy go to your church? And I  
7 said: Well, his wife and family go to my church; he comes  
8 to my church every now and then. Because they were like,  
9 he's, he's really weird, he's crazy, he gets that look in  
10 his eye. And I said: Oh, kind of like he might go postal?  
11 And they said: Yeah, kind of like that. They had seen his  
12 anger too.

13           Q     I'm sorry, Shaunice, to interrupt you. So when  
14 you were in the station with Paul, you always made it a  
15 situation where if he did go ballistic you would not be in  
16 the line of fire to start with?

17           A     No.

18           Q     And could get your gun out and do what you needed  
19 to do?

20           A     Yes.

21           Q     Yes?

22           A     Yes. Yes, sir.

23           Q     Did you also, um -- you're a member of the Church  
24 of Jesus Christ of Latter Day Saints?

25           A     Yes, sir.

1 Q And Paul occasionally attended?

2 A Yes, sir.

3 Q And Leizza is a member, and her children are  
4 members?

5 A Leizza and her family, yeah, Leizza and the kids  
6 are. He had been ex-communicated, yes, sir.

7 Q Paul had been ex-communicated?

8 A Yes, sir.

9 Q In that role -- and let me ask you this too. Were  
10 you a friend of Leizza's?

11 A Yes.

12 Q And in the role of being a friend of Leizza's and  
13 being a member of the same church and being involved in that  
14 way, did you get to know Leizza?

15 A I did.

16 Q Okay.

17 A As well as anybody could get to know her.

18 Q And how long have you known Leizza?

19 A Seven years.

20 Q And would you say that you're her best friend?

21 A Probably.

22 Q And you've been around her a lot?

23 A Yes, sir.

24 Q Tell the court what was it during those years, how  
25 often did you go to the house, how often did you visit

1 Leizza at home?

2 A Um, well, Paul didn't allow visitors at the house.  
3 So, um, I wasn't able to go to the house for visits very  
4 often unless he was out of town, um, caring for his parents  
5 in San Diego, working in Tucson, that kind of thing. Then  
6 they would invite me over to the house. There was a couple  
7 of times he was working, she invited me over, um, to watch  
8 some programs that were on our church television, that kind  
9 of thing.

10 Q Okay. And did you also see Leizza and the  
11 children at church with Paul when Paul was in town; and when  
12 he wasn't in town?

13 A Yes. Leizza and the kids came every Sunday.  
14 Maybe they missed five in six years, five times in six  
15 years.

16 Q Okay. And did you observe any differences between  
17 when Paul was in town, differences in the children when Paul  
18 was in town and when Paul wasn't in town?

19 A Oh, definitely. I had all of the kids in my  
20 Sunday school class, the primary Sunday school class, the  
21 little kids. So I've had all of her kids with the exception  
22 of [REDACTED] phonetic). She was young.

23 Um, when Paul was in town you could tell the kids  
24 were -- they would come in one of two ways. Either  
25 extremely combative and like touchy, fighting and

1 everything. It was like there was just tension. And you  
2 could tell one thing would just set it off. And that's  
3 usually what would happen. We don't have many kids in our  
4 primary, so the Adams kids were the majority of them.  
5 Primary is the young kids, 12 and under.

6 Um, or they would come in, and it would be silent.  
7 They wouldn't look me in the eye. They wouldn't look each  
8 other in the eye. They weren't touching each other. They  
9 weren't, they weren't doing normal kid stuff.

10 When Paul was out of town -- Paul went on an  
11 extended compassionate leave to take care of his parents for  
12 three months. When he did that the kids were kids. They  
13 were fun. They still picked at each other, but it was  
14 normal kid stuff. I mean, it's six kids under the age of  
15 nine, you know. They would pick at each other and stuff.  
16 But they had fun. And that was who they were. They would  
17 act like themselves.

18 So I, I could tell they -- they used to sit with  
19 me during the main meeting, during sacrament meeting, which  
20 is kind of like our main mass meeting. And then I taught  
21 them for the second two hours of our block. I could pretty  
22 much tell as soon as they came in for sacrament meeting  
23 when -- what was going on.

24 Q And, um, did you have times when you spoke with  
25 Leizza personally about what was going on at her home?

1           A     I did.

2           Q     Okay.

3           A     From the first time I went to church there I could  
4 tell there was something different about this family,  
5 something was going on. I have a bachelor's in psychology.  
6 I also was a college woman's basketball coach. I've dealt  
7 with kids. I've, I've lived around the world. I have known  
8 a lot of people. I know things about people. I've studied  
9 people. I could tell there was something off and something  
10 going on.

11                     And I would notice that she would hang out after  
12 church. And eventually I figured out it was because that's  
13 where Paul wasn't. It's the one place that she could go,  
14 that he would let her go, without being there. He gave her  
15 permission to go with the kids. So I would start hanging  
16 out after.

17                     I was also called a visiting teacher. We have  
18 visiting teachers through -- you pair up and you visit, um,  
19 each other. It's a Mormon program, Jesus Christ of Latter  
20 Day Saints program. And I was assigned to Leizza. So I  
21 would hang out after church and talk with her and help with  
22 her kids. And I got to know her kids obviously really well  
23 as I taught them. And I got to know her well through  
24 hanging out after church with her.

25           Q     Did there come a time -- well, let me ask you

1 this. Did Leizza ever talk to you about abuse?

2 A No.

3 Q Of her abuse?

4 A Not until after Paul was arrested.

5 Q Of him abusing her?

6 A Right. I tried to get her to. I asked every way  
7 possible. I asked the kids. There was fear in the house.  
8 I could tell because five-year-olds give up everything.  
9 They will say anything in the middle of class -- my dog peed  
10 on the rug -- in the middle of Sunday school class. You  
11 know, we're studying the bible, and they just blurt out  
12 stuff.

13 These kids would not talk about their dad, what  
14 went on at home. And I asked, you know, in different ways  
15 and different means, and different kids. And I asked Leizza  
16 in different ways. But I could tell that there was a lot of  
17 fear in the house. The kids were afraid of something. She  
18 was afraid of something. So I knew something was going on,  
19 but I didn't know what it was.

20 Q Okay. After Paul was arrested did you talk to  
21 Leizza?

22 A Yes, I did.

23 Q Okay. And what did she tell you at that time?

24 A She told me that there was a lot of physical  
25 abuse, that there was a lot emotional abuse.

1 Q Of who?

2 A Of her and the kids. Um, he threw things. He hit  
3 her. He hit the kids. He yelled at them incessantly. And  
4 the hardest thing I think for them was they didn't know  
5 what -- how he was going to be when they got home, or when  
6 he came home. So it was either he was great and let's go  
7 get ice cream; or, you know, shut up, I'm trying to do this  
8 and swearing at them and -- but they didn't know which one.  
9 So it was like walking on eggshells and tension at home  
10 because they didn't know how to act. They didn't know how  
11 he was going to react.

12 Q Did she ever talk to you about -- what else did  
13 she tell you?

14 A Um, well, at one point she did disclose to me that  
15 she had found out, um, that Paul was molesting  
16 [REDACTED] phonetic). And, um, I had advised her to leave  
17 him. I knew something was going on. And I told her flat  
18 out she needed to leave him, pack her kids, pack her car,  
19 and go to San Diego and live with her family. Um, she told  
20 me after Paul was arrested that --

21 Q Okay, let me back you up here.

22 A Sorry, sorry.

23 Q She told you after Paul was arrested that Paul had  
24 been molesting [REDACTED]

25 A Just the one time I found out that she had found

1 that out.

2 Q Okay. And so go ahead. You told her pack up,  
3 leave.

4 A I told her I would help her leave. She didn't --  
5 I said call me and let me know, and we'll make it happen.  
6 I'll take care of Paul.

7 Q What did you mean you'd take care of Paul?

8 A Um, I meant I wouldn't let him follow her. I  
9 would do what I needed to do, not to let her -- let him go  
10 after her. I knew something awful was going on in the  
11 house. I didn't know what it was. But by the time [REDACTED] --  
12 she was pregnant with [REDACTED] I knew she needed to get out of  
13 the house.

14 Q Let me ask you, in your opinion Paul was a violent  
15 person?

16 A Oh yeah, definitely.

17 Q And he was an unstable person?

18 A Very much so, up and down.

19 Q You could have taken care of Paul if Paul -- what?  
20 Including when she was leaving the home. Right?

21 A Uh-huh.

22 Q Including shooting him if you had to?

23 A Yes.

24 Q Okay. But could you take care of Paul if he  
25 followed her to California?

1 A No.

2 Q Could you --

3 A And he would have.

4 Q And could you have taken care of Paul if he became  
5 erratic and killed her and killed every single one of their  
6 children?

7 A If I wasn't there? No.

8 Q If you weren't there.

9 A No, no. And that scared me.

10 Q Was Paul capable of that?

11 MS. RANSOM: Objection, foundation.

12 THE COURT: Sustained.

13 MR. HICKS: Wait.

14 THE COURT: Sustained.

15 BY MR. HICKS:

16 Q The -- but in any event, you know, you could of --  
17 you made it clear to Leizza that she could leave, and you  
18 would make sure that she would be able to leave?

19 A Yes, sir.

20 Q What's Leizza's personality like?

21 A She's very different. Um, she has a hard time  
22 communicating. She doesn't communicate normally.

23 Q What do you mean by that?

24 A I don't even know how to describe it. It's kind  
25 of like if you've met somebody who has -- I don't know. I

1 have a cousin who has high functioning autism and  
2 Asbergers's.

3 MS. RANSOM: Object to foundation. This is not a  
4 medical doctor.

5 THE WITNESS: I do have a cousin who has --

6 THE COURT: Let me rule on the objection. I'll  
7 overrule that. She's talking about a cousin, presumably has  
8 knowledge within the family.

9 BY MR. HICKS:

10 Q You're not saying Leizza has Asberger's or autism.

11 A No.

12 Q But you're saying --

13 A I'm not trying to diagnosis her or anything like  
14 that. I'm saying she has similar characteristics, in that  
15 when you ask her a question she responds in a different way  
16 than any normal person I've ever met. She just, like  
17 socially she's, she struggles. She doesn't know how to act  
18 socially. She's --

19 THE COURT: Can you give me an example? You  
20 mentioned that when you ask her a question she doesn't  
21 respond like people would be expected to respond. Can  
22 you -- give me an example, if you would.

23 THE WITNESS: I don't know. You ask her about her  
24 family, and she will respond about an incident or something  
25 that -- like one tiny incident that occurred, you know, five

1 years ago or something like that. Like you're trying to ask  
2 about a current question. And I don't know if she doesn't  
3 understand your questions or she doesn't think linear. I'm  
4 not sure what it is. But she, like goes off on tangents  
5 that are very different than anybody I've ever met. You  
6 have to kind of like interpret what she's saying.

7 THE COURT: So if I understood you correctly, you  
8 might ask how is your family, and most people would say, oh,  
9 we're doing fine or, you know, I have some hard times coming  
10 up or something like that. But she would focus on some  
11 incident that happened a long time previously, maybe years  
12 before --

13 THE WITNESS: Right.

14 THE COURT: -- and tell you about that?

15 THE WITNESS: Right. And it usually didn't quite  
16 make sense to what you were talking about previous to that.

17 THE COURT: Okay. You may proceed. Thank you.

18 BY MR. HICKS:

19 Q Is she a -- in your opinion, you know, there's  
20 some people that are perceptive of the things around them  
21 and some that were oblivious. Which is she closer to?

22 A She's clueless, socially clueless. Yes, I would  
23 say that.

24 Q Clueless?

25 A She, yeah, she doesn't know things that are going

1 on around. She's very naive. She doesn't recognize things  
2 that are happening around her.

3 Q And not just clueless, but clueless to an absurd  
4 degree?

5 A Yes. Her husband was sleeping with multiple  
6 women, and she didn't know.

7 Q As an example?

8 A As an example.

9 Q Let me, let me give you an example and ask you is  
10 this what you're talking about. I went over the presentence  
11 report with Leizza. And I said: If there's anything  
12 incorrect, Leizza, be sure you tell me. And at the end of  
13 it she said: I'm 35, not 32. And the, the Drakes(phonetic)  
14 live at 103 Van Dyke instead of 101 Van Dyke.

15 MS. RANSOM: Objection, leading. Foundation,  
16 calls for speculation.

17 THE COURT: Yes, sustained.

18 BY MR. HICKS:

19 Q Is her, in other words, is her, are her responses  
20 linear, rather than understanding any kind of, of --

21 A That's an example of how she answers questions  
22 oddly. Like to me, if I'm going to court, I'm not -- I  
23 don't care about the addresses; I don't care about my age.  
24 What I care about is the bulk of what's in the case. Like  
25 is my, are my legal things in order. Is what I said written

1 down. Not addresses or things like that. Like that, who  
2 cares? Right?

3 Q Right.

4 A But is the bulk of my path in order; is that  
5 correct.

6 Q You're familiar that at some time during this  
7 case, and I forget when, Leizza was hospitalized for  
8 attempting to commit suicide?

9 A Yes, sir.

10 Q Tell us about that.

11 MS. RANSOM: Objection, relevance.

12 THE COURT: Overruled. You may answer.

13 THE WITNESS: She --

14 MS. RANSOM: Your Honor, state will also make a  
15 lack of disclosure objection. State's never had any  
16 disclosure of medical records or anything related to this  
17 defendant, no ability to prepare for this hearing and rebut  
18 those sort of claims.

19 THE COURT: Mr. Hicks, response?

20 MR. HICKS: Your Honor, this is a mitigation  
21 hearing. The rules, I believe, are different. For example,  
22 hearsay is allowed. The fact that Leizza was in the  
23 hospital, placed involuntarily there for attempting to  
24 commit suicide, is relevant. And it's relevant --

25 THE COURT: Well, I overruled the relevance

1 objection. Now the objection that I need to deal with is  
2 lack of disclosure.

3 MR. HICKS: I have been practicing for 30--some odd  
4 years. I have never seen a rule that you have to disclose  
5 everything that you're going to attempt to bring out in a  
6 mitigation hearing. It -- I don't know that any rule exists  
7 in that regard.

8 And I would argue that by definition we can not  
9 disclose everything that's going to be brought out in a  
10 mitigation hearing when we get the presentence report, um, a  
11 few days before, when we get letters of recommendation a few  
12 days before, when -- so I, I, I guess I would argue that if  
13 there is such a rule, that the court should, for the sake of  
14 attempting to know as much as possible prior to a sentencing  
15 in this case, understand the facts. I don't understand what  
16 the harm is.

17 MS. RANSOM: If I may?

18 THE COURT: Yes, go ahead. I'm going to rule on  
19 it, but I'll allow you to go ahead and reply.

20 MS. RANSOM: State made a specific request for  
21 disclosure of defense counsel before the pretrial hearing,  
22 so it would be Rule 15.E, written request for disclosure  
23 potentially relevant to proceedings. And of course defense  
24 under Rule 15.2 is required to provide documentation in  
25 support of its defenses.

1           THE COURT: Well, it's not so much a defense as it  
2 is something in mitigation. I will overrule the objection.

3           However, in the event, Ms. Ransom, that there's  
4 something in this testimony about the suicide attempt that  
5 you would want to explore to perhaps rebut, then make a  
6 request for a continuance of the balance of the hearing to  
7 allow that to be explored. I would consider that request at  
8 the time it's made.

9           The objection is overruled. You may proceed.

10          MR. HICKS: Your Honor, that's all I have on it.  
11 I simply want to bring out the fact that during the course  
12 of this case Leizza was hospitalized for attempting to  
13 commit suicide. And I wanted the witness to testify about  
14 that.

15          THE COURT: So was that it? I didn't know if we  
16 were going to hear more about that, or particulars of it, or  
17 anything along those lines.

18          MR. HICKS: No. That's it.

19          THE COURT: Okay.

20          MR. HICKS: The -- I think that's all I have of  
21 this witness. Thank you.

22          THE COURT: Thank you, Mr. Hicks.

23          Ms. Ransom, cross.

24

25

EXAMINATION

1 BY MS. RANSOM:

2 Q Good afternoon.

3 A Good afternoon.

4 Q Can you remind me of how to pronounce your name?

5 A Shaunice Warr.

6 Q Warr?

7 A Yes.

8 Q All right. Did you ever report Paul Adams'  
9 erratic conduct at Border Patrol to any of your superiors?

10 A Yes. We talked about -- I talked with my patrol  
11 agent-in-charge after he had made the terroristic threats.  
12 We had quite a long -- actually a couple of long  
13 conversations about Paul.

14 Q All right. And how far into his Border Patrol  
15 career was the terroristic threats incident?

16 A Um, he had been in longer than me, so I'm not sure  
17 exactly.

18 Q Okay. Did you find him to be potentially violent  
19 as you previously described before the terroristic threats  
20 incident?

21 A Yes, sir. Yes, ma'am. Sorry.

22 Q But you've never reported it before the  
23 terroristic threats incident?

24 A No, ma'am.

25 Q Okay. And that was years and years and years of

1 knowing him?

2 A No. Before that I had only known him for  
3 three-and-a-half years, three years.

4 Q Okay. Three-and-a-half years?

5 A At that point.

6 Q All right. You mention that you are, you think  
7 you're Mrs. Adams' best friend, the defendant?

8 A Yes, ma'am.

9 Q Okay. You met her at church?

10 A Yes, ma'am.

11 Q You've seen her interact with people at church?

12 A Yes, ma'am.

13 Q Does she have other people at the church that  
14 interact with her or are friendly with her?

15 A Yes, ma'am.

16 Q How many?

17 A Most Mormons are pretty friendly, I would say.  
18 They're all friendly to her. It's hard to get to know her  
19 as a person. She's --

20 Q Okay.

21 A -- kind of keeps things on the inside.

22 Q But people were friendly with her?

23 A Oh yeah.

24 Q Did the church generally know about Paul Adams  
25 being ex-communicated? The church members?

1 A Yes, ma'am.

2 Q When that all happened were people supportive of  
3 the defendant?

4 A Yes.

5 Q And did anybody -- she was active in the church on  
6 certain groups. Correct?

7 A Yes, ma'am, she was active in church.

8 Q All right. What sort of, what sort of  
9 extracurriculars did Ms. Adams participate in within the  
10 church?

11 A Oh, at the church?

12 Q No, within the church, like piano and choir or?

13 A Oh, she played the piano for our primary.

14 Q And was she also active in choir?

15 A Um, I don't know if she was active in choir before  
16 he was arrested. She definitely was after. She wasn't  
17 while -- since I've known her and the time before Paul was  
18 arrested, she was not.

19 Q When did she join and start working on the piano  
20 for the church?

21 A Oh, she's been doing that since I've known her.

22 Q And you've known her for seven years?

23 A Yes, ma'am.

24 Q Are there practices related to the, to playing the  
25 piano?

1           A     No.  She usually just plays on Sundays.  And  
2 she'll practice after.  Or during while we're teaching the  
3 little kids, she'll play and practice.

4           Q     Were there times where she needed to come and  
5 participate in activities by herself because her kids  
6 couldn't be watched?

7           A     I, I don't know if she participated in, on any  
8 outside of Sunday activities.

9           Q     All right.  So if she told officers that?

10          A     Before he, before he was arrested, I'm not sure.

11          Q     So if she told officers that there were times  
12 where she needed to go to church activities where the kids  
13 couldn't come, she would be mistaken in that respect?

14          A     No, not, not to my knowledge.  I didn't attend all  
15 of the extracurricular activities.

16          Q     Okay.

17          A     I can only speak to the ones that I was at.  And I  
18 didn't attend many.  I work midnights, so usually at night  
19 I'm heading for work.

20          Q     Okay.  You mention that Paul would be out of town  
21 and he -- and you would come over when Paul was out of town?

22          A     Yes, I came over a few times, yes.

23          Q     And did Leizza ever express fear that, you know,  
24 you were helping her violate one of Paul's rules?

25          A     Not while he was gone, no.

1 Q And you just would come over whenever you felt  
2 like it?

3 A No. They would invite me.

4 Q Well, after an invite would you come over?

5 A Yes.

6 Q How frequently did you visit when Paul was out of  
7 town?

8 A Um, usually -- I didn't, I didn't visit that many  
9 times. He wasn't gone a lot. I came over a few times while  
10 he was in town but working. He went to work in Tucson for a  
11 little bit. And then came over a couple of times while he  
12 was in San Diego, just when they invited me.

13 Q So the defendant would let you come over in  
14 violation of Paul Adams' rule even when he was working and  
15 could have come home early?

16 A Right. And he did come home when I was there,  
17 once or twice.

18 Q Okay. Was there any reaction of the family to him  
19 coming home?

20 A They all kind of looked like, like kind of like,  
21 oh crap, he's home. Um, Paul had a respect for me. He  
22 didn't respect any women really. But I pretty much ignored  
23 him because I didn't respect him at all. I can't get into  
24 what he is. But, so he didn't do anything while I was  
25 there. I can't say to what happened when I left. I was

1 concerned after I left.

2 Q Did Leizza ever have bruises on her body at  
3 church?

4 A Not that I could see. She usually wore full  
5 length skirts.

6 Q Did the kids ever have bruises on their body?

7 A Not that I could see. They usually wore long  
8 sleeve shirts and pants.

9 Q Any of the kids ever blurt anything out about  
10 daddy hitting them or smacking them?

11 A No, ma'am. Not until after he was arrested.  
12 After he was arrested they did.

13 Q And Leizza, after he was arrested, explained to  
14 you that there had been some abuse?

15 A Yes, ma'am.

16 Q Do you know how long after he was arrested she  
17 made these disclosures to you?

18 A Pretty soon. Same with the kids. As soon as they  
19 found out he wasn't going to be coming home, they talked to  
20 me.

21 Q When you say soon, what do you mean?

22 A I mean like the next couple of Sundays.

23 Q Within a few weeks?

24 A Yes, ma'am. As soon as they found out he wasn't  
25 going to ever be back, they felt comfortable talking.

1 Q Did Leizza Adams ever disclose to you that she had  
2 hit her kids?

3 A Um, she did. She told me that Paul had given her  
4 options. Either he would beat them or she had to. So she  
5 would do it so that it wouldn't be as brutal.

6 Q Did she tell you how often she beat her kids?

7 A No.

8 Q Did she tell you she aimed for clothing areas so  
9 there would never be bruises at church?

10 A She did not tell me that, no. She just told me  
11 that she was given an option.

12 Q Now I want to make sure I understand the timeline  
13 because it was bouncing around quite a bit.

14 A Yeah, I kind of jumped back and forth.

15 Q You said -- did you ever offer to aid Mrs. Adams  
16 in leaving?

17 A I offered when she was pregnant with [REDACTED] for  
18 about the last year. I guess it was a year-and-a-half. I  
19 think [REDACTED] was 18 months old when Paul was arrested. When  
20 she was pregnant with [REDACTED] and from then out I said: You,  
21 you need to leave this guy.

22 Q But at that time she had never disclosed any sorts  
23 of abuse to you?

24 A No. I knew something was going on. But I didn't  
25 know -- was it sexual, was it physical, was it emotional. I

1 didn't know what it was. But I knew from the way the kids  
2 acted, they -- the way she acted, there was something going  
3 on in the home. But I didn't know what it was. And I  
4 couldn't get them to tell me.

5 Q Is it possible that you had offered to the  
6 defendant to help her leave the home longer? Like more like  
7 five years back?

8 A No. I don't believe so. For sure I told her when  
9 she was pregnant with [REDACTED] like you need to leave that  
10 house, like you need to leave him. You need -- I will go  
11 help you. At that point I had, um, the support of my fellow  
12 Border Patrol agents.

13 Q All right. And what prompted that conversation  
14 with Mrs. Adams?

15 A I just felt like things were, I don't know, the  
16 kids were getting worse. It seemed like they were, I don't  
17 know, things were getting worse. There was more and more  
18 tension, more often. Um, just some ways that [REDACTED] was  
19 acting, things like that. Just different. Like I've seen  
20 other kids that have been abused. I have studied some  
21 abnormal psych when I was, you know, in child psychology  
22 when I was getting my degree, things like that. Just like  
23 classic symptoms that we studied.

24 Q Did you talk to defendant about that and say:  
25 Obviously, your children are being abused?

1           A     I said: Leizza, I know something is going on in  
2 your home. I need to know what is going on. Like nothing  
3 would ever be said. I said: You need to leave him.

4           Q     Did you let her know that it wasn't only you but  
5 other Border Patrol agents that were supportive of and  
6 willing to aid her in leaving?

7           A     Yes. Paul hadn't even told her that he was fired  
8 for the terroristic threats. And apparently I was the first  
9 one that told her that. And at that point I was like: You,  
10 you need to leave. Like you need -- he's now risen to the  
11 point where he's out loud angrily threatened a federal  
12 agency. You should -- you need to pack your stuff. And you  
13 need to go home and pack your stuff in a van and get your  
14 kids and go.

15          Q     And what was her response?

16          A     Oh, and then she would start talking about  
17 something else. Anytime I got close to that conversation  
18 she would change the subject. And so I always left it with  
19 call me. If anything happens, you decide, you call me; and  
20 I will be there any time of the day, any time of the night.  
21 You call me.

22          Q     And did she ever call you?

23          A     Um, she texted me a couple of times but not about  
24 leaving. Um, I found out later Paul had cloned their  
25 phones. So a couple of times at church she would say:

1 Don't text me, don't call me. And I was like: That's kind  
2 of weird, you know, because I want to check in on you. And  
3 I found out later that he had cloned the phones so  
4 everything, all the texts she got and all the phone calls  
5 she got, he was also getting.

6 Q Would she likewise be able to see all of his  
7 activity on that cloned phone?

8 A No, no. She didn't see what he was getting. He  
9 saw what she was getting.

10 Q Do you know when that happened?

11 A I believe it was right -- I don't know this for  
12 sure. But it was right before the, like the year before the  
13 terroristic threats and right around the terroristic  
14 threats.

15 Q What year was the terroristic threats?

16 A It was oh, 2,000 -- well, when was he arrested?  
17 Because it was two years before he was arrested. So 2015?  
18 Give or take.

19 Q All right. And you said Paul was on an extended  
20 leave to California at some point?

21 A He took a couple of compassionate transfers to go  
22 help his parents.

23 Q And when were those?

24 A I don't know the years. They were three months.  
25 He got 90-day compassionate transfers from the Border

1 Patrol.

2 Q And so he took three months at a time?

3 A Right.

4 Q And he was gone the whole time to your knowledge?

5 A Um, he may have journeyed back and visited once or  
6 twice during the time. But most of the time he was gone.

7 Q Is that during one of the timeframes when you had  
8 offered to help Leizza Adams leave?

9 A Um, no. He didn't go visit after, after she was  
10 pregnant with [REDACTED] I don't think. I'm not positive on  
11 that. I didn't write down all the dates. I don't know.

12 Q Okay. But you believe that you had not offered to  
13 assist her to leave until she was pregnant with [REDACTED] You  
14 don't think you did it before that?

15 A I think that is when I first, because I think that  
16 was right around the time that the terroristic threats and  
17 stuff like that. And I was like this guy's -- I mean, he  
18 just threatened a Border Patrol agency, you know. What  
19 would he do to his family? What would he do to our church?  
20 You know.

21 Q After 2015 did Paul Adams leave town to go to  
22 Tucson sometimes?

23 A He did while he was -- yes. I believe he was  
24 working as an Uber driver up there or something.

25 Q And that's some of the times when you would come

1 visit?

2 A Uh-huh.

3 Q Is that a yes?

4 A Yes.

5 Q Just for the court reporter.

6 A Yes, ma'am. Sorry.

7 Q No problem. So how long would he be gone when he  
8 was up in Tucson working his second job?

9 A It would be different times, but I didn't always  
10 know.

11 Q Several hours?

12 A Oh yeah. Sometimes days at a time.

13 Q How many days at a time?

14 A It differed. I didn't always know.

15 Q Are we talking two to three or a week?

16 A Sometimes it was two to three. Sometimes it was a  
17 week. He has a brother who lives in Casa Grande, and he  
18 would stay up there.

19 Q So this is after 2015?

20 A Yes, ma'am, because he was on administrative  
21 leave.

22 Q All right. You, you mention that Leizza Adams  
23 doesn't communicate like, like a standard person. Does she  
24 know right from wrong?

25 A Yes.

1           Q     You mentioned she didn't know about affairs that  
2 her husband was having on her.  Have you ever known of other  
3 women who had no idea that their husband was having an  
4 affair?

5           A     Yes.

6           Q     Sometimes people can hide those things pretty  
7 effectively?

8           A     Yes, of course.

9           Q     And I'm very confused about the, the conversation  
10 that you were talking about protecting Paul -- or protecting  
11 Leizza from Paul because it sounded like you were talking  
12 about in the context of him already being in pretrial  
13 detention.  When did you have this conversation with Leizza  
14 that you would protect her from Paul if necessary?

15          A     Oh, when I was telling her that she should leave  
16 him.

17          Q     This is back in 2015?

18          A     Right, when I told her she needed to pack up her  
19 stuff and go.  And then one day she said:  Well, what if  
20 Paul's there; I can't pack my stuff.  And I said:  I'll go  
21 with you.  I'll go with you.  I'll take care of Paul.  Go  
22 pack your stuff and go.

23          Q     You just said one day.  It makes me feel that you  
24 had this conversation more than once.

25          A     Yeah, I talked to her multiple times about leaving

1 him.

2 Q All right.

3 A On Sundays.

4 Q During Sunday church you would talk to her about  
5 it?

6 A After church, yes.

7 Q And did you make it clear that you had a place for  
8 her and her kids to stay?

9 A No. Her family lived in San Diego. Her extended.  
10 All of her brothers, her sisters, parents.

11 Q But you'd help her get there?

12 A Correct.

13 Q And so sometimes in response to that question she  
14 had a nice linear answer for you, some concern with other  
15 things?

16 A She had a concern that Paul might be at the house.

17 Q Okay.

18 A And another time she said: He'll follow me if I  
19 go somewhere.

20 Q All right. And what did you tell her?

21 A That I didn't have an answer for her because he  
22 would. He would have. And I said: Well, you'll have to go  
23 to the police in San Diego, you know.

24 Q Did you offer to help her with that or make sure  
25 that her family helped her?

1 A Yes.

2 Q Sounds like you pretty much had a plan laid out  
3 for her?

4 A I tried to, yes.

5 Q You seem like an organized person.

6 A (Laughing) I don't know if I would go that far.

7 Q You also made a comment about Leizza disclosing to  
8 you that she knew about Paul molesting the girls; or one  
9 girl? I mean, what was the content of that discussion?

10 A One girl, [REDACTED]

11 Q And how did that come up?

12 A She was reading through her journal. And she had  
13 written it in a journal.

14 Q Did -- what did she write in the journal?

15 A That Paul had gone to our bishop and confessed.  
16 And the bishop called her in and let her know that she had  
17 stepped over a huge line in the sand that she had drawn  
18 before that. She had drawn a line saying if you ever touch  
19 my kids. So he called her in, said this happened, Paul  
20 confessed to me, he told me he did this to [REDACTED] one of  
21 you needs to leave the house.

22 Q All right. What did Paul confess to doing to

23 [REDACTED]

24 A Sexually molesting her.

25 Q Performing oral sex on her --

1 A I didn't hear what.

2 Q -- is that what Ms. Adams said?

3 A She didn't tell me specifically what it was at  
4 that point.

5 Q Okay.

6 A She just said it was sexually molesting [REDACTED]

7 Q So if she said to the probation officer that he  
8 performed oral sex on their child?

9 A That would count as sexual abuse.

10 Q Do you think she was accurately describing it to  
11 the officer?

12 A Yes, ma'am.

13 Q And do you know what year this was?

14 A I don't. I don't. I'm not sure. I just know it  
15 was in one of the journals she was reading.

16 Q Did she --

17 THE COURT: Well, excuse me. If I could follow up  
18 on that. The question was a little bit ambiguous. Do you  
19 know what year this was? Because there are two  
20 possibilities here. First of all, what year if you recall  
21 was this conversation with Ms. Adams when she had her  
22 journal? When did that conversation with you --

23 THE WITNESS: When did she tell me?

24 THE COURT: Yes.

25 THE WITNESS: It was this past year.

1 THE COURT: So it was after Paul's death.

2 THE WITNESS: Yeah. I didn't find out until after  
3 Paul was gone.

4 THE COURT: And the question that Ms. Ransom asked  
5 you, about what year did this happen, you were answering it  
6 in terms of the actual act by Paul against [REDACTED]

7 THE WITNESS: Yes, your Honor.

8 THE COURT: And you don't know when that happened.

9 THE WITNESS: I'm not sure what year the journal  
10 was from or -- no.

11 THE COURT: All right. The presentence report  
12 contains a lengthy statement from Leizza Adams. And I  
13 believe she attributes that act, or at least the  
14 conversation with the bishop, to 2010. Do you have any way  
15 of indicating that that's correct? Incorrect? Or anything  
16 else to help us pinpoint the date?

17 THE WITNESS: I moved here in 2011. And it was  
18 before I moved here. And I mean that would make sense  
19 because the bishop that was the bishop who told her was  
20 released right before I got here in 2011, so that would make  
21 sense. 2010 would make sense.

22 THE COURT: 2010 would make sense?

23 You may proceed.

24 BY MS. RANSOM:

25 Q Thank you. What was the name of the bishop who

1 participated in this disclosure?

2 A Do I have to tell you?

3 Q Yes.

4 A It was Bishop Herrod.

5 Q How do you spell that?

6 A H-E-R-R-O-D.

7 Q And did Leizza tell you what she did in response  
8 to this disclosure?

9 A No. I was pretty astounded. But, yeah, she  
10 didn't, obviously she didn't leave him so --.

11 MS. RANSOM: All right. Nothing further.

12 THE COURT: Thank you, Ms. Ransom.

13 And, Mr. Hicks, redirect?

14 MR. HICKS: None, your Honor.

15 THE COURT: Before you step down, you mentioned  
16 earlier in your testimony that Paul Adams had been  
17 ex-communicated. And normally secular courts like this one  
18 don't get involved in matters relating to church  
19 organization or membership. But I am trying to understand  
20 the timeline as best as I can. Do you know, and if you  
21 don't know it's fine, when Paul Adams was ex-communicated?

22 THE WITNESS: I don't know the year, your Honor.  
23 I'm not sure when exactly he was ex-communicated.

24 THE COURT: Do you know whether his status when  
25 you moved here and met the Adams family was that of having



1 EXAMINATION

2 BY MS. RANSOM:

3 Q Did she need to read her journal to refresh her  
4 memory on why Paul was ex-communicated?

5 MR. HICKS: Objection, your Honor, argumentative.

6 THE COURT: No. Overruled. You may answer.

7 THE WITNESS: I was just trying to think. I don't  
8 know. I'm not sure actually because she just told me, so I  
9 don't know if it was, she had been reading her journals,  
10 because her former public defender had asked her to get all  
11 of her journals and read them. And during that time she was  
12 telling me information. And so I don't know if she read it  
13 in her journal or if it was -- I don't recall if we were  
14 just talking about it and she told me.

15 BY MS. RANSOM:

16 Q So are you saying that the first time you learn of  
17 the basis for Paul Adams' ex-communication is, um, was after  
18 Paul Adams' arrest?

19 A I had heard rumors. But the first time I heard  
20 exactly what it was for, yes, was after his arrest.

21 Q So Leizza Adams had never told you why Paul was  
22 ex-communicated until after his arrest?

23 A Right.

24 Q How did that come up?

25 A I think I asked her. I was just curious.

1 Q Did she answer directly?

2 A She kind of beat around the bush. And then I kept  
3 asking her.

4 Q And what did she ultimately answer as to why he  
5 was ex-communicated?

6 A The reason he was ex-communicated?

7 Q Yes.

8 A He had sex with his mother.

9 Q And --

10 A And he then told the bishop that he had.

11 Q And then she was told as well?

12 A Yes, I believe so.

13 Q And that was, again, years before Paul Adams'  
14 arrest?

15 A Yes, it was before he was arrested.

16 MS. RANSOM: Nothing further.

17 THE WITNESS: You mean that it happened?

18 MS. RANSOM: Yes.

19 THE WITNESS: Yes.

20 BY MS. RANSOM:

21 Q And she knew that it had happened years before his  
22 arrest?

23 A Yes, that he was ex-communicated, yes, and what  
24 happened, yeah, in terms of being ex-communicated, yes.

25 Q All right. So Leizza Adams understood the basis

1 for her husband's ex-communication years before his arrest?

2 A I believe so, yes.

3 MS. RANSOM: Nothing further.

4 THE COURT: Mr. Hicks, anything further to ask the  
5 witness?

6 MR. HICKS: No, your Honor.

7 THE COURT: Ms. Warr, thank you very much. You  
8 may go ahead and step down. Be careful of the step as you  
9 go.

10 And I believe, Mr. Hicks, Ms. Warr was your only  
11 witness at this point.

12 MR. HICKS: Well, I've got a little bit of an  
13 issue because I'm going to be quoting things from Leizza  
14 that she has written either for the court or for the  
15 probation.

16 THE COURT: All right.

17 MR. HICKS: And I'm thinking now maybe I better  
18 call her.

19 THE COURT: Well, I'll leave that to you. If  
20 something is part of the presentence report, including the  
21 defendant's version, it's fair to quote it or argue with  
22 regard to it. That's perfectly fine. But if you want to  
23 call Ms. Adams, you may.

24 MR. HICKS: No, I'm okay then. I'm not going to.

25 THE COURT: All right. So no additional witnesses

1 at this time?

2 MR. HICKS: No.

3 THE COURT: All right. Well, perhaps we can get a  
4 few minutes in on the testimony of the state's first  
5 witness.

6 Whom would you like to call?

7 MS. RANSOM: State will call FBI Agent J Allen.

8 THE COURT: All right. Agent Allen, please come  
9 forward. The clerk will administer the oath or affirmation.

10

11 AGENT J ALLEN

12 called as a witness herein, being first duly sworn, is  
13 examined and testifies as follows:

14

15 THE COURT: Take the witness, please, sir.

16 Agent Allen, I would like to make sure we can all  
17 hear your answers when you give them. So when you answer  
18 please speak into the microphone. You can move it around  
19 and move it closer if you need to.

20 THE WITNESS: Yes, sir.

21 THE COURT: Ms. Ransom, you may proceed.

22

23 EXAMINATION

24 BY MS. RANSOM:

25 Q Good afternoon.

1           A     Good afternoon.

2           Q     Can you please state and spell your name for the  
3 benefit of the court reporter.

4           A     Yes. My name is J Corey Allen. Last name is  
5 spelled A-L-L-E-N.

6           Q     And J is just J, standing alone?

7           A     It's a one-letter first name.

8           Q     And where do you work?

9           A     I work for the Federal Bureau of Investigations in  
10 Sierra Vista, Arizona.

11          Q     And how long have you been an agent?

12          A     Just over three years.

13          Q     Have you -- were you involved in the investigation  
14 of Leizza Adams in 2017?

15          A     Yes, I was.

16          Q     What prompted your investigation?

17          A     The investigation with our office was triggered  
18 when Homeland Security Investigations brought us a video  
19 that included child sexual exploitation.

20          Q     And what -- and how did you end up at, to meet  
21 Mrs. Adams as a result of that video?

22          A     So the video was brought to us. And prior to that  
23 point, um, the video, the video included just a second or  
24 two of the face of the offender. The -- we were able to  
25 narrow down -- we were able to make a list of potential

1 subjects. And pretty quickly the main subject, the main  
2 suspect, was Paul Adams.

3 Q All right. And were you involved from the outset  
4 of notice of this video?

5 A I was, yes.

6 Q Okay. Were you moving quickly on this case?

7 A We were.

8 Q Why?

9 A We were moving quickly because in the video the  
10 video contained images of a minor female, nine, 10, maybe 11  
11 years old, um, who was being molested by an adult male. In  
12 the video the, the young girl referred to the offender as  
13 daddy. Also with her mannerisms it seemed she knew the  
14 offender, so we thought this was an incest situation. And  
15 we expected that the child was probably still in custody of  
16 the offender.

17 Q And you said there was a suspect, Paul Adams. Did  
18 you have any way to track down Paul Adams?

19 A Yes. We ran some database checks on Paul Adams,  
20 determined that he was a federal employee. And we were able  
21 to find an address for him in a federal database.

22 Q Did you secure a search warrant?

23 A We obtained the search warrant on February 8th,  
24 2018, and searched his residence.

25 Q Is that the same date you reviewed the video?

1           A     Agent Sines (phonetic), Homeland Security  
2     Investigations, brought us the video on February 7th, the  
3     day before. And I don't recall if I viewed the video on the  
4     7th or the 8th.

5           Q     Okay. What was going to be searched in the search  
6     warrant? What sort of physical location?

7           A     It was the entire residence.

8           Q     All right. And it was a family residence?

9           A     It was.

10          Q     Where is it located?

11          A     Just outside of Bisbee.

12          Q     And why were you searching the family residence?

13          A     The video, um, the video included, the video was  
14     filmed inside a structure. Based on the, um, the, the  
15     bedding, the environment, the room, it looked like it was  
16     filmed inside of a residence. Couldn't tell exactly what  
17     kind of room it was, but it looked like it was a family  
18     residence.

19          Q     Was a team assembled to execute on the search  
20     warrant?

21          A     There was.

22          Q     Were roles assigned before execution?

23          A     Yes, ma'am.

24          Q     What did you do?

25          A     I was assigned to interview Ms. Adams.

1           Q     And so what did you understand about the residence  
2     and the suspect before you executed the search warrant?  You  
3     obviously knew you were going to be interviewing a wife.

4           A     Correct.

5           Q     Okay.

6           A     So we understood that, that our suspect worked for  
7     Border Patrol.  We understood that there were multiple  
8     children in the house.  Um, and we suspected that the abuse  
9     occurred, that we had at least one confirmed victim, and the  
10    abuse probably occurred inside the house.  We also knew that  
11    the abuse had been recorded and that it had been  
12    distributed.

13          Q     And did, did you know Leizza Adams, the woman you  
14    were about to interview?

15          A     I did not.

16          Q     Did you go with the team to execute the search  
17    warrant?

18          A     I did.

19          Q     So you were among the first to arrive on scene?

20          A     I was.

21          Q     Was anyone at the house when you arrived?

22          A     Yes.  Paul Adams was not at home.  But Mrs. Adams  
23    and her children were.

24          Q     Do you know if -- what -- how many children are in  
25    the Adams household?

1 A They have six children; two girls, four boys.

2 Q Do you know if all of them were present?

3 A I believe they were. I believe all six children  
4 were home.

5 Q Okay. And as we proceed forward, just for  
6 privacy, I want to refer to the oldest girl as M-1 and the  
7 youngest girl as M-2.

8 A I understand.

9 Q All right. Do you know how old M-1 was at the  
10 time you executed the search warrant?

11 A She was 12 years old.

12 Q Okay. Do you know how old M-2 was at the time you  
13 executed the search warrant?

14 A Not exactly. M-2 was young, guessing between zero  
15 and 18 months.

16 Q Did you know the date that the video at issue had  
17 been made at the time you executed the search warrant?

18 A The video's produced sometime in January of 2015.

19 Q The victim in the video, could you tell from  
20 looking at it her approximate age?

21 A She appeared to be nine, 10, maybe 11 years old.

22 Q And you're executing in February of 2018?

23 A The warrant was executed on February 8th, 2017.

24 Q So two, three years after it was produced? Three  
25 years?

1           A     Two years.

2           Q     Two years.  Excuse me.  I'm terrible at math.  
3     That's why I'm a lawyer.

4           THE COURT:  Well, let's stop here.  I've been  
5     handed a note that the grand jury has completed its work for  
6     today.  So I'll go take their returns.

7           Also I mentioned that 3:00 hearing that I have  
8     here should be about five minutes.  But let's say we'll  
9     start up again here in this courtroom at, let's say 3:15  
10    just to allow for any problems.

11          So, Agent Allen, you can go ahead and step down,  
12    temporarily at least.  And we'll be at recess until 3:15.  
13    Thank you.

14          (A recess is taken.  Thereafter, proceedings  
15    resume in open court as follows.)

16          THE COURT:  All right.  Back on the record with  
17    State of Arizona against Leizza Adams, case number  
18    CR201700425.  The record may show that Ms. Adams is present,  
19    both the attorneys are here.  Detective Borquez is here.  
20    And the GAL and CASA for the children remain here.  And  
21    Agent Allen is on the witness stand.

22          You are still under oath, sir.

23          Ms. Ransom, you may proceed.

24

25

EXAMINATION CONTINUES

1 BY MS. RANSOM:

2 Q Agent Allen, were you able to speak with the  
3 defendant, Leizza Adams, on February 8th when the search  
4 warrant was executed?

5 A Yes, I did.

6 Q About what time did the interview with her start?

7 MR. HICKS: May I interrupt just briefly, your  
8 Honor?

9 THE COURT: Yes.

10 MR. HICKS: During the break I was advised that  
11 people in the back couldn't hear the officer testify. And I  
12 was having trouble too. I just didn't want to interrupt.

13 THE COURT: All right. So, Agent, if you would be  
14 so kind as to make a concerted effort to speak into the  
15 microphone. It might help if you pull it a bit towards you.  
16 And let's hope that takes care of it.

17 Go ahead.

18 BY MS. RANSOM:

19 Q About what time did you begin the interview with  
20 the defendant?

21 A Interview started at approximately 6:30 in the  
22 evening

23 Q And was that right when officers arrived?

24 A No. The officers arrived, oh, some amount of time  
25 before that. There was, there's a period of time when we

1 make contact with the defendant and the other people in the  
2 house, kind of explain what was going on, had her come out.  
3 So there was a short delay before the interviews began.

4 Q Between ten to 15 minutes.

5 A Fifteen to 20 minutes maybe.

6 Q All right. And you said you kind of explained why  
7 you were there. Did you tell the defendant why you wanted  
8 to interview her?

9 A At first I was kind of vague, explained that we  
10 were there serving a search warrant and it was regarding her  
11 husband.

12 Q Did you ask her if she had any idea as to why  
13 agents were present?

14 A I did.

15 Q And what did she say?

16 A She said that she, she guessed that it was because  
17 of an incident that Paul had had at work sometime earlier.

18 Q Did you correct her and provide her any additional  
19 detail before commencing the interview?

20 A Yes. I told her that that's not why we were  
21 there. Um, and we began talking about, um, we began talking  
22 about kind of background things; um, you know, her name,  
23 number of children, that sort of thing. And the interview  
24 progressed to technology, devices in the home. And then we  
25 also discussed pornography and Paul's pornography use.

1           Q     All right.  And at that point did defendant know  
2 that you were there due to child pornography allegations?

3           A     I eventually told her that, yes.

4           Q     Okay.  How did she react?

5           A     She speculated that the child pornography was Paul  
6 recording their sons before bath time.  And before bath time  
7 they would, they would be naked and running around the  
8 house; and she thought perhaps Paul had recorded that.  And  
9 I explained that that wasn't why we were there.  And she  
10 said, well, maybe it's because, um, there was, about a week  
11 ago, where M-1 had been changing her clothes, and Paul  
12 recorded that.

13          Q     And did she -- so she knew about an instance of  
14 Paul Adams recording M-1 changing?

15          A     She did.

16          Q     Did she -- did you ask her if she had reported  
17 that incident?

18          A     We talked about that incident a little bit.  She  
19 had not reported -- or she did not think that she had  
20 reported it to anybody.  She said that, um, Paul initially  
21 was recording her surreptitiously and that when M-1 became  
22 aware of it, M-1 went to the defendant, told her what Paul  
23 was doing, and that the defendant went to Paul, yelled at  
24 him, told him not to do that, and made him erase the  
25 recording off his phone.

1           Q     So Ms -- defendant was aware that Mr. Adams had  
2     been not only doing it once, recording M-1, but he had been  
3     surreptitiously recording her getting changed as well?

4           A     Well, the incident she described was just one  
5     incident about a week before we served the warrant.

6           Q     Okay. But you had mentioned something about  
7     surreptitious recording?

8           A     The surreptitious recording was that incident  
9     where he started recording her and she didn't realize it,  
10    M-1 didn't realize that she was being recorded while she was  
11    changing clothes.

12          Q     Okay. But Mrs. Adams didn't call authorities, to  
13    your knowledge, about that incident?

14          A     Correct.

15          Q     Instead she made sure that the evidence was  
16    destroyed?

17          A     Correct.

18          Q     At some point during the interview did you give  
19    more detail to the defendant about the nature of the child  
20    pornography you were investigating?

21          A     Yes. So, um, we took a break during the  
22    interview. And during the break I -- so during this  
23    interview other agents were interviewing Paul Adams. During  
24    the break I spoke with those other agents. And they advised  
25    me that Paul had admitted to them that he had molested both

1 M-1 and M-2. So after the break I went back to Mrs. Adams  
2 and told her this, that Paul had molested their two  
3 daughters.

4 Q And do you recall her having any reaction to that  
5 information?

6 A Yeah. She did react. Um, she, she kind of got  
7 quiet and turned to the side, and I think started crying, or  
8 I think there was a tear.

9 Q Okay. Did she appear surprised?

10 A No, she didn't appear surprised. Um, I asked her  
11 how, how she was reacting. And she said that she, um, she  
12 was not surprised, she was upset but not surprised.

13 Q About -- that's a quote, to the best of your  
14 recollection?

15 A Yes.

16 Q Did you ask her why she was not surprised?

17 A I did.

18 Q Okay.

19 A I did. And she said because Paul was weird. I  
20 believe weird was the term that she used. And I asked her  
21 what she meant by that. And she said that, um, she said  
22 that he would, he would walk around the house in just  
23 underwear, or naked. And then she also referred to how much  
24 he viewed pornography.

25 Q And did she know what kind of porn Paul Adams

1 watched? She said he viewed pornography?

2 A Yes, we discussed that. She, she said he watched  
3 all kinds of pornography. And I clarified, asked her a  
4 follow-up question, whether he watched child pornography.  
5 And she said she had never seen him watch child pornography.

6 Q Okay. Did she know how Paul Adams received his  
7 pornographic images or his videos?

8 A We discussed Paul's use of pornography. She said  
9 that typically he would sit on the couch in their living  
10 room after the kids had been put to bed, that while sitting  
11 on the couch he would have a laptop and view pornography on  
12 the laptop.

13 Q And were the kids around?

14 A When he was viewing pornography?

15 Q Yes.

16 A She said that he would make an effort to shield  
17 his pornography use from the kids, that he would wait,  
18 typically he would wait until after they were put to bed;  
19 but that sometimes the kids would get up after being put to  
20 bed, get a drink of water or something like that, and they  
21 would see him viewing pornography.

22 Q All right. You said you discussed electronic  
23 devices with Mrs. Adams. Did you talk about her -- Paul  
24 Adams' use of electronic devices with respect to porn?

25 A Yes.

1 Q What did she say about that?

2 A We discussed the number of devices that they had.  
3 They had several tablets, a couple of, a couple of phones,  
4 Smartphones.

5 Q Did she have any understanding of whether Paul  
6 Adams had pornography on his cell phone?

7 A We discussed the cell phones. She said that she  
8 did not know if he had pornography on his cell phone. She  
9 said that the phones were, um, were linked, they were linked  
10 to a Google account and that she would, she would receive  
11 notifications from the Google service when Paul uploaded  
12 files to their Google account or to their cloud or to the  
13 internet. I asked her if she knew what was being uploaded,  
14 and she said that she didn't. She said that she would get  
15 the notification, a particular notification, and never go  
16 into the phone or check on what was being uploaded.

17 Q Are you familiar with a Google shared account at  
18 all?

19 A Not very.

20 Q Okay. Aside from the porn and Mr. Adams walking  
21 around naked or just in underwear in the household, did she  
22 identify any other things with respect to her comment on him  
23 being weird?

24 A So when, when she's making the comment about him  
25 being weird and, um, why she wasn't surprised, she also made

1 the comment that one of the reasons she wasn't surprised  
2 that he had molested the kids was that, um, she knew that's  
3 what porn did to people.

4 Q All right.

5 A I think is what she said.

6 MR. HICKS: I'm sorry. I didn't hear the last  
7 answer.

8 THE COURT: The last answer. I heard it. But  
9 would you repeat it, please. And as I mentioned before,  
10 make an effort to ensure that everyone else can hear what  
11 you have to say.

12 THE WITNESS: Yes, your Honor. She said that, in  
13 response to me asking why she wasn't surprised, she said  
14 that that's what porn does to people.

15 BY MS. RANSOM:

16 Q Were you in the courtroom when the prior witness  
17 was kind of talking about Paul Adams' ex-communication?

18 A I was.

19 Q Did the defendant talk to you about Paul Adams'  
20 ex-communication from the church?

21 A She did.

22 Q And what did she tell you?

23 A She told me that Paul had been ex-communicated  
24 because, because he had sex with his mother.

25 Q Do you know how that conversation came up?

1 A Which conversation?

2 Q Sorry. Do you know how that information came up,  
3 why she -- what question prompted her to tell you that?

4 A I don't recall.

5 Q Okay. But she knew that, and she didn't look at a  
6 journal before telling you?

7 A No. She knew that right off the top of her head.

8 Q Okay. And did you ever ask the defendant directly  
9 if she knew what was happening to her girls?

10 A Yes, I did.

11 Q And what did she say?

12 A I asked her if she, um, if she knew that M-1 and  
13 M-2 had been molested. And she said no.

14 Q She didn't go off on a tangent and talk about a  
15 field trip or something?

16 A No. It was a pretty direct answer.

17 Q All right. Did you ask her if she suspected  
18 anything about molestation in the household?

19 A Immediately after that answer I asked her if she  
20 suspected that her two daughters might have been molested.  
21 And again she said no.

22 Q Okay. And was this a direct answer?

23 A Pretty direct.

24 Q How long did this interview last?

25 A I don't recall exactly. I think it was within one

1 and two hours including breaks.

2 Q Okay. And during the breaks did Mrs. Adams  
3 attempt to go interact with her children at all?

4 A No.

5 Q When you disclosed to her that was her daughters  
6 that may have been the subject of Paul Adams' conduct, did  
7 she express any concern for her children?

8 A She did not.

9 Q Did she ask to stop the interview and go talk to  
10 them?

11 A No.

12 Q Did she, um, say she needed to comfort her  
13 children?

14 A No.

15 Q Did you see Mrs. Adams interact with her children  
16 at all during the one to two hours you were present with  
17 her?

18 A The only interaction that I recall observing is  
19 when we first arrived at the house, knocked on the door. I  
20 believe Mrs. Adams came to the door holding M-2.

21 Q All right. At some point during the course of the  
22 interview did Mrs. Adams ask if she could take one of her  
23 children somewhere?

24 A Yes.

25 Q Which child?

1           A     M-1.

2           Q     And where did she want to go with the child?

3           A     So part way through the interview, it was  
4     approaching 7:00, she asked if, she asked if she would be  
5     permitted to take M-1 to a church activity. She said that  
6     there was an activity at church that they were planning on  
7     taking M-1 to.

8           Q     Was she able to take M-1 to the church activity  
9     that night?

10          A     No. I told her that that probably wasn't going to  
11     happen that night.

12          Q     What happened to the children after you completed  
13     your interview, or during the course of the interview with  
14     Mrs. Adams?

15          A     During the interview the children, all six  
16     children, were removed from the house. They were placed in  
17     a vehicle with a couple of agents. I believe they were  
18     watching Netflix or something on a laptop during the  
19     interview and during the search. At the conclusion of the  
20     interview and the search the children were turned over to  
21     DCS custody.

22          Q     All right. Was defendant Adams arrested after you  
23     completed your interview with her?

24          A     Referring to Mrs. Adams?

25          Q     Yes. Did I use the wrong name? Was the defendant

1 arrested after you completed your interview? I apologize if  
2 I used the wrong name.

3 A No, she was not arrested.

4 Q And why not?

5 A There was not probable cause to, to think that she  
6 committed a federal crime.

7 Q And as far as your jurisdiction, what, what do you  
8 think you would have needed for probable cause purposes in  
9 order to arrest her?

10 A Well, we would have needed probable cause for a  
11 federal offense, which would have included possession or  
12 distribution of child pornography.

13 Q Did you have any information that Mrs. Adams had  
14 herself possessed or distributed child porn?

15 A No.

16 Q Did you have any information that the offenses  
17 were committed on an Indian reservation?

18 A No.

19 Q Did you have any information that any of these  
20 offenses were committed while traveling across state lines  
21 or that Mrs. Adams was participating in them for that  
22 reason?

23 A No.

24 Q Do you know, since you didn't have probable cause,  
25 do you know if any effort was made to involve other

1 authorities with respect to the defendant?

2 A A representative from DCS was present during my  
3 interview. At the conclusion of my interview he asked some  
4 questions. And he was the one that decided to remove the  
5 children and put them into state custody.

6 Q Did you ever speak with defendant Adams again  
7 after the evening of February 8th?

8 A I did.

9 Q How many times, if you know?

10 A I don't know how many times. Several.

11 Q You think about 10, or more or less?

12 A It's probably a couple more than 10.

13 Q Did you have any idea why she was contacting you?

14 A Yes. So she contacted me several times for  
15 several different reasons. Um, sometimes they were, um,  
16 inconsequential, immaterial to the investigation. Other  
17 times they, they were significant.

18 Q As far as significant interactions, what was the  
19 first significant interaction you had with defendant Leizza  
20 Adams after February 8th?

21 A So she contacted my office and reported that she  
22 had located some additional devices in her home that she  
23 thinks that we missed during the search warrant. And she  
24 agreed to bring those devices to my office and voluntarily  
25 turn them over.

1 Q Do you remember what date that was?

2 A I believe that was March 27th.

3 Q Or February 27th?

4 A Maybe February 27th, yeah.

5 Q All right. And did you have another interaction  
6 with her on March 2nd?

7 A Yes, I did.

8 Q And what was that interaction?

9 A So on March 2nd she had called my office, spoke  
10 with me and reported that, that she had found some  
11 questionable images on her television screen, that there  
12 were, that there were some photographs on her television  
13 that she wasn't comfortable with. And she wanted me to come  
14 and see them.

15 Q Did you do that?

16 A Myself and another agent went, drove to her house.  
17 Um, it turns out that there was a, um, a thumb drive  
18 attached to the television that had photographs on it. And  
19 the photographs were acting as a screen saver. The  
20 photographs were of the defendant, looked like they were  
21 shortly after the birth of M-2. Um, and they were maybe in  
22 poor taste, maybe inappropriate, but certainly nothing --  
23 not pornographic, and certainly not child pornography.

24 Q While you were present did you notice Mrs. Adams  
25 engaging in anything that you found odd or problematic?

1           A     So while we were there we met her parents. Her  
2 parents were present helping her clean the house and  
3 straighten things. And we noticed that they had a shredder  
4 that they were using to shred documents.

5           Q     Did you talk to her about the shredder?

6           A     I think just briefly. Um, I wanted to make sure  
7 that they weren't destroying anything that would be  
8 important or relevant to Paul's case.

9           Q     Did she assure you that she wasn't?

10          A     She agreed to not destroy anything that was  
11 relevant to Paul.

12          Q     Did you participate in a free talk in August of  
13 2017 with Leizza Adams?

14          A     On August 31st, yes.

15          Q     Yes?

16          A     I did.

17          Q     And did she give some additional information about  
18 the document destruction at that time?

19          A     She did. She said that, um, that documents  
20 regarding Paul had been destroyed.

21          Q     And did she say who did it?

22          A     I don't recall her saying who did it.

23          Q     You don't recall her saying that she did it with  
24 some friend?

25          A     I don't.

1 Q Okay.

2 THE COURT: Did she say whether those documents  
3 had been destroyed before or after you had cautioned her not  
4 to destroy any documents pertaining to Paul Adams?

5 THE WITNESS: I don't recall her saying if it was  
6 before or after.

7 THE COURT: Thank you.

8 You may proceed.

9 BY MS. RANSOM:

10 Q Any other interactions with Mrs. Adams?

11 A Yes.

12 Q And you mentioned some inconsequential ones. Why  
13 do you call them inconsequential?

14 A Um, because they weren't relevant to the case.  
15 For example, there was one time that, um, she called to ask,  
16 um, if I thought that she should, if I thought that she  
17 should sell her car. And I told her that, you know, was up  
18 to her and, you know, I couldn't tell her one way or the  
19 other. So things like that.

20 Q All right. And then you had mentioned the  
21 August 31, 2017, free talk. Were you present for that?

22 A I was.

23 Q When you were sitting in the free talk did you  
24 notice any differences between what she was saying at that  
25 point versus what she had discussed with you on

1 February 8th?

2 A She mentioned several things in the free talk that  
3 did not come up or were inconsistent with my prior  
4 interview.

5 Q Do you remember any of those things right now?

6 A For example, um, during the free talk she, she  
7 discussed how Paul would and Paul had masturbated in front  
8 of the children.

9 Q Go ahead.

10 A She also, she also talked about a rule that she  
11 had set up regarding her children being around Paul,  
12 specifically that, that her daughters weren't allowed to be  
13 with Paul alone.

14 Q All right. Did she talk -- was there any  
15 particular items during the search warrant that were odd  
16 that you found all around the house?

17 A Yes. One of the things that was odd was there was  
18 several containers of lubricant that were located throughout  
19 the house.

20 Q And on the night of the interview did Mrs. Adams  
21 talk to you about the lubricant in response to saying that  
22 he was weird?

23 A No, she never mentioned anything about the  
24 lubricant.

25 Q Did she mention it during the free talk?

1 A She did.

2 Q Do you remember in what context she was mentioning  
3 it?

4 A Um, I don't recall what, what question was asked  
5 to bring it up. But I believe that she said that, um, that  
6 the lubricant was around the house, um, because Paul would  
7 use it to put on his hand.

8 Q In addition to the masturbation, did she talk  
9 about any of her children interacting with Paul Adams as a  
10 result of the masturbation?

11 A She did.

12 Q And how so?

13 A She said that some of her, some of her boys would  
14 occasionally go up to Paul and yank on his penis when he was  
15 walking around the house naked.

16 Q All these points that came out during the free  
17 talk, were you surprised to hear them?

18 A I was.

19 Q Why?

20 A Um, because those are things that I would have  
21 expected her to discuss with me during my interview with  
22 her.

23 Q And are you worried that maybe you just weren't  
24 asking the right questions of her?

25 A Um, perhaps. I don't, I don't know why she

1 decided to disclose those things during the free talk. But  
2 I, during my interview with her, I was there, the point of  
3 my interview was to talk to her about inappropriate sexual  
4 conduct that Paul was having with her children. I think  
5 that masturbating in front of them and having lubricants all  
6 around the house and having her sons yank on her husband's  
7 penis walking around the house is inappropriate sexual  
8 conduct.

9 Q You think the average parent who sees those things  
10 might suspect sexual molestation is occurring?

11 A Yes.

12 Q And you asked her that question about sexual  
13 molestation directly, did you not?

14 A I did.

15 Q And her answer was no. Did she pause at all? Did  
16 she think about it?

17 A No.

18 Q After the free talk did you interact with  
19 defendant Leizza Adams again?

20 A Yes.

21 Q And when was that, if you remember?

22 A That was on October 27th. She called me at my  
23 office wanting to talk to me about the free talk. So she,  
24 Mrs. Adams, told me that during the free talk, um, she had  
25 answered -- some of her answers during the free talk were

1 incomplete. Not that they were untruthful but that they  
2 weren't, they weren't giving the whole picture.

3 Q All right. Did you ask her what she meant by  
4 that?

5 A I did. I did. She said that, um, over the years  
6 she had, um, developed kind of default answers to  
7 uncomfortable questions and that she was nervous during the  
8 free talk because of the number of the people in the room  
9 and the nature of the questions being asked. And because  
10 she was nervous she reverted back to her kind of default  
11 answers, which again she said weren't false but weren't  
12 entirely truthful either.

13 Q All right. Were you ever able to ascertain from  
14 the defendant what default answers she had provided to  
15 authorities that day?

16 A No, I didn't. I suggested the best way to fix  
17 this was for her to discuss this with her attorney and that  
18 through her attorney she could schedule another free talk in  
19 which she could give more complete answers.

20 Q Did the free talk -- what was the general nature  
21 of the free talk? What were the sort of questions that were  
22 being asked of defendant Adams?

23 A The free talk covered a pretty broad spectrum of  
24 questions and topics. Generally the focus was on the sexual  
25 abuse of their children.

1 Q And Leizza Adams, when she visited you after the  
2 free talk, she mentioned she had default answers related to  
3 uncomfortable questions that she had provided to  
4 authorities?

5 A Correct.

6 Q Did you ask her how many times she had previously  
7 been asked about her husband sexually abusing her children  
8 over the years such that she had default answers to those  
9 questions?

10 A I did not ask her that.

11 Q Any other interactions with Mrs. Adams?

12 A The only other significant interaction that I had  
13 with her was in December, December 17th, when I call to tell  
14 her about her husband passing away.

15 Q And did she have a reaction?

16 A That conversation was over the phone.

17 Q Okay.

18 A But she was not upset. Um, there were -- a  
19 divorce proceeding was underway. And, um, she made a  
20 comment along the lines that that was -- um, Paul's suicide  
21 was going to make her life easier.

22 Q Did she express any concern over how her children  
23 might take the news?

24 A She did not.

25 Q In your interviews with Mrs. Adams did she ever

1 claim that Paul Adams was abusive to her?

2 A She made a comment that, um, that Paul would  
3 occasionally get angry and throw things. Um, she never made  
4 an allegation of abuse.

5 Q Um, and I want to know about your one-on-one  
6 interactions with her when there aren't a bunch people in  
7 the room. Did she ever claim that Paul Adams was physically  
8 abusive to her?

9 A No.

10 Q Did she ever claim that he was emotionally abusive  
11 to her, besides the yelling?

12 A No.

13 Q Did she ever claim that Paul Adams had sexually  
14 assaulted her?

15 A No.

16 Q Did she ever claim that she feared for her safety  
17 from Paul Adams?

18 A No.

19 Q Did she tell you if she ever thought of leaving  
20 Paul Adams?

21 A Not in my interview on February the 8th.

22 Q Okay. Do you remember her making a different  
23 statement during the free talk in August?

24 A She did.

25 Q And what did she say with respect to leaving Paul

1 Adams during her free talk?

2 A During the free talk she said that there was a  
3 time when, during, during an interview or a discussion with  
4 her bishop that, um, she was asked where the line was; how  
5 far is too far. And she said: If Paul ever touched any of  
6 my children then I'm going to leave him.

7 Q Then I'm going to leave him. Not again, pause,  
8 I'm going to leave him.

9 A Correct.

10 Q Okay. Did she explain what she meant by touching?

11 A Sexual touching.

12 Q Did she explain why she would be concerned in  
13 drawing lines about Paul sexually touching her children?

14 A Um, I believe from, in the free talk she  
15 referenced her own past, um, being a victim of sexual abuse.

16 Q Okay. And you had also mentioned, and I forgot to  
17 circle back on this, some rule that she disclosed for the  
18 first time to your knowledge in the free talk.

19 A Correct.

20 Q What was the rule that she had?

21 A My understanding of the rule was that Paul was not  
22 allowed to be alone with any of the children, but especially  
23 not with his daughters.

24 Q And did -- was she asked why she would have that  
25 rule?

1 A Yes.

2 Q And what was her response?

3 A Her response was, um, not clear. If I remember  
4 correctly, it was kind of circular. Um, but I think it  
5 boiled down to she, um, being, being a victim of sexual  
6 abuse, she didn't want anything like that to happen in her  
7 house.

8 Q Was she again asked during the free talk if she  
9 had any suspicions that sexual abuse was happening at her  
10 house, or some question to that effect?

11 A Yes.

12 Q Did she again deny suspicions?

13 A I don't recall her response in the free talk.

14 Q Did you leave the free talk believing that  
15 defendant Adams knew for a fact that Paul Adams had molested  
16 any of her children?

17 A Yes.

18 Q And why did you -- did you get that from the  
19 statements, admissions that Leizza Adams was making?

20 A Her, her statements and all of the, all the facts.

21 Q Okay. Did Leizza Adams say during the interview,  
22 yeah, I knew that Paul Adams was molesting my girls?

23 A I don't recall her saying that.

24 Q So what facts led you to conclude that she  
25 probably knew?

1           A     The rules that she set up. Um, the, um -- Paul's  
2 unusual -- unusual is not the right word for it. Paul's  
3 habits, sexual habits. Pornography use. Masturbation in  
4 front of kids. Um, I don't know how you wouldn't know.

5           Q     All right. Did she disclose during the free talk  
6 that in approximately 2010 Paul Adams had told her that he  
7 performed oral sex on their eldest, M-1?

8           A     I don't recall that in the free talk.

9           Q     In your experience is it memorable for a parent to  
10 find something like that out?

11          A     Yes.

12          Q     Is it something that would slip your mind?

13          A     No.

14          Q     Is that information that you would have expected  
15 to have elicited directly from defendant Adams during your  
16 multiple conversations with her?

17          A     Yes.

18          Q     And do you recall her ever saying that to you?

19          A     No.

20                 MS. RANSOM: Nothing further.

21                 THE COURT: Thank you, Ms. Ransom.

22                 Mr. Hicks, cross?

23

24

EXAMINATION

25 BY MR. HICKS:

1           Q     Agent Allen, you and Leizza know each other;  
2 right?

3           A     We do now, yes.

4           Q     You go to the same church, don't you?

5           A     We do now, yes.

6           Q     You didn't then?

7           A     No, we did not.

8           Q     When did you start going to the same church?

9           A     I don't remember the exact date. Um, I've  
10 attended the church in Sierra Vista. And she switched from  
11 the church in Bisbee to the church in Sierra Vista, oh,  
12 probably would have been, I'm guessing, late 2017.

13          Q     And do you think that was part of the reason that  
14 she would call you rather than calling some other agent?

15          A     I think that she called me because we had that in  
16 common, attending the same church. I was also the first law  
17 enforcement officer that contacted her and spoke to her with  
18 this incident.

19          Q     You indicated that you attended a free talk in  
20 August where Leizza went with her lawyer to talk to FBI  
21 agents?

22          A     I was at the free talk, correct.

23          Q     And how many agents were there? How many people  
24 were there, prosecutors and agents, other than Leizza and  
25 her lawyer?

1           A     In addition to Leizza and her lawyer, myself, um,  
2     an agent with HSI, Detective Borquez with the sheriff's  
3     office, Assistant U.S. Attorney, and Ms. Ransom, I believe,  
4     were the only people there.

5           Q     Okay. And you say that sometime, maybe in October  
6     or something like that, after she did the free talk, that  
7     she called you again and said that there were some things  
8     that she had to tell you?

9           A     Correct.

10          Q     Okay. And she was willing to tell you things at  
11     that time, correct? She appeared willing to talk to you?

12          A     You mean after the free talk? Is that what you  
13     mean?

14          Q     After the free talk when she called you up and she  
15     said that there was things that she -- I don't know what all  
16     the conversation was, but that there were things that she  
17     needed to tell you that, um, had come up.

18          A     So she called me to tell me that some of the  
19     things that she had said in her free talk weren't complete.  
20     And I believe that she wanted to complete those answers.

21          Q     Okay. And were you here during -- well, let me  
22     ask you this. Were you here during, um, Shaunice's  
23     testimony?

24          A     Today? Yes.

25          Q     Do you recall a time where she indicated that

1 Leizza had told her that her lawyer told her to go back and  
2 read the journals and that if anything came up to let him  
3 know? Do you recall that?

4 MS. RANSOM: I object. I don't know if that  
5 question was asked.

6 THE COURT: Well, I remember that Ms. Warr did  
7 make some statement during her testimony that her lawyer had  
8 suggested she reread those journals or look over them.

9 Overruled. You may answer if you can.

10 THE WITNESS: I actually don't recall that  
11 question.

12 BY MR. HICKS:

13 Q Okay. And the lawyer that was there at the time  
14 wasn't me, right?

15 A That's correct.

16 Q Okay. The, the call that came to you was about,  
17 what, two months after the free talk?

18 A Almost exactly two months.

19 Q And it came from Leizza, right?

20 A Yes, it did.

21 Q Not her lawyer or anybody else; just Leizza?

22 A Correct.

23 Q And she indicated there were some things that she  
24 needed to complete. Correct?

25 A Correct.

1 Q Okay. And then you told her go back and talk to  
2 your lawyer and arrange it through that. Right?

3 A Yes, correct.

4 Q But it wasn't that she wasn't willing to tell you  
5 those things. It was that you felt uncomfortable knowing  
6 that she had a lawyer.

7 A I recommended that she work through her attorney  
8 because, A, she did have a lawyer representing her, and also  
9 because this wasn't just an interview. This was -- a free  
10 talk is, has special conditions and agreements attached to  
11 it. And so I -- if she was going to make additional  
12 disclosures to complete those statements, I wanted it to be  
13 in the proper format and through proper channels.

14 Q Okay. And then after that did you have any other  
15 conversation with Leizza after that?

16 A I did.

17 Q I don't recall. Remind me. Which one is that?

18 A It was the death notification.

19 Q The what?

20 A The death notification.

21 Q Okay. And that was the only one?

22 A It's the only one that I recall.

23 Q Okay. I think that's all I have now, Agent.  
24 Thank you.

25 THE COURT: Ms. Ransom, redirect?

1 EXAMINATION

2 BY MS. RANSOM:

3 Q The -- did you ever talk to Leizza Adams about  
4 where everyone slept in the house?

5 A I don't believe so.

6 Q All right.

7 A Because --

8 Q All right. I'll ask one of the other officers.

9 A Okay.

10 MS. RANSOM: Nothing further then.

11 THE COURT: All right. Thank you.

12 And thank you, Agent Allen. You may step down at  
13 this time. Be careful of the step as you go.

14 Ms. Ransom, you may call your next witness.

15 MS. RANSOM: CASA Advocate Debra Scott.

16 THE COURT: All right. Ms. Scott, please come  
17 forward.

18

19 DEBRA SCOTT

20 called as a witness herein, being first duly sworn, is  
21 examined and testifies as follows:

22

23 THE COURT: Take the witness stand, please, ma'am.

24 And, Ms. Scott, I believe you were here in the  
25 courtroom when I gave similar instructions to the other

1 witnesses. So I'll give the same ones or substantially the  
2 same ones to you. I want to make sure that we can all hear  
3 your answers when you give them, so when you answer please  
4 speak into the microphone. You can adjust it if you need  
5 to. You can pull it towards you if that helps.

6 Ms. Ransom, you may proceed.

7

8

EXAMINATION

9 BY MS. RANSOM:

10 Q Good afternoon.

11 A Hi.

12 Q Can you -- have you ever testified before?

13 A Yes.

14 Q Okay. Can you please state and spell your name  
15 for the record?

16 A My name is Debra Scott. D-E-B-R-A. S-C-O-T-T.

17 Q And do you volunteer as a CASA in Cochise County?

18 A Yes, I do.

19 Q What does CASA stand for?

20 A I'm a court-appointed special advocate for  
21 children in foster care.

22 Q And what duties does a CASA complete?

23 A My role is to be the eyes and ears for the  
24 dependency judge in a case. So I have access to and  
25 involvement with all of the people who are interacting with

1 the children in the dependency case.

2 Q All right. How long have you served as CASA?

3 A Three years.

4 Q Are you assigned to the -- is there a dependency  
5 proceeding related to the Adams children?

6 A Yes.

7 Q Were you the assigned CASA?

8 A I'm the CASA for all six children, yes.

9 Q And you met Leizza Adams?

10 A Yes.

11 Q Is she in the courtroom today?

12 A Yes.

13 Q Where is she sitting?

14 A She's the defendant.

15 Q Okay. And are -- um, in the course of the  
16 dependency has Leizza Adams been participating in any sort  
17 of services or training?

18 A Yes. There's a case plan, and it includes  
19 services for the mother.

20 Q All right. And what sort of services is she  
21 participating in?

22 A She has, um, several coaches from behavioral  
23 health services. She has a therapist. She has a -- and  
24 those people attend the child family team meetings which  
25 I've attended virtually all in the last -- I became the

1 children's CASA about a month after they went into foster  
2 care. That was in February. And I became their CASA in  
3 March of 2017.

4 Q So 15 months?

5 A Yes. So I have had a relationship with the  
6 children that entire time in all of their placements.

7 Q And as far as the services Mrs. Adams is availing  
8 herself of, does that include parenting classes or?

9 A Yes.

10 Q Okay.

11 A There's -- she, as reported in the CFTs there,  
12 she's done parenting classes. She's had psychological  
13 exams. She's had, um -- actually, I attended one of the  
14 NAMI, the National Association for Mental -- um --

15 THE COURT: Illness.

16 THE WITNESS: -- Illness as part of my training as  
17 a CASA. There was a NAMI basics class which she had been  
18 enrolled in also and that at one time we ended up in the  
19 same class.

20 BY MS. RANSOM:

21 Q All right. And does she get visitation with her  
22 children?

23 A It is supervised visitation, yes.

24 Q And in the 15 months has she ever been allowed  
25 unsupervised visitation?

1           A     No.

2           Q     Is she ever, is she allowed to visit with all the  
3 children at once?

4           A     Not anymore. At the beginning, early on, um, the  
5 supervised visitation was all six children. And the  
6 children's behavior was such that mom could not control  
7 them. At that time all they had for supervision was a, um,  
8 a DCS, um, supervisor, caseworker. And it was determined  
9 that that person could not help mom. So several months into  
10 all of this, and I think it was August or September, the  
11 behavioral health services for her changed. And the  
12 supervisor became a parent aide who is a, who is able to  
13 interact with mom and coach her during the visits.

14          Q     So this was almost a year ago now that defendant  
15 received the benefit of a parent aide?

16          A     Yes.

17          Q     To your knowledge has she progressed and been able  
18 to work back to having supervised visits with all of her  
19 children?

20               MR. HICKS: Objection, your Honor. What is the  
21 relevance?

22               THE COURT: What is the relevance?

23               MS. RANSOM: I have the opportunity to respond.  
24 The defense here, and one of the claims that's going to be  
25 made if it hasn't been made apparent already, is that the

1 children, you know, essentially won't be able to survive or  
2 will be terribly harmed if their mother goes to prison.

3 Based upon --

4 THE COURT: All right. Overruled. You may  
5 answer.

6 THE WITNESS: Um, the supervised visitations were  
7 changed back in August of last year to only include two  
8 children at a time because mom could not control all six.  
9 And the children's behavior I described in one of my reports  
10 to the court; um, I used the term feral. The children when  
11 they were all together were mean to each other, violent to  
12 the point of they would harm each other, and visits would be  
13 ended because of the violence. And these have been  
14 documented through the dependency case.

15 BY MS. RANSOM:

16 Q In the course of your CASA experience and training  
17 have you been taught any sort of signs of sexual abuse that  
18 children may exhibit?

19 A Yes.

20 MR. HICKS: Objection, foundation.

21 THE COURT: Overruled. I believe you did answer,  
22 but the objection was coming in. Would you repeat your  
23 answer?

24 THE WITNESS: Oh. Yes.

25

1 BY MS. RANSOM:

2 Q All right. And in your training what sort of  
3 behaviors might you see from children who have been sexually  
4 abused?

5 A Um, specifics in this case, the oldest daughter,  
6 M-1, has exhibited, um, behaviors of shoplifting, um, being  
7 mean to the other children. She has inappropriately touched  
8 her younger sister M-2 multiple times during visits. So she  
9 has exhibited, um, specific responses to sexual trauma. And  
10 during our CFTs the therapist described what those are. And  
11 they're discussed in -- with the placements, to be alert for  
12 those. The, um, the, well, specific behaviors of the  
13 youngest child have been very disturbing. And --

14 Q Is that M-2?

15 A M-2.

16 Q The other daughter?

17 A The other daughter. Throughout she has exhibited  
18 and made, um, violent responses to a doctor's appointment  
19 where she pretty much went hysterical when a man walked into  
20 the room.

21 Another one that M-2 had done, and these were  
22 reported as disclosures to the child abuse hotline, um,  
23 where -- do you want an incident? Okay. She was being  
24 changed. She was still wearing a diaper. And she had a  
25 poop in her diaper. When she was being changed on the

1 changing table she became hysterical and started screaming:  
2 No band. Mommy put bands on me.

3 The placement was so -- was able to calm her down  
4 and report this and contacted, was told by DCS to report it  
5 as a disclosure to the DCS hotline. And it became a note in  
6 the case file. I know that a further investigation was not  
7 done because the children were already out of the home.

8 Q All right.

9 A So that was a critical point in the fall. At that  
10 point I recommended that the visitation with mom end or be  
11 strictly limited for M-2. And mother's rights were cited as  
12 mother has the right to see her children. M-2 did have, um,  
13 severe anxiety prior to and after visits with mom, which to  
14 this day are only two hours a week, with one other sibling.  
15 But now that M-2 has turned three years old, she has shown  
16 progress. And she has a wonderful therapist. So that's a  
17 good thing. But as recently as within the last month, M-2  
18 continues to make, um, statements, or, or actions. In a  
19 dark movie theater she puts her hand in her pants and plays  
20 with her vagina. So this is very disturbing to the  
21 placement. And these things are brought up in our child  
22 family team meetings.

23 And the, then there becomes discussion between  
24 mom's therapist saying, well, mom needs to have time with  
25 her. And the therapist for the children saying this is more

1 evidence that these children have suffered in the past.

2           The four boys each have had individual behaviors  
3 that are indicative of responses to trauma. Starting with  
4 the oldest, that would be J-1, I guess, his, he, right now  
5 he is doing very, very well. I am very happy with his  
6 progress. Um, but it was very difficult until he, in the  
7 most recent, the placement from September put him, J-1, and  
8 J-2 in the same home. And that relationship was so volatile  
9 and truly destructive. It lasted six months, into April,  
10 and that placement said you have to separate these two boys.  
11 And they have to be out of our home. J-1 has shown more  
12 progress since his father's death. And J-2 has gone the  
13 other way and become more violent, and to the point where he  
14 was, um, hospitalized in a psychiatric hospital after a  
15 particularly violent event with his brother.

16           Q     Your letter that you wrote to the court made  
17 reference of one of the boys peeing on a wall?

18           A     Yes.

19           Q     Why is that relevant?

20           A     It is a typical response to sexual trauma for  
21 little boys.

22           Q     And being on a wall in a house?

23           A     In his -- he was doing it in his bedroom. And  
24 then he's done it in the living room and done it on the  
25 shower curtain most recently. But, again, he has a -- all

1 the children have a new therapist since January, February.  
2 And they all love this new therapist. And I think all of  
3 them are showing great signs. That said, um, when they are  
4 together they regress into, um, mean, mean kids toward each  
5 other.

6 Q We talked about a lot of the services that the  
7 defendant has been receiving. Have -- has she been doing  
8 better in her interactions with her kids during visits?

9 A No.

10 Q And do you have any specific examples, more recent  
11 examples? Like maybe the past month or so?

12 A Yesterday?

13 Q Okay.

14 A I attended the first -- I normally do not attend  
15 the supervised visitations with mother, only because I have  
16 a relationship with the children, and that could interfere  
17 with how mom is relating to her children.

18 Yesterday was the first time that they were  
19 scheduling two sibling visits between M-1 and M-2. And so  
20 the children's therapist has been regularly attending these  
21 visits and specifically wanted to be at this one to see that  
22 interaction between the two girls.

23 When mom and the two girls and the case -- the  
24 parent aides arrived, M-1 -- they were, they were at the  
25 mall in a play area. So M-1, who's 12, was sitting in a

1 tree. And mom told her to get down because she's too big.  
2 And I was standing right along the edge there. So mom  
3 reached in, took M-1's hand, pulled her down the slide. And  
4 M-1 reacted. She, she didn't want to have anything to do  
5 with this. This was not good. As she stood up her mother  
6 was kind of cuddling her. And she -- and M-1 would have  
7 nothing to do with it. Mom goes like this on her face, and  
8 M-1 virtually jerked herself away. At that point I knew  
9 this was not working out well.

10 M-2, on the other hand, was sitting playing at  
11 another little area and was doing fine. So I was just  
12 observant that this was okay. And I walked over to the  
13 therapist. Within five minutes the parent aide came over to  
14 the therapist and said we are ending this visit because of  
15 M-1's responses. And so that visit inside of there lasted  
16 less than 10 minutes, and they ended up and took her away.

17 They did leave M-1 there because they had two  
18 overlapping parent aides. And, um, M-1 -- or M-2 then spent  
19 the rest of that visit time. But of the, of that next 45  
20 minutes, they probably spent at least 35, um, in Claire's,  
21 the store, like a play area. And M-2 was three years old,  
22 picking up absolutely everything that you could see. And I  
23 am sitting outside, and the therapist is just watching. And  
24 we're not able to say anything. But the parent aide just  
25 let it go on and on. Um, and that was mom's interaction

1 with the daughter was using a store as a play area.

2 Q All right. The, the interactions that you -- have  
3 you seen any other interaction between defendant and her  
4 children besides the one you just relayed?

5 A Early on in the home, um, and again the children's  
6 behavior, you know, they all are cuddling up, you know, with  
7 mom at different times; but then they'll go off and do their  
8 own thing. At different times we were, I was with the  
9 family, you know, in the park and all. And mom was there a  
10 couple of times, you know, with visitation. So there's  
11 always a supervisor there. And I am never that supervisor.  
12 As a CASA I am never in that role.

13 Q Do the children care for their mother?

14 A Um, they -- I think they depend on her. They,  
15 they see her as their link, you know. But I certainly, um,  
16 have my own doubts that they, um -- and I don't know that  
17 they depend on her that much. I can tell you that -- well,  
18 I'll leave it at that.

19 Q Okay. What is your position as the CASA and  
20 representative of the children as to prison or probation for  
21 Leizza Adams?

22 A My recommendation to the court is that a prison  
23 sentence is in order.

24 Q Do you have a sense of how long that should be?

25 A As long as the court can make it. I would

1 recommend that the children have no contact with her until  
2 they're 18 years old and can choose for themselves.

3 Q And why is that your position?

4 A Because I believe that these children need a fresh  
5 start to be able to have a successful life. And every time  
6 they are with their mother they just are on a roller  
7 coaster. They have placements that, that love them and care  
8 for them. And they have these two hours a week where they  
9 are doing play with this person that can't control them or  
10 support them. It just is, I think, unfair to the children.

11 MS. RANSOM: Nothing further.

12 THE COURT: Thank you, Ms. Ransom.

13 Mr. Hicks, cross?

14 MR. HICKS: Nothing.

15 THE COURT: All right. In that event, Ms. Scott,  
16 thank you very much. You may step down. Be very careful of  
17 the step as you go.

18 Ms. Ransom, you may call your next witness.

19 MS. RANSOM: All right. Get -- may we have just a  
20 three-minute recess, or just a very brief recess?

21 THE COURT: Yes, you may. I'm getting the  
22 impression that we won't be able to finish today. On the  
23 break you might consider whether you can adjust your  
24 schedules, everyone involved, to be here Wednesday of this  
25 coming week. I am told that I do have that available. But

1 let's take five.

2 MS. RANSOM: Your Honor, I can tell you right now  
3 that next Wednesday will not work for the state.

4 THE COURT: Okay. Well, during the break I'll see  
5 if there's any other day next week.

6 MS. RANSOM: Thank you. I apologize, your Honor.

7 THE COURT: Thank you. At recess.

8 (A recess is taken.)

9 THE COURT: We are continuing with the State of  
10 Arizona against Leizza Adams, case number CR201700425.  
11 Ms. Adams is present. Both the attorneys are here.  
12 Detective Borquez is here. And the CASA is here. And I  
13 think our GAL is here? Still?

14 MS. SCOTT: She stepped out.

15 THE COURT: Oh, stepped out? All right. She'll  
16 be back though?

17 MS. SCOTT: Yes, sir.

18 THE COURT: All right. Well, we can go ahead.  
19 And whom would you like to call as a witness at this time,  
20 Ms. Ransom?

21 MS. RANSOM: Detective Todd Borquez, your Honor.

22 THE COURT: All right. Detective, the clerk will  
23 administer the oath or affirmation.

24

25

DETECTIVE TODD BORQUEZ

1 called as a witness herein, being first duly sworn, is  
2 examined and testifies as follows:

3

4 THE COURT: Take the witness stand, please. And  
5 Detective, you heard the instructions I gave to the other  
6 witnesses. And all those apply to you.

7 You may proceed.

8

9

EXAMINATION

10 BY MS. RANSOM:

11 Q Please state your name.

12 A Todd Borquez.

13 Q And where do you work?

14 A Cochise County Sheriff's Department.

15 Q How long have you been in law enforcement?

16 A Eighteen years.

17 Q You investigate sex crimes?

18 A Yes, I do.

19 Q Do those sex crimes sometimes involve child abuse?

20 A Yes.

21 Q Have you ever been involved in the investigation  
22 of defendant Leizza Adams?

23 A Yes.

24 Q Okay. In the course of your investigation did you  
25 interview Leizza Adams?

1 A Yes.

2 Q How many times?

3 A Three.

4 Q Um, was Mrs. Adams able to answer your questions  
5 directly?

6 A Yes.

7 Q Were there times where you struggled to get  
8 answers out of her?

9 A Yes.

10 Q And when would that be?

11 A Questions pertaining to her knowledge or  
12 involvement in the case, the crimes.

13 Q But, for example, when you asked her where the  
14 children slept, was she able to answer this question  
15 directly?

16 A Yes.

17 Q And where did she say where the children slept in  
18 the home?

19 A She indicated that M-1 and the boys slept in one  
20 room, herself and M-2 slept in the master bedroom. And Paul  
21 slept either in the living room or in the office.

22 Q At some point did sleeping arrangements in the  
23 household change, according to the defendant?

24 A Yes.

25 Q When was that?

1           A     She told me August of 2016 M-1 had morning band  
2 practice, so she moved her into the office.

3           Q     And that's the office where Paul Adams would stay  
4 sometimes?

5           A     Yes.

6           Q     Was there anything else about that office of Paul  
7 Adams that the defendant told you about?

8           A     Yes. She told me that Mr. Adams had a collection  
9 of pornographic material, magazines in there. He also had a  
10 computer, and on that computer he would view pornographic  
11 videos or movies.

12                   THE COURT: And the record may show that the  
13 guardian ad litem, Ms. Dailey, has reentered the courtroom.  
14 She did so as the question was being asked.

15                   You may proceed.

16 BY MS. RANSOM:

17           Q     Was Ms. Adams aware of any conduct that defendant  
18 Paul Adams would engage in while he was in his office?

19           A     Um, watching pornographic material.

20           Q     Did she know if he did anything physically while  
21 watching pornographic material?

22           A     Masturbate.

23           Q     Did she also talk about Paul Adams masturbating  
24 elsewhere in the home?

25           A     She did.

1 Q And where?

2 A In the living room.

3 Q Were the kids present?

4 A Yes.

5 Q And did she admit that the children could see  
6 their father masturbating at times?

7 A Yes.

8 Q Did she tell you how long the children were, how  
9 many, in months or years, they were probably able to watch  
10 that?

11 A I think she said for years.

12 Q During your interviews with Mrs. Adams did the,  
13 this topic of rules come up?

14 A Yes.

15 Q And what were -- how did Mrs. Adams describe her  
16 rules to you?

17 A My understanding was the rule that she had  
18 instituted was Paul was not to be alone with M-1.

19 Q And --

20 MR. HICKS: Your Honor, may we have foundation of  
21 where, when and where, and which?

22 THE COURT: Yes, I think we do need to have as  
23 much foundation laid as can be laid. Sustained.

24 BY MS. RANSOM:

25 Q All right. Do you remember when your interviews

1 of Leizza Adams took place?

2 A First one was February 27th, I believe, 2017 at  
3 the Department of Child Safety office in Sierra Vista.  
4 Second one I believe was March -- I don't have the specific  
5 day -- 2017. It was in my office in Sierra Vista. And then  
6 I took part in the free talk in 2017.

7 Q Was that in August of 2017?

8 A Yes.

9 Q So when we talk about your interviews, we're  
10 talking about these interviews with defendant during 2017?

11 A Yes.

12 Q And did you know Leizza Adams at all before Paul  
13 Adams' arrest?

14 A No.

15 Q Did you know Leizza Adams at all before your  
16 involvement in this investigation?

17 A No.

18 Q Did you ever talk to her before?

19 A No.

20 Q Okay. And with respect to her having rules with,  
21 about Paul Adams and M-1, what did you understand the rules  
22 to be?

23 A That Mr. Adams was not to be alone with her.

24 MR. HICKS: May we have foundation when that  
25 questioning happened?

1 THE COURT: With, within the various discussions?

2 MR. HICKS: Right. Was this the free talk?

3 THE COURT: Yes. Sustained.

4 Detective, if you can say, was, when you refer to  
5 something that you were told about or that Ms. Adams said,  
6 if you can identify whether it was on February 27,  
7 March 2nd, or in the free talk in August.

8 THE WITNESS: It was in February.

9 BY MS. RANSOM:

10 Q And so in February the rule with M-1 was that Paul  
11 Adams couldn't be alone. Did you ask her why she had that  
12 rule?

13 A Yes.

14 Q And what was her answer?

15 A Several different answers. Um, one was Mr. Adams'  
16 interaction with a friend who came over to the house, his  
17 inappropriate actions of tickling her and sharing a blanket  
18 on the couch with her. One was Paul's loose, being loose  
19 with laws and rules by having M-1 sit on his lap while he  
20 let her drive.

21 Q And did you ask her if she suspected molestation  
22 in the home and that was the basis for a rule?

23 A Yes.

24 Q What was her answer?

25 A No.

1 Q And this, these, this rules discussion and asking  
2 her why she had these rules, did you go over that with her  
3 during every single interview you had with her?

4 A Yes.

5 Q And did she ever say because I suspected  
6 molestation in the house?

7 A No.

8 Q Did she provide different responses as to why she  
9 had these rules in subsequent interviews?

10 A Yes.

11 Q Do you remember any of those different responses?

12 A Not off the top of my head.

13 Q Did she ever talk about her own sexual abuse as a  
14 justification?

15 A She did.

16 Q Was her sexual abuse at the hand of Paul Adams?

17 A Not the ones she told me about.

18 Q And you mentioned that one of the justifications  
19 for the rule was some friend coming over, and Paul Adams  
20 tickling her?

21 A Yes.

22 Q How old was this friend who had come over?

23 A If I remember, she was 12 or 13.

24 Q Okay. Did Leizza Adams indicate, indicate she  
25 thought Paul Adams had molested this girl?

1           A     She might not -- I think she said he might have  
2 done something to her.

3           Q     But still, when asked if she thought there was  
4 molestation, what was her response?

5           A     Molestation to?

6           Q     By Paul Adams in her home.

7           A     No.

8           Q     And did she -- was she asked that question during  
9 every single one of your interviews with her?

10          A     Yes.

11          Q     And was her answer always no?

12          A     Yes.

13          Q     Did she ever say that the rule was instituted  
14 because Paul Adams had previously admitted to her that he  
15 had performed oral sex on M-1?

16          A     No.

17          Q     Did she say if the rule applied only to girls?

18          A     In two of the interviews, yes. In the free talk  
19 she indicated the rule applied to all of the children.

20          Q     If you recall, what was the context of the free  
21 talk when she changed her answer?

22          A     I think she was specifically asked if that was  
23 just for the girls, and she made the statement it was for  
24 all the children.

25          Q     During that time were people questioning her, kind

1 of pressuring her about whether or not she knew about  
2 molestation?

3 A Yes.

4 Q In your interviews -- in your first interview with  
5 Leizza Adams, did she claim that Paul Adams had ever abused  
6 her in any way?

7 A No.

8 Q And in your second interview did she claim he had  
9 abused her in any way?

10 A No.

11 Q In your third interview, the free talk, was she  
12 asked about abuse?

13 A Yes.

14 Q And do you recall her providing some information  
15 about abuse?

16 A Yes.

17 Q What was that information?

18 A That Paul would get angry or upset and throw  
19 things against the wall.

20 Q Okay. Did you at any point ever ask Mrs. Adams if  
21 she suspected abuse, sexual abuse in the home, what she  
22 would do?

23 A Yes.

24 Q And what was her answer?

25 A Her answer was she would take the kids and leave

1 the house.

2 Q Have you reviewed the presentence report in this  
3 case?

4 A Yes.

5 Q Were you surprised by any of its content?

6 A Yes.

7 Q What content surprised you?

8 A Where Mrs. Adams said that in 2010 she was  
9 notified that Paul had performed oral sex on M-1.

10 Q Did the defendant ever volunteer that information  
11 to you?

12 A No.

13 Q Would you have expected that to come up in the  
14 course of your questioning of the defendant?

15 A Yes.

16 MS. RANSOM: Nothing further.

17 THE COURT: Thank you, Ms. Ransom.

18 Mr. Hicks?

19

20 EXAMINATION

21 BY MR. HICKS:

22 Q Your attorney never advised you that she had been  
23 advised of that?

24 A Excuse me?

25 Q Your attorney, when she was talking to you, never

1 advised you that she had been advised of the fact that  
2 Leizza Adams had reported the, the, the 2010 incident?

3 THE COURT: I'm sorry, Mr. Hicks. You mentioned  
4 his attorney. You mean the prosecutor?

5 MR. HICKS: The prosecutor.

6 THE COURT: Okay.

7 THE WITNESS: I just found out about that today.

8 BY MR. HICKS:

9 Q So no one ever told you?

10 A No.

11 MR. HICKS: I don't have any other questions.

12 THE COURT: Thank you, Mr. Hicks.

13 Redirect.

14 MS. RANSOM: Nothing further.

15 THE COURT: Detective, before you step down, um,  
16 before you read the presentence report in this matter, had  
17 you ever acquired any information about any involvement of  
18 the bishop of Ms. Adams and Mr. Adams' church in hearing  
19 confession or admissions made by Paul Adams about engaging  
20 in any sex act with M-1?

21 THE WITNESS: No.

22 THE COURT: Okay. And that may answer the next  
23 question I'm going to ask. But I'll ask it anyway. To your  
24 knowledge did anyone involved in this case, anyone, um, on  
25 the law enforcement side of this case, ever talk to the

1 person who was bishop at the time, that is 2010, about what  
2 if anything was said to him at that time?

3 THE WITNESS: Not to my knowledge.

4 THE COURT: Thank you.

5 Any additional questions based on my questions?  
6

6

7

EXAMINATION

8 BY MS. RANSOM:

9 Q Did you have any reason to talk to the 2010 bishop  
10 before you read the presentence report?

11 A No.

12 Q Um, do you recall questions of Mrs. Adams during  
13 the free talk where there were efforts to obtain names of  
14 her bishops from her?

15 A Yes.

16 Q And did she answer those questions?

17 A Kind of vague on the answers.

18 Q Would she even provide names?

19 A Not that I remember.

20 THE COURT: Mr. Hicks, anything further along  
21 these lines?

22 MR. HICKS: No, your Honor.

23 THE COURT: All right. Thank you.

24 Thank you, Detective. You may step down. Be  
25 careful of the step as you go.

1           Ms. Ransom, I believe you may have another  
2 witness. I don't know how lengthy or how brief the  
3 testimony of that witness is going to be. How lengthy or  
4 how brief is that expected to be?

5           MS. RANSOM: Your Honor, the state anticipates the  
6 witness would speak with the state for approximately 15 to  
7 20 minutes. However, he will also lay the foundation for an  
8 audio recording that is nine minutes long that the state  
9 will ask to publish to the court.

10           THE COURT: All right. Well, I think we've gone  
11 as far as we can this afternoon. Having earlier found out  
12 that apparently Wednesday of next week, June 13th, will not  
13 work, I can tell you that I have two hours available this  
14 coming Monday morning, June 11th, 10 A.M. to 12 noon.

15           MR. HICKS: Your Honor, um, due to what has been  
16 testified here during this part of the hearing, I'm going to  
17 need to call some rebuttal witnesses that are not scheduled.

18           THE COURT: Okay.

19           MR. HICKS: And so I would ask that the court  
20 schedule it for four hours total.

21           THE COURT: Well --

22           MR. HICKS: And I would ask the court --

23           THE COURT: Well, I don't know when I next have  
24 four hours. It was hard enough to find two. But let's see  
25 what we can do.

1           MR. HICKS: And I would ask the court to give us  
2 enough time to get those folks subpoenaed. And I know at  
3 least one is in Tucson.

4           THE COURT: All right.

5           MS. RANSOM: While we're waiting for Ms. Williams,  
6 can the state have the names of the individuals that defense  
7 intend to call?

8           THE COURT: Yes. Without making any conclusions  
9 about the precise disclosure responsibilities, I do think  
10 that it is appropriate for each side to tell the other of  
11 the witnesses who are going to be called at a hearing such  
12 as this, so as to avoid any claims of surprise or lack of  
13 disclosure.

14           So, Mr. Hicks, who are the additional witnesses  
15 you expect to call?

16           MR. HICKS: I expect to call the current  
17 psychologist for the children. I don't know a name. I  
18 expect to call probably one or two of the visiting aides  
19 that supervise the visits. And those may be current, or  
20 they may be past. And I know that that has changed fairly  
21 often. Um, I may call Dr. Herrod, the bishop, that's  
22 involved in the case that has been brought up. If there's a  
23 question as to whether or not, um, that was in her diary and  
24 whether it occurred, I may call Leizza Adams to rebut some  
25 of the things that have been said. I would like to have the

1 court meet with at least the older children in camera and  
2 talk to them.

3 THE COURT: Well, I will tell you that's almost  
4 always a mistake for the court to do, even in a relatively  
5 straight forward domestic relations case. But even more  
6 problematic would it be when there's another case going on,  
7 a dependency action being handled by another judge, who I  
8 assume has held hearings. I don't know. I haven't  
9 participated in those. So I don't know exactly all the  
10 proceedings that have happened. So I'm very leery of taking  
11 you up on that suggestion. I won't rule on the matter now.  
12 At such time as you would want me to talk with the children,  
13 you can raise it at that point and be prepared to tell me  
14 why it's necessary for me to hear from the children. But,  
15 um, well, you heard my comments. So I'm leaning rather  
16 heavily against doing that.

17 Ms. Williams, we are --

18 MR. HICKS: And, your Honor, I will disclose in  
19 writing to the prosecutor in a formal notice the names of,  
20 and addresses and phone numbers if I have them, of the  
21 witnesses I'm going to call.

22 THE COURT: Yes, please do.

23 MR. HICKS: And I will do it as quickly as I can  
24 get them together.

25 THE COURT: I appreciate that.

1           Ms. Williams, we are looking for four hours to  
2 complete this hearing. So obviously Monday is not going to  
3 work. We already ascertained that, um, Wednesday is not a  
4 good day. So --

5           JUDICIAL ASSISTANT: Monday, June 18th?

6           THE COURT: Do we have anything else scheduled on  
7 that day?

8           JUDICIAL ASSISTANT: No, just a 9:00 forcible  
9 entry and detainer.

10          THE COURT: All right. Sure. So, Folks, you  
11 heard it. We can do it Monday, June 18. And we can start  
12 at 10 and take two hours in the morning, come back in the  
13 afternoon and go until close of business. That doesn't mean  
14 the parties get all that time. I have to reserve some time  
15 at the end to make findings and impose what I would conclude  
16 to be the appropriate sentences here.

17          Does anyone have any problem with Monday, June 18?

18          MR. HICKS: I do not.

19          MS. RANSOM: No.

20          THE COURT: Excellent. And, Ms. Scott, Ms. Daley,  
21 as in effect representatives for the victims, any problem  
22 with that date for the conclusion of the hearing?

23          MS. SCOTT: No, sir.

24          MS. DAILEY: Your Honor, I submitted a motion to  
25 continue a hearing on that date and time, and I'm hoping it

1 will be granted; so I should not have a problem.

2 THE COURT: All right. Very good. Thank you.

3 We will resume this hearing and hear the balance  
4 of the testimony and proceed to sentencing. That will be on  
5 Monday, June 18, 2018, beginning at 10:00 A.M. here in  
6 Division 3. Thank you all very much. And we'll see you on  
7 that date. And the court's at recess.

8 (Proceeding adjourns.)

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I, Penny Nyander, Arizona Certified Reporter No. 50219, do hereby certify that the foregoing pages constitute a full, accurate typewritten record of my stenographic notes taken at said time and place, all done to the best of my skill and ability.

DATED this 23rd day of November, 2019.

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Penny Nyander  
Certified Court Reporter  
Arizona Certified Reporter No. 50219