

1 forward, the clerk will administer the oath or  
2 affirmation.

3 (Witness sworn.)

4 THE COURT: Take the witness stand, please,  
5 sir. And, sir, you were here in the courtroom earlier  
6 today when I gave these instructions to a previous  
7 witness. The same instructions will apply to you. I  
8 want to make sure that we can all hear your answers  
9 when you give them, so when you answer, please speak  
10 into the microphone. You can adjust it, you can pull  
11 it towards you if you need to.

12 Mr. Hicks, you may proceed.

13  
14 ADAM ALCANTARA,  
15 having been first duly sworn to state the truth, the  
16 whole truth, and nothing but the truth, testified as  
17 follows:

18 DIRECT EXAMINATION

19 BY MR. HICKS:

20 Q. Would you state your name?

21 A. My name is Adam Salimento Alcantara.

22 Q. Could you pull that microphone a little closer  
23 to you, Adam?

24 A. Yes, sir. Adam Salimento Alcantara is my full  
25 name.

1 Q. And, Adam, where do you live?

2 A. I live in San Diego, 6767 Rio Plato Court.

3 Q. And, Adam, what is your relationship to Leizza  
4 Adams?

5 A. I am the eldest brother of Leizza Adams, the  
6 eldest of five. She is number four in that line-up.

7 Q. Okay. And in that regard, her family is here  
8 today in the courtroom?

9 A. Many of us, yes.

10 Q. Okay. Could you tell us who's present?

11 A. My youngest brother, Joseph, is in the maroon  
12 shirt, second row. His wife --

13 Q. Hang on. What does Joseph do?

14 A. Joseph is in the Army Reserves.

15 THE COURT: sir, the gentleman has stood up so  
16 I can identify him. Thank you. You may have a seat if  
17 you like.

18 Q. His wife?

19 A. Maria, is sitting next to him. She may stand.

20 THE COURT: Thank you.

21 A. My father, Venancio Ojune (phonetic)  
22 Alcantara, standing. My mother, his wife, Lourdes  
23 Alcantara, standing. My brother, number two in line,  
24 Almaj or Jay Alcantara. And my wife, Eneida Correa  
25 Alcantara.

1 Q. Thank you. Remind me what does Jay do?

2 A. Jay is a nurse.

3 Q. Okay. And what do you do?

4 A. I'm a Border Patrol agent.

5 Q. How long have you been a Border Patrol agent?

6 A. Since March 2009.

7 Q. So almost ten years?

8 A. Almost, sir.

9 Q. What do you do as a Border Patrol agent?

10 A. Part of my duties are, along with patrolling  
11 the border, is our missions are to interdict  
12 terrorists, weapons of mass destruction from  
13 terrorists, smuggling, whether human smuggling or  
14 narcotics smuggling.

15 Q. And, Adam, do you have another job with Border  
16 Patrol as well?

17 A. I have other duties as a Border Patrol agent.

18 Q. And what are those?

19 A. I am a chaplain in the Border Patrol and also  
20 an advisor in the Exploring program.

21 Q. Let's talk about being a chaplain in Border  
22 Patrol; do you get paid for that?

23 A. It is a collateral duty. I do not get paid  
24 extra for that.

25 Q. How did you become a chaplain in the Border

1 Patrol?

2 A. I had to apply. I had to respond to a  
3 solicitation for volunteers who wanted to serve as  
4 chaplains in the Border Patrol. I had to send a  
5 memorandum through my chain of command to the people  
6 who would be evaluating my memo, then they would give  
7 me a call so I had to receive -- I had to undergo an  
8 interview, a panel interview, much like a hiring  
9 interview. And it was patterned very closely to after  
10 that of my own Border Patrol hiring interview, in which  
11 several agents, in this case chaplains in the Border  
12 Patrol, interviewed me as to why I wanted to become  
13 Border Patrol chaplain, what I believed my strengths  
14 were, what I could contribute as a chaplain.

15 Q. Did you get any training to become a chaplain?

16 A. I did. Approximately two and a half weeks,  
17 almost three weeks, if I remember correctly, in the  
18 federal law enforcement training center located in  
19 Artesia, New Mexico.

20 MS. RANSOM: Your Honor, is there relevance to  
21 this?

22 THE COURT: Well, I'll give the defense some  
23 leeway in presenting it, but I trust we'll see what  
24 relevance it has. Overruled for now. You may proceed.

25 Q. Adam, as a chaplain, do you counsel Border

1 Patrol agents?

2 A. I do.

3 Q. Tell the judge what you do.

4 A. Among the many duties of a chaplain is one of  
5 the most important is helping agents to deal with, cope  
6 with, and overcome post-traumatic stress, stress caused  
7 from critical incidents. As you know in law  
8 enforcement, especially in the Border Patrol, we deal  
9 with death, we deal with injuries, we deal with  
10 assaults, we deal with agents who have been shot,  
11 agents who had to pull the trigger on a suspect.

12 We deal with -- we help agents to cope with  
13 loss in their family, that could be through death, it  
14 could be divorce. We also serve -- when an agent dies,  
15 we go to the families, personally, and bring them the  
16 bad news, we conduct funerals, we officiate over  
17 funerals. But, most importantly, our job is a ministry  
18 of presence, in which we -- we're there, we're there  
19 for our fellow agents. And the reason that's relevant  
20 in my mind --

21 MS. RANSOM: Objection. No question is  
22 pending before this witness.

23 THE COURT: That's true. Sustained. Go ahead  
with your next question.

25 Q. Adam, do you deal with agents who are

1 assaultive of their wives or agents who have been  
2 assaulted by their husbands?

3 A. I personally have not, not in any case that I  
4 have had to work with.

5 Q. But you have been trained in it?

6 A. Yes, sir.

7 Q. And, Adam, in the course of your training,  
8 Border Patrol, well, you're Leizza's brother; correct?

9 A. Yes.

10 Q. Have you had concerns that Leizza might have  
11 some mental health disorder that needed to be followed  
12 up on?

13 MS. RANSOM: objection. Foundation.

14 THE COURT: Overruled as far as it goes. You  
15 may answer yes or no. You may have already answered, I  
16 didn't hear what the answer was.

17 A. Yes, sir. The answer is yes.

18 Q. One of the things that you use often at Border  
19 Patrol is called the circle?

20 THE COURT: Called a "circle"?

21 MR. HICKS: I'll get it here in just a minute.

22 Q. I misspoke, Adam. It's called a power and  
23 control wheel?

24 A. Yes, sir, chaplains use that.

25 Q. And other people use it as well; correct?

1 A. Many people who work in therapy, especially  
2 those who help and counsel victims of abuse, yes.

3 Q. And what is the power and control wheel?

4 MS. RANSOM: Your Honor, the State wants to  
5 make a disclosure objection. This witness was  
6 identified as a witness last week, but it was not as an  
7 expert witness on domestic abuse or the ramifications  
8 thereof. There's mention to this witness having  
9 training to that effect, but as far as what he's  
10 anticipated to testify to, it's information about his  
11 intent to adopt children and knowledge of his sister  
12 and information that Leizza's provided him since the  
13 case began.

14 THE COURT: Mr. Hicks?

15 MR. HICKS: Your Honor --

16 THE COURT: Go ahead.

17 MR. HICKS: What I hoped to introduce is that  
18 Adam took the power and control wheel and an article  
19 called Ten Symptoms of Asperger's, Know the Signs, and  
20 he went through and filled it out with his knowledge of  
21 the things that he recognized in Leizza that -- that  
22 fit that diagnosis.

23 THE COURT: How do you respond to the  
24 objection that there was no disclosure of this witness  
25 as an expert?

1 MS. RANSOM: There certainly was no disclosure  
2 of him testifying that his sister has Asperger's. That  
3 is nowhere in this disclosure.

4 MR. HICKS: No, and I'm not asking him to  
5 testify to it. I simply am having him identify a  
6 document that is Ten Symptoms of Asperger's, which was  
7 disclosed, and his writing down underneath each symptom  
8 the things he observed in Leizza. I'm not saying he is  
9 saying she has Asperger's. It's just things that fit  
10 this definition.

11 THE COURT: Has this witness been identified  
12 as an expert?

13 MR. HICKS: No. I'm not asking him to testify  
14 as an expert.

15 THE COURT: Kind of sounds that way to me. I  
16 mean, he can certainly testify as to things he observed  
17 about his sister, to the extent that they're relevant,  
18 but to tie them into signs and symptoms of Asperger's  
19 or signs and symptoms of something else, I think that  
20 gets into the realm that someone would have to be an  
21 expert to do that. He doesn't have to be an expert to  
22 say what he observed about his sister, though.

23 MR. HICKS: This is a sentencing hearing, Your  
24 Honor. It makes it a different thing, because in a  
25 sentencing hearing we can go to an encyclopedia or go



1 to the web and find something that is not expert but  
2 which is helpful in allowing the court to understand  
3 what the court is dealing with.

4 THE COURT: Well, and we sort of got into this  
5 area earlier today. In sentencing proceedings, yes, I  
6 get a lot of things, I have gotten articles from  
7 learned publications and encyclopedia entries and that  
8 sort of thing, but here you're presenting this as in  
9 connection with the testimony of a witness who has not  
10 been disclosed as an expert. For all I know maybe he  
11 is an expert in this area, but he wasn't, from what  
12 I've heard anyway this morning, he wasn't disclosed as  
13 an expert. That's the problem.

14 MR. HICKS: Your Honor, I'm not using him as  
15 an expert. I'm using him as an observer. For example,  
16 the first one is underdeveloped social skills. That  
17 doesn't take an expert to look at his sister and see if  
18 there are things about her.

19 THE COURT: You're right, that doesn't. But  
20 in order to tie his observations about his sister into  
21 a checklist or a wheel or some other set of standards  
22 such as I think you're trying to get at, that would  
23 require an expert qualification.

24 I'm going to sustain the objection to the  
25 question as posed. I will permit Mr. Alcantara to

1 testify about his observations of his sister in the  
2 family dynamic but without what he would have to be  
3 qualified as an expert to say as a backdrop for his  
4 observations. You may proceed.

5 BY MR. HICKS:

6 Q. Adam, tell me how Leizza expresses herself.

7 MS. RANSOM: What does the witness have in  
8 front of him, Your Honor?

9 THE COURT: If you would turn that -- it's  
10 being handed to me -- it's Defendant's Exhibit I. It's  
11 the article Ten Symptoms of Asperger's Syndrome, Know  
12 the Signs. Now I have it, and I'll pass it on to the  
13 clerk.

14 MR. HICKS: Your Honor, why can't he use to  
15 refresh himself his statements that he made in response  
16 to that article? He's not testifying to what --

17 THE COURT: I thought that was the article.

18 MR. HICKS: No, part of it's the article but  
19 underneath it in each one there is a category of his  
20 observations.

21 THE COURT: You haven't shown that he can't  
22 remember his observations without his recollection  
23 being refreshed, so if he needs his recollection  
24 refreshed, we can hear about that and deal with that.

25 So for the record the witness no longer has

1 that exhibit, which was marked Defendant's I. Go  
2 ahead.

3 BY MR. HICKS:

4 Q. Adam, when did you write down your responses  
5 more or less in that article Ten Symptoms of  
6 Asperger's?

7 A. To my recollection approximately two months  
8 ago. I cannot recall the date, I'm sorry.

9 Q. And do you recall everything that you wrote  
10 down?

11 A. I do not recall everything I wrote down, no.

12 Q. Were your observations of Leizza true and  
13 accurate to the best of your knowledge?

14 A. Yes, sir.

15 Q. Is there any reason that you would ever lie to  
16 a court?

17 A. There is no reason that I would lie to the  
18 court.

19 MR. HICKS: Your Honor, I would ask that he be  
20 allowed to have it in front of him, if he needs to  
21 refer to it, he would be able to do so.

22 THE COURT: Ask him specific questions without  
23 Exhibit I in front of him. If there's something he  
24 doesn't remember or needs to refresh his recollection  
25 about, and if looking at Exhibit I would refresh his

1 recollection, then we can do it that way.

2 MR. HICKS: Okay.

3 Q. How does Leizza express herself?

4 A. Leizza does not express herself like most  
5 people who, for lack of a better word, are normal or  
6 rational. Shall I elaborate?

7 Q. Yes.

8 MS. RANSOM: Can we have foundation as to how  
9 frequently this witness has interacted with his sister?  
10 The doctor's report indicates that -- the 2018  
11 evaluation indicates Ms. Adams stated she didn't have a  
12 very significant relationship with her brother. I'm  
13 not sure which brother she may have been referring to.

14 THE COURT: Nor am I. It sounds more like  
15 cross-examination. I think as the defendant's brother,  
16 the witness has enough foundation to answer.  
17 Overruled.

18 Q. Go ahead and elaborate.

19 A. Leizza is awkward socially, and let me give  
20 some examples. When Leizza is around people who should  
21 be in her peer group, same age but are, again, for lack  
22 of a better word "popular," the popular crowd, she's  
23 uncomfortable. And in my -- in my experience with her,  
24 my observations with her she is uncomfortable with them  
25 because she cannot relate with them, their wit, their

1 humor, which does not coincide with hers, which is, in  
2 my experience, a very simplistic, childish, child-like  
3 humor, very unsophisticated.

4 So when she speaks to people, depending on the  
5 person, when she is with people who are of some kind of  
6 stature, someone with authority, authority figure, she  
7 tends to, if she has to be with them or in their  
8 presence, she will speak to them in low tones, monotone  
9 and with downcast eyes, obviously very uncomfortable if  
10 she speaks to them at all.

11 When she is with her peers, well, there's only  
12 a certain group of people that -- there are certain  
13 people that I've noticed that she will gravitate  
14 towards, and that would be other people who are not in  
15 the popular group, people who -- I don't know if  
16 outcast, not outcast -- but people who when I was in  
17 high school they would be like the geeks or the nerds  
18 or --

19 MS. RANSOM: Objection. Narrative answer.

20 THE COURT: Sustained.

21 MR. HICKS: Okay.

22 THE COURT: Wait for the next question.

23 MR. HICKS: Let me ask you the next question.

24 Q. When Leizza speaks, what is it about her, if  
25 there's anything, that makes it difficult to have a

1 conversation with her?

2 A. Leizza's ideas are not well expressed. Often  
3 she is disjointed, and it seems, in my mind, that when  
4 she speaks, that she assumes people understand what  
5 she's saying and oftentimes don't.

6 When she is confronted or asked about  
7 something that is very personal to her, something that  
8 could be embarrassing, she can shut down. When she is  
9 asked in a way that is like an interrogation, an  
10 aggressive, what she might seem to feel is aggressive,  
11 she will shut down, she will not speak.

12 MS. RANSOM: Objection. Foundation.

13 THE COURT: Overruled. The answer may stand  
14 but stop there, wait for the next question. Go ahead,  
15 Mr. Hicks.

16 Q. How is her eye contact with people?

17 A. It tends to be averted, even with me sometime,  
18 a lot of the times.

19 Q. She doesn't -- what you're saying is she  
20 doesn't maintain any eye contact?

21 A. Correct, sir.

22 Q. And how are her facial expressions?

23 A. I would describe them often as dead, meaning  
24 expressionless, often, not all the time. But certain  
25 people with whom she has a rapport, whom she is

1 comfortable with, that would include small children and  
2 elderly people, she expresses herself much more openly.

3 Q. How does she come across as you've observed  
4 it, to other people?

5 A. Depending on the situation, if she feels that  
6 she has been wronged, I would describe her attitude as  
7 petulant, like a child, and I don't know if I can speak  
8 more to that without conjecture or speculation. When  
9 she is with family, she tends to be more open because  
10 we have a rapport, we have a rapport with her. Close  
11 friends from her childhood she has very few confidantes  
12 in which she expresses herself openly and shares her --

13 Q. In that regard, your mother and father are  
14 both of Filipino descent?

15 A. Yes, sir.

16 Q. And the two major things in their lives or  
17 three major things in their lives, two major things are  
18 their Mormon religion; correct?

19 A. As Filipinos?

20 Q. No, just your parents.

21 A. In my parents' life, yes, their religion, yes.

22 Q. And that's true of your brothers and sisters?

23 A. That is correct, sir.

24 Q. And is there anything else that captures  
25 Leizza's attention other than her church?

1 A. Leizza has a limited amount of interests, and  
2 some of them would include, I believe it's knitting,  
3 music, and most especially her children.

4 Q. And other than that she's just not interested;  
5 correct?

6 A. I think that could be a correct statement.

7 Q. How loud does Leizza talk?

8 A. Again, depending on her environment and the  
9 people with whom she is sharing space, she can be loud  
10 and boisterous and ebullient with family, and with  
11 people whom she does not have a rapport, she tends to  
12 be quiet and sometimes even morose.

13 Q. Does she talk loud or soft?

14 A. When she speaks with us, loud; when she speaks  
15 with other people, in lower tones.

16 Q. Is Leizza graceful? Is she a person that's  
17 coordinated?

18 MS. RANSOM: Object. Relevance.

19 THE COURT: Overruled. You may answer.

20 A. Leizza has tended to be since our childhood  
21 awkward, and I think that the word graceless would  
22 aptly -- she can be clumsy, often is clumsy.

23 Q. How is her writing skills?

24 A. Illegible.

25 Q. She can read them?



1 A. She can read them.

2 Q. But you can't?

3 A. Only with great difficulty, sir.

4 Q. Does Leizza -- talk about Leizza and her  
5 church. How often does she go to church?

6 A. To my knowledge, she goes to church every  
7 Sunday when she is physically able.

8 Q. Does she pray?

9 A. She does.

10 Q. Does she have a set routine?

11 A. She does. She routinely prays with, not just  
12 by herself, but on a nightly basis she will call a  
13 family member. If she cannot pray with someone with  
14 whom she lives, she insists that we pray with her, and  
15 that means it's a speaker phone or teleconference with  
16 us in San Diego. She has to pray with her family every  
17 night. That is part of her routine.

18 Q. What about every morning?

19 A. She prays every morning.

20 Q. And does she miss mornings, or is it a routine  
21 or a ritual?

22 A. In my observation that is a ritual, but I  
23 cannot speak, I'm not there to observe her pray every  
morning.

25 Q. You've indicated that she has a limited range

1 of interests. Those include the things that you spoke  
2 about previously?

3 A. Yes, sir. Yes, sir. I'm sure there are more.  
4 I cannot document every single interest that she has.

5 Q. Would you say that Leizza is socially adept,  
6 or does she have a problem interacting with other  
7 people?

8 A. Leizza is socially inept.

9 Q. Would you say that she is -- her attention's  
10 on other people or on herself?

11 A. She is mostly withdrawn, can be self-absorbed  
12 unless with people with whom she shares a rapport.

13 Q. And you say that Leizza likes music?

14 A. Yes, sir.

15 Q. How did she learn to play the piano?

16 A. Leizza, despite her deficiencies social-wise,  
17 has excelled in music. To my understanding she taught  
18 herself to play the piano. She did not take lessons  
19 that I witnessed growing up, she taught herself just  
20 through persistence and dedication to practice, and she  
21 even plays the piano at church.

22 Q. And how long has she been playing the piano?  
23 And it's just with the youth group; right?

24 A. I don't know if it's with the youth or the  
25 women's group, the relief society, which is the women's

1 group at church, I don't know how many or which  
2 capacities, but there are pianists for different  
3 meetings in the church block of meetings.

4 Q. But she's good enough that she plays at  
5 church?

6 A. Yes, sir.

7 Q. When you became -- let me ask you this. Did  
8 you at some time -- what is the power and control  
9 wheel?

10 A. The power and control wheel is a diagram or  
11 model --

12 MS. RANSOM: Renewed objection, foundation and  
13 lack of disclosure. This is expert testimony.

14 THE COURT: was there any disclosure of the  
15 power and control wheel --

16 MR. HICKS: Your Honor --

17 THE COURT: -- as it pertains to this witness?

18 MR. HICKS: well, I don't know as it pertains  
19 to this witness, but based on the power and control  
20 wheel that is produced by the National Center on  
21 Domestic and Sexual Violence, and which Adam uses  
22 often, he created a questionnaire.

23 MS. RANSOM: Your Honor, this was not  
24 disclosed to the state as a topic of testimony related  
25 to this witness.

1 MR. HICKS: Your Honor, it was disclosed.  
2 There's a questionnaire to Leizza prepared by Adam  
3 Alcantara.

4 THE COURT: When was that disclosed, and do  
5 you have any disclosure document to show them?

6 MR. HICKS: Absolutely.

7 MS. RANSOM: The State has it right here where  
8 it does not discuss that Mr. Alcantara will be talking  
9 about a power and control wheel.

10 THE COURT: Well, Mr. Hicks, do you have  
11 something that shows he was going to be doing that?

12 MR. HICKS: Well, Your Honor, I disclosed a  
13 questionnaire that was prepared by Adam Alcantara  
14 written on the top that has his questions and Leizza's  
15 answers to those questions. I disclosed the document.

16 THE COURT: Okay. And you're holding  
17 something up. And it looks to me as though that's  
18 something I got. Take a look at what I have.

19 MR. HICKS: I don't think you've got it, Your  
20 Honor.

21 THE COURT: I got it along with my copy of  
22 your -- it says, "Questionnaire for Leizza Prepared by  
23 Adam Alcantara." When was this submitted?

24 MR. HICKS: Your Honor, before we started this  
25 hearing, I specifically brought up the issue that there

1 may not have been a great deal of time for disclosures,  
 2 but that if the State was willing to waive that issue,  
 3 then I was willing to proceed. And so I don't know,  
 4 but it was disclosed last week sometime. I don't know  
 5 when. It wasn't disclosed on Friday. It was disclosed  
 6 on Wednesday probably by fax or e-mail, and it clearly  
 7 relates what it is.

8 MS. RANSOM: Your Honor, the State's  
 9 documentation is obstructed by -- I got it on August  
 10 9th, and there is no -- the name Adam is blocked out by  
 11 a fax cover sheet. I can't tell what this is, and nor  
 12 would I have been able to, honestly, other than maybe  
 13 even thinking it was about one of his actual expert  
 14 reports, because Adam Alcantara is disclosed as a  
 15 witness who is going to talk about his knowledge of  
 16 Leizza, the family, and information he's learned from  
 17 Leizza since the case began. He'll testify he and his  
 18 wife are going to be -- are requesting that they will  
 19 adopt the children.

20 If this is information learned from Leizza  
 21 since the case began, how is the State supposed to  
 22 really comprehend that when we can't see the author of  
 23 this questionnaire? And how is this relevant to any  
 24 personal knowledge this individual may have from  
 25 interacting with her? He's written her this

1 questionnaire saying, "Say how Paul hurt you." He can  
2 get up and say that.

3 THE COURT: Right. Ms. Ransom, you were  
4 quoting from something previously saying what this  
5 witness was going to testify to. Please identify what  
6 you were quoting from.

7 MS. RANSOM: Yes, Your Honor, Defendant's  
8 Disclosure for Presentence Hearing and Sentencing  
9 received by the State on August 9th at 2:40 p.m. via  
10 fax. There is a listing -- this is after the State  
11 filed its objection to the continuance, noting that it  
12 hadn't received any disclosures. We received this  
13 promptly thereafter, and I was able to review it, and  
14 it identifies the topic areas that each witness is  
15 supposed to cover.

16 THE COURT: May I see it?

17 MS. RANSOM: Yes, Your Honor.

18 MR. HICKS: Your Honor, there's no way I can  
19 know that the fax doesn't -- that the fax cuts off a  
20 part of somebody's name.

21 THE COURT: Well, taking a look at this, and  
22 I'm looking specifically at the first page of  
23 Defendant's Disclosure for Presentence Hearing and  
24 Sentencing, it's not as clear as it might be or should  
25 be, but it does say, among other things, that this

1 witness counsels Border Patrol agents and their wives  
 2 and families regarding battered spouse syndrome,  
 3 spousal abuse, child abuse, and a variety of other  
 4 topics that come up. I'll call them notes, I don't  
 5 know if that's how the witness would refer to them,  
 6 that set of notes with the witness's observations, that  
 7 was also disclosed.

8 If this were a trial, I'd say it's not good  
 9 enough disclosure, not timely enough, not specific  
 10 enough; however, for purposes of sentencing, I will say  
 11 that is good enough. So the objection is overruled.  
 12 We will stop here, however. Ms. Ransom, let me hand  
 13 you your document back. Thank you.

14 MS. RANSOM: Your Honor, just so I don't  
 15 forget when we come back from lunch, can I just note  
 16 for the record that the testimony has not borne out the  
 17 topic that was disclosed, because he said he has not,  
 18 in fact, counseled any spousal abuse within Border  
 19 Patrol, although he was trained.

20 THE COURT: Well, he did have some training.  
 21 Yes, the record may show your position. My view  
 22 remains the same. I'll overrule the objection. But  
 23 we'll stop here, and we'll start up again at 1:45. I  
 24 do have a mental health hearing at 1:30. Just for the  
 25 benefit of witnesses and spectators, that kind of

1 hearing is closed. It shouldn't take any longer than  
2 15 minutes, but it does mean that if you come at 1:30  
3 and try to get in the courtroom, it will be locked, you  
4 wouldn't be able to come in. We will start up again on  
5 this matter at 1:45 this afternoon. Thank you.

6 (Recess held from 12:01 to 1:43 p.m.)

7 THE COURT: State of Arizona against Leizza  
8 Adams, CR-2017-425. Thank you. You may all be seated.  
9 Ms. Adams is present, represented by Mr. Hicks. The  
10 state is represented by Ms. Ransom. Detective Borquez  
11 is here. And I believe it was Mr. Adam Alcantara who  
12 was on the stand. Maybe he's on his way. Here he is.

13 Mr. Alcantara, if you would take the witness  
14 stand again, you are still under oath, sir. All right.  
15 And still direct examination.

16 Mr. Hicks, you may proceed.

17 MR. HICKS: Your Honor, before we get too far  
18 along, I want to do a couple of household things.

19 THE COURT: All right. What would you like to  
20 do?

21 MR. HICKS: I would introduce a few of these  
22 exhibits.

23 Q. Mr. Alcantara, I put in front of you some  
24 photographs. They're labeled Exhibits A through G, I  
25 believe. Would you look through those, starting with



1 the first one, and tell me what it is?

2 A. Yes. Exhibit A is Leizza, my sister, and her  
3 two children, [redacted] and [redacted] and then my  
4 other nephew, this is Ben, and he's not one of Leizza's  
5 children.

6 Q. Okay. And do you know where that occurred?

7 A. This is outside of one of our chapels.

8 Q. One of your chapels here or in San Diego?

9 A. This is in Bisbee.

10 Q. And let me ask you. Were you there for that  
11 ceremony?

12 A. I was not there for the baptism.

13 Q. Okay. But your wife was; right?

14 A. Yes, sir.

15 Q. Okay. Let me show you what's been marked as  
16 Defendant's E, ask you if you can identify that?

17 A. This photo was taken in San Diego on the front  
18 lawn of the San Diego temple of the Church of Jesus  
19 Christ of Latter Day Saints. In the picture are  
20 Leizza, my sister; [redacted] on the far left; [redacted]  
21 next to her; in the center is [redacted]; [redacted] in her  
22 arms; [redacted] standing next to Leizza in her embrace;  
23 and [redacted] off to the right.

24 Q. And those are Leizza and her family; correct?

25 A. Yes, sir.

1 MR. HICKS: Your Honor, I move for admission  
2 of Exhibit E.

3 THE COURT: Any objection to Exhibit E?

4 MS. RANSOM: Can we just clarify time frame?  
5 Otherwise, the State doesn't have an objection to the  
6 photographs.

7 THE COURT: Sure.

8 Mr. Alcantara, when was Exhibit E taken, if  
9 you know?

10 THE WITNESS: I do not know. It looks to be  
11 possibly two years old. The children are younger in  
12 this photo, and I was not there when that photo was  
13 taken.

14 THE COURT: But you think, based on the  
15 appearance --

16 THE WITNESS: Based on the appearance.

17 THE COURT: -- two years?

18 THE WITNESS: It may have been two years, may  
19 have been longer, I cannot tell.

20 THE COURT: Exhibit E shall be marked and  
21 received.

22 Q. would you take a look at Exhibit G and let me  
23 ask you if you recognize what that is. Did I show  
24 it -- I did. Let me ask if you recognize what that is?

25 THE COURT: Which one is that, Exhibit G?

1 MR. HICKS: Exhibit G.

2 THE COURT: Thank you.

3 A. Exhibit G, this photo depicts Leizza, Paul  
4 Adams, [REDACTED] and this looks like [REDACTED] This is  
5 a long time ago. I cannot be sure because their age  
6 and the difference in their appearance now, but it  
7 appears to be [REDACTED] the smallest in this picture.

8 Q. Is that a family photo? Everybody in there is  
9 Leizza's family?

10 A. Yes, sir.

11 Q. And it appears to have been taken some time  
12 ago, but you can recognize all the people in there are  
13 Leizza, Paul Adams, and their family at that time?

14 A. Yes, sir.

15 MR. HICKS: Move for admission of Exhibit G.

16 MS. RANSOM: Are we talking more than five  
17 years ago?

18 THE WITNESS: I would say at least five years.

19 MS. RANSOM: No objection with the  
20 clarification.

21 THE COURT: Exhibit G shall be marked and  
22 received.

23 Q. Let's go back briefly to the questionnaire to  
24 Leizza that you prepared. When did you prepare it?

25 A. I would estimate two months.

1 Q. And did you -- the questions are yours;  
2 correct?

3 A. On the --

4 Q. I'm sorry, I don't have that in front of you.  
5 Let me give it to you. You prepared the questions?

6 A. In this questionnaire, yes, I prepared these  
7 questions.

8 Q. And who prepared the answers?

9 A. My sister Leizza.

10 Q. Why did you do a written questionnaire?

11 A. Because I know my sister is very inept at  
12 expressing her feelings and giving answers, especially  
13 on serious topics such as this one in which she  
14 normally shuts down, and if she's going to give answers  
15 she normally gives them piecemeal, little bits, and  
16 they're usually the ideas are never complete. But  
17 because I know that she communicates a lot better, at  
18 least in my experience, writing, texting, e-mailing,  
19 Facebook, texts more openly and is more articulate in  
20 communicating in that fashion, I chose this way of  
21 asking these questions to her.

22 Q. Okay.

23 A. In written format. Or typed.

24 MS. RANSOM: Your Honor, can we have more  
25 foundation how he knows this is Leizza Adams' writing

1 these responses?

2 THE COURT: Lay that foundation.

3 MR. HICKS: I missed it. How he knows what?

4 THE COURT: That these are Leizza Adams'  
5 responses.

6 Q. How do you know these are Leizza Adams'  
7 responses?

8 A. When I created this questionnaire, I e-mailed  
9 it to her, we discussed that I would be e-mailing her a  
10 questionnaire over the phone, and then I e-mailed it.  
11 After formatting this questionnaire, I e-mailed it to  
12 her. She responded, and over the course of days she  
13 would answer these questions in her own words and to  
14 verify that it was indeed her.

15 The next time that I visited her after we  
16 formatted -- I formatted and sent her this  
17 questionnaire and she started to answer the questions,  
18 I went to where she was living and I asked further  
19 questions for clarification sake on what certain  
20 answers meant to make them more understandable to  
21 somebody who would read it, including myself.

22 Q. So basically you worked with her and worked  
23 with her and worked with her but the answer is  
completely her?

24 A. Those are all her answers, her words.

1 MR. HICKS: Your Honor, I move for admission  
2 of the questionnaire and the answers.

3 THE COURT: All right. Any additional  
4 objections based on, excuse me, other than the  
5 objections already raised?

6 MS. RANSOM: No, Your Honor.

7 THE COURT: All right. Has the questionnaire  
8 been marked for identification?

9 MR. HICKS: Yes. This one hasn't but that one  
10 has.

11 THE COURT: As what?

12 MR. HICKS: Defendant's Exhibit H.

13 THE COURT: H. All right. Exhibit H shall be  
14 marked and received.

15 MR. HICKS: Shall be marked and admitted?

16 THE COURT: I said marked and received, but  
17 admitted is a good word, too.

18 MR. HICKS: I just want to make sure I heard  
19 the correct answer.

20 THE COURT: Yes.

21 Q. So, Adam, I'm not going to go through the  
22 entire thing, because there's a number of questions,  
23 but I wanted to go through with you the question on the  
24 last page that "Describe how Paul would sexually abuse  
25 you. Talk about different events or reoccurring events

1 in which he systematically abused you. Be as  
2 descriptive as possible and include places and dates if  
3 you can." Was that the question that you asked her?

4 A. Yes, sir.

5 Q. And what follows are those -- is that the  
6 answer that she gave you?

7 A. These are the answers she gave me.

8 Q. Okay. And just to be clear, you had to go to  
9 her and talk to her and clarify, and she would type,  
10 but in the end you went to her and assured yourself  
11 that these were her written answers?

12 A. Yes, sir, personally.

13 Q. She typed them herself?

14 A. She typed them herself. I watched her do it.

15 Q. Okay. And in her answer she starts by saying,  
16 "He said if I didn't want to have sex then he would  
17 rape me. He started the first week of marriage. He  
18 did it in his Honda Civic."

19 MS. RANSOM: Your Honor, the State objects to  
20 counsel reading this into the record. He already  
21 indicated he intends to call his client. This seems to  
22 be an end run around having to call his client.

23 THE COURT: well, the document is in evidence  
24 so.

25 MS. RANSOM: Your Honor can read it.

1 THE COURT: I can read it. I'll sustain the  
2 objection based on the fact it's in, and I really don't  
3 need anyone reading it for me, so you may proceed with  
4 the next question.

5 Q. Were some of the things contained in that  
6 answer things that you had not known before?

7 A. Yes, sir.

8 Q. Did any of the items contained in the answer  
9 explain anything to you as to why Leizza acts as she  
10 does?

11 A. Yes, sir.

12 Q. Which ones?

13 A. I can think of several things. For one thing  
14 her reticence to speak about the abuse perpetuated upon  
15 her. It's very -- it's embarrassing. It would be  
16 embarrassing and shameful for her to put this out for  
17 anyone to read about, talk about, especially in a  
18 setting like this. And I'll -- if you have any other  
19 questions, I'll stop there for now.

20 MR. HICKS: The very last paragraph -- Your  
21 Honor, may I just read that to him and ask him what his  
22 thoughts on that are?

23 MS. RANSOM: The State's going to raise a new  
24 objection to self-serving hearsay, Your Honor, with  
25 respect to all of the statements that are attributed to



1 Leizza Adams.

2 THE COURT: Well, the document is in evidence  
3 now. That objection is overruled. You don't have to  
4 read the whole paragraph, you can focus his attention  
5 and ask him something else. I'm concerned about the  
6 time here. We only have this afternoon for this  
7 hearing, and I want to give all the witnesses an  
8 opportunity to come forward and give evidence, so the  
9 objection is sustained on that basis. Go ahead.

10 MR. HICKS: Okay. I'm going to leave it for  
11 the court to read. I may quote from it to some extent  
12 in my closing, Your Honor.

13 THE COURT: Sir, if you would hand me that  
14 marked exhibit, I'll pass it along to the clerk.  
15 That's Exhibit G. Now the clerk has it.

16 THE CLERK: H.

17 THE COURT: I'm sorry, I said G. That was  
18 wrong. It's Exhibit H in evidence.

19 Q. Adam, at some stage did you become aware that  
20 Leizza was trying to find a journal?

21 A. Yes, sir.

22 Q. Okay. When was that, if you recall?

23 A. I would estimate a year ago. It seems like it  
24 was summertime. I cannot be sure. Definitely months  
25 ago.

1 Q. Okay. And what was the request?

2 A. Leizza requested that we look for her journal.  
3 It wasn't with her here in Arizona, it was in storage  
4 in San Diego, so we looked through the storage, our  
5 storage sheds. She gave a description of what the  
6 journal was, she explained that it was something that  
7 she was asked to go over, but she couldn't read through  
8 her past entries from a certain time period unless she  
9 had that journal, so she had us look for it. And we  
10 found it and we made sure she got it back.

11 Q. Okay. And that journal -- are you aware of  
12 Leizza's handwriting?

13 A. Yes, sir.

14 Q. Can anyone besides Leizza read that journal?

15 A. I cannot say.

16 Q. Okay. Is Leizza's handwriting good?

17 A. No, sir.

18 Q. And so you sent the journal to her. What's  
19 the next thing that you heard about the journal?

20 A. I if I recall correctly, when she received the  
21 journal, she told us, specifically my wife --

22 Q. Okay. So your wife is who she told when she  
23 received the journal?

24 A. Yes, sir.

25 MS. RANSOM: Objection. self-serving hearsay

1 about what the defendant is telling people.

2 THE COURT: I haven't really heard the  
3 substance of it. I'll overrule the objection, let the  
4 answer as to this witness stand.

5 MR. HICKS: Your Honor, I'm just going to save  
6 it for the wife.

7 THE COURT: I was about to say that anything  
8 further on this topic would have to be directed to the  
9 witness's wife, but his answers up to this point shall  
10 stand. You may proceed.

11 Q. At any stage did Leizza express to you  
12 personally any dismay about the journal?

13 MS. RANSOM: Again, self-serving hearsay as to  
14 statements by defendant to her brother.

15 THE COURT: Sustained.

16 Q. Adam, you and your wife have begun the  
17 process of if the children are taken from Leizza trying  
18 to adopt them; correct?

19 A. Yes, sir.

20 Q. Would you explain to the judge the things that  
21 you have done in that regard up to date?

22 A. The process is the Interstate Compact for the  
23 Placement of Children, ICPC. And since the children,  
24 the Adams children, are currently wards of the State of  
25 Arizona and we reside in California, we, seeking for

1 placement of the children as either legal guardians or  
 2 potential adoptive parents, had to begin a process  
 3 going through Health and Human Services in San Diego  
 4 County, which meant that we had to -- and we informed  
 5 DCS here that we would be doing that -- and so we began  
 6 that process with HHS in San Diego.

7 We did as we were instructed, we took the  
 8 orientation class for what they call resource families,  
 9 we received our certification in that. Following that  
 10 we took a 16-hour -- 16 hours of training in the trauma  
 11 informed preservice training. We were certified in  
 12 that. We did our background checks. We also had  
 13 our -- we gave references to people.

14 Q. Hang on. Background check, has it come back?

15 A. I don't know the details of all that, but I'm  
 16 just assuming that it has because they would not have  
 17 interviewed us and finished, finalized the process if  
 18 our background checks had come up with derogatory  
 19 results.

20 Q. So go to the next thing after the background  
 21 check.

22 A. After the background check we did the home  
 23 study. So we had to move into a home that we could --  
 24 that had the space to accommodate not only our four  
 25 children but also the six children, the six Adams

1 children. At the time we started, we were going  
 2 through, beginning the process, we didn't have a home  
 3 large enough. And my parents, wanting to help, they  
 4 gifted us their home and they -- so we arranged, we  
 5 have a rental agreement with them. We moved into that  
 6 place. It's in a different city in San Diego county.

7 And we did modifications, remodeling, updates,  
 8 upgrades to the home, spending hundreds of work hours  
 9 and thousands of dollars for roofing, painting,  
 10 upgrading the floors, remodeling the bathroom and so on  
 11 and so forth in order for this to go through to pass  
 12 the inspection.

13 The caseworker from HHS, specifically for the  
 14 ICPC process, came to the house, she inspected it, she  
 15 passed it or we passed, and then from there the process  
 16 continued. And after that we were interviewed by  
 17 another caseworker. The children and ourselves, the  
 18 adults in the home, were interviewed.

19 And upon passing the interviews, the  
 20 caseworker told us that she would be sending her  
 21 recommendation for approval to the higher-ups in that  
 22 process, and she informed us that once that approval  
 23 was made, that they would communicate that approval  
 24 that we had done our part in the ICPC process to DCS in  
 25 Arizona.

1 Q. Have you hired an attorney in Arizona to  
2 attempt to intervene in the dependency?

3 A. Yes, sir.

4 Q. At this stage the plan is for reunification,  
5 so you were not allowed to do so?

6 A. That is correct.

7 Q. Adam, do you visit the children? Do you visit  
8 Leizza's children, the Adams children?

9 A. Yes, sir, I visit the Adams children.

10 Q. How often do you visit them?

11 A. I visit them maybe on average of once every  
12 six to eight weeks when my -- and this is going back  
13 since last year -- my wife and children. So when my  
14 work schedule allows me to do that, I do it. My wife  
15 and children, they visit much more often than I do.

16 Q. Have you spoken with any of the foster parents  
17 of the children?

18 A. Yes, sir.

19 Q. What do they -- and let me ask you which ones  
20 have you spoken to? Maybe I shouldn't say that in  
21 court. Have you spoken to two of the foster parents?

22 A. At least two.

23 Q. At least two. And what was the expression as  
24 far as how the children feel toward their mother?

25 A. They have expressed to me openly that the

dezza to  
have access  
to children

Alcantara

1 children love their mother.

2 Q. If the children are severed, would it be  
3 better for the children to have Leizza -- say there was  
4 a severance in place and you adopted them, would it be  
5 better for the children to have Leizza in their lives  
6 or not?

7 MS. RANSOM: Foundation.

8 A. Yes, sir.

9 THE COURT: Overruled. Answer may stand.

10 Q. And why?

11 A. Basing upon my experience and my training, the  
12 well-being of families, family members, thrives best  
13 when they have their familial connections. Obviously,  
14 ideally in healthy situations where there is love and  
15 there is support, when there is a disconnection in  
16 familial units, in my experience and my training, there  
17 is lack of stability.

18 I have seen where in many families torn apart,  
19 either through loss of life or divorce or adoption,  
20 losing parental rights and whatnot, that the children  
21 always suffer. So I have seen that when children are  
22 taken away from the people that they grew up with, the  
23 first people to them tell them that I love them, the  
24 people who raised them, who taught them to read, write,  
25 sing, and all that, that is a connection severed, and



1 that contributes to the trauma that these children  
2 undergo.

3 Not -- and that is apart from not just --  
4 there's the trauma of separation, there's the trauma of  
5 going into a new home, people they do not know, there's  
6 the trauma of going to a new school, there's the trauma  
7 of the new set of people they have to associate with in  
8 the new community, the new church, the new school. All  
9 of these things contribute to lack of stability or, in  
10 other words, lack of security.

11 Q. Adam, do you also participate -- and this is  
12 to change the subject a little bit -- in the Boy Scouts  
13 of America?

14 A. Yes, sir. I have participated in the Boy  
15 Scouts since 2009.

16 MR. HICKS: I believe that's all I have, Your  
17 Honor.

18 THE COURT: Thank you, Mr. Hicks.

19 Ms. Ransom, cross?  
20

21 CROSS-EXAMINATION

22 BY MS. RANSOM:

23 Q. Good afternoon, sir.

24 A. Good afternoon, Ma'am.

25 Q. Before you heard of Paul Adams' arrest, when

1 is the last time you spoke with your sister, defendant  
2 Leizza Adams?

3 A. I cannot recall a date or I'm just going to  
4 guess months before that.

5 Q. Did the two of you speak regularly?

6 A. No.

7 Q. Did the two of you see each other regularly?

8 A. Maybe twice or three times a year.

9 Q. Did you confide in each other with respect to  
10 complaints about the marriage or complaints about kids?

11 A. No.

12 Q. Did you consider yourself close to your sister  
13 before you heard of the arrest?

14 A. No.

15 Q. Okay. After the arrest did you communicate  
16 more often with her?

17 A. Yes, ma'am.

18 Q. Why did you communicate more often with her  
19 after the arrest?

20 A. Concern for her and her children.

21 Q. Did you know before the arrest whether or not  
22 your sister worked outside the home?

23 A. I knew that she had a paper route at the  
24 beginning of their marriage when they came to Arizona.

25 Q. But beyond that you didn't know how she spent

1 her day-to-day?

2 A. As far as I knew, she worked as a stay-at-home  
3 mom.

4 Q. Okay. And you didn't have any -- was that  
5 based upon your visits or how did you come to that  
6 understanding?

7 A. Visits and the brief communications we've had.

8 Q. All right. Did she discuss with you what she  
9 would do with the children on a daily basis?

10 A. Only by my observance of what they did.

11 Q. Okay. Did you, in your process of attempting  
12 to adopt the Adams children, tell authorities that you  
13 would not allow them to see Leizza Adams at any point?

14 A. Restate the question.

15 Q. At any point during your attempt to adopt the  
16 Adams children or efforts to intervene in the  
17 dependency, did you indicate that you would prevent the  
18 children from seeing their mother?

19 A. I don't recall saying anything like that. It  
20 might have been if the court ruled that she not be able  
21 to see the children again, I would go by what the court  
22 rules, but I do not remember specifically ever saying  
23 that the children should never see their mother again.

24 Q. Did you say anything to that effect?

25 A. Not to my recollection.

1 Q. Did you ever indicate to authorities that you  
2 didn't really have a close relationship with Leizza  
3 Adams?

4 A. To authorities such as?

5 Q. During the course of attempting to intervene  
6 in the adoption or dependency.

7 A. I don't believe so.

8 Q. Okay. It's possible, you just can't recall?

9 A. I couldn't recall saying anything like that.

10 Q. You're a Border Patrol agent?

11 A. Yes, ma'am.

12 Q. How long have you been a Border Patrol agent?

13 A. Since 2009.

14 Q. In the course of your duties you investigate  
15 crimes?

16 A. Crimes involving immigration.

17 Q. All right.

18 A. And smuggling of drugs, people.

19 Q. Do you run into some people with bizarre  
20 personality traits in that world?

21 A. Yes, ma'am.

22 Q. Sometimes they're socially inept?

23 A. Yes, ma'am.

24 Q. They're still responsible for their conduct?

25 A. I cannot say how responsible someone is if

1 they have a disorder. I cannot be the judge of how  
2 accountable they are for their actions.

3 Q. Do you arrest them nonetheless?

4 A. I have to.

5 Q. Do socially inept people still have the  
6 capacity to understand right from wrong?

7 A. I think many of them do.

8 Q. Do socially inept people still have the  
9 ability to lie when it suits them?

10 A. Many of them do.

11 Q. Does your sister understand right from wrong  
12 based on your interactions with her?

13 A. I believe so.

14 Q. Did she ever tell you about the abuse in her  
15 household at all before Paul Adams' arrest?

16 A. Never.

17 Q. Would you have helped her?

18 A. Yes, ma'am.

19 Q. Did she know that you would have helped her?

20 A. I don't know.

21 Q. When you interacted with her, did you ever  
22 have any belief that her -- or visited, did you ever  
23 have any concerns about the home?

24 A. No, ma'am.

25 Q. Was Paul Adams there when you would visit?

1 A. When I did visit their home personally it was  
2 already after he was arrested.

3 Q. So when you previously talked about the three  
4 times plus per year?

5 A. That was when they would visit San Diego.

6 Q. They would come to San Diego?

7 A. Yes.

8 Q. Who would be present in San Diego?

9 A. Her family.

10 Q. Was Paul Adams also present?

11 A. Occasionally.

12 Q. All right. What did you think of Paul?

13 A. Honestly, I never trusted him.

14 Q. Okay. Did you ever talk to your sister about  
15 your concerns about her husband?

16 A. Yes.

17 Q. All right. And let her know that if she had  
18 concerns, she could come to you?

19 A. I don't know if I ever expressed that  
20 specifically.

21 Q. What did you say then about when you talked to  
22 your sister about concerns?

23 A. It was right before they were married.

24 Q. What did you say?

25 A. I expressed that I did not approve.

1 Q. Did you tell her you didn't trust him?

2 A. No.

3 Q. When did the trust concern come up?

4 A. After they were married. And, yes, I think  
5 right before they were married, because for me the red  
6 flag was -- I did not have much, honestly, I did not  
7 have much interaction with him until -- not even, well,  
8 when we found out that they were planning to, in my  
9 recollection, they were planning to elope or get  
10 married without our knowledge, and when we found out  
11 about it, we had our concerns.

12 Q. All right.

13 A. The concerns were why the secrecy, why not do  
14 it the way we were accustomed to doing it as a family,  
15 this being a family affair, why, that was our concern.  
16 Why would he want to do this without our knowledge, and  
17 so for me that was a huge red flag of why not be open  
18 about it, why not be up front about it. And despite my  
19 expression of concern, he wanted to continue with that  
20 plan --

21 Q. All right.

22 A. -- of getting married.

23 Q. Did your parents talk to your sister about the  
24 marriage?

25 A. We did that together.

1 Q. And was there ever any discussion with her  
2 about reaching out if she ever needed help?

3 A. Probably. I don't remember saying exact words  
4 to that effect.

5 Q. You said your parents essentially gifted you  
6 or at least are giving you a good rental property to  
7 help you out so you can help your sister's children;  
8 right?

9 A. Yes, ma'am.

10 Q. Do you think your parents would have done the  
11 same for your sister if she needed it?

12 A. Yes, ma'am.

13 Q. I just want to make sure that I heard your  
14 testimony right earlier. So although you're trained in  
15 domestic violence counseling, you never counseled  
16 domestic violence couples within the Border Patrol?

17 A. Not couples, single individual, but not with  
18 the spouse. And it was not a Border Patrol agent.

19 Q. As a chaplain, I'm sorry.

20 A. As a chaplain.

21 Q. I apologize. So you haven't counseled  
22 domestic violence individuals?

23 A. Not for that specific purpose, no.

24 Q. Have you ever counseled families trying to  
25 reunify?



1 A. Maybe not reunification but working through  
2 difficulties in marriage.

3 Q. Is your counseling always that they maintain  
4 the situation they're in?

5 A. Yes, unless there is a safety concern.

6 Q. And what would be a safety concern to you?

7 A. Domestic violence.

8 Q. Okay. What do you consider to be domestic  
9 violence?

10 A. Anything from sexual abuse, physical abuse,  
11 physical violence, verbal and emotional abuse, economic  
12 abuse, using the children as leverage against a spouse,  
13 isolation, to name a few.

14 Q. And you would be worried about those things,  
15 whether it was the father or the mother engaging in  
16 them; correct?

17 A. Yes, ma'am.

18 Q. All right. And it's your opinion that your  
19 sister should be reunified with her children for their  
20 benefit?

21 A. Them being dependents, I need to qualify my  
22 answer. The reason is my sister Leizza is not capable  
23 of supporting the children financially at this point,  
24 and her job experience, her work experience, would be a  
25 challenge for her to obtain a job that would be able to

1 support her and the children and shelter them all,  
2 house them, feed them, clothe them, and provide for  
3 their other needs, curricular and otherwise, so that is  
4 the qualification to my answer that they, in effect,  
5 no, not at this time.

6 Q. Before Paul Adams was arrested, did your  
7 sister ever call you up and say "Paul keeps  
8 masturbating in front of the kids"?

9 A. No, ma'am.

10 Q. "Hey, Paul's hitting me and the kids"?

11 A. No.

12 Q. "Hey, Paul is sexually abusing me"?

13 A. No.

14 Q. Or the kids?

15 A. No.

16 Q. Do you think it's beneficial for a child to be  
17 in a home life where they're sexually abused?

18 A. Of course not.

19 Q. Do you think it's beneficial for a child to be  
20 in a home life where they're beaten?

21 A. Of course not.

22 Q. Are you aware there's been reports your sister  
23 hit one of the boys with a belt in the course of caring  
for them?

25 A. I have not, no.

1 Q. would that be a problem for you regarding  
2 reunification?

3 A. It depends. And my answer is because when I  
4 was disciplined as a child, I got spanked with a belt.

5 Q. Have you heard the testimony today that your  
6 sister was aware of since approximately 2010 that Paul  
7 Adams was raping M-1?

8 A. I heard that testimony, yes.

9 Q. That give you concerns about reunification  
10 that someone who is aware that their eldest child is  
11 being raped turns her back and doesn't get help for  
12 them?

13 A. That is a concern, yes.

14 Q. How about a parent who gets a child who's been  
15 abused back and cuts their hair off right away, does  
16 that give you concern?

17 A. cuts their hair off?

18 Q. A young girl, just been abused by her father,  
19 it's come out, first visit with mom, she cuts all her  
20 hair off; is that good parenting?

21 A. Can you define "cutting all hair off"?

22 Q. Is that good parenting when her hair has been  
23 cut off?

24 A. on the face of this, no.

25 Q. Okay. How about a mother who turns her back

1 when father masturbates in front of the children; is  
2 that good parenting? Is that someone who should be  
3 reunified with their children?

4 A. If a parent does that --

*He does  
not believe  
Abuse Allegat*

5 Q. Yes or no.

6 A. No.

7 Q. A mother who's aware the father hits the  
8 children, should that be reunified with the children?  
9 Doesn't stop it, doesn't get help. Should a mother who  
10 is aware of domestic violence being committed against  
11 her children be reunified?

12 MR. HICKS: Your Honor, kind of an objection.  
13 She's using reunified with the children. I don't think  
14 that's Mr. Alcantara's testimony. Having her visit the  
15 children is different from reunification.

16 THE COURT: Well, you can ask about that on  
17 redirect. The objection is overruled.

18 A. Where were we?

19 Q. A mother who doesn't do anything despite  
20 knowledge of her children being hit by a father, should  
21 that mother be reunified with her children?

22 A. On the face of it, no.

23 Q. All those things we've just gone over, is  
24 that -- are any of those things a good environment for  
25 children to be in?

Physical  
Absence OK

1 A. Of course not.

2 Q. Are those good, solid things that a child  
3 should continue to be exposed to?

4 A. Of course not.

5 Q. Getting entirely away from that situation, is  
6 that going to be a way to heal and move forward?

7 A. That is a way, yes.

8 Q. Is it a way to move forward to completely cut  
9 out a parent who is completely inept at parenting?

10 A. It's not necessarily.

11 Q. Based upon all that we've gone over, do you  
12 believe some of these things didn't happen?

13 A. Such as everything you just said right now?

14 Q. Do you believe that Paul Adams wasn't  
15 masturbating in front of the children?

16 A. I have to believe he was if the report says he  
17 was, then I have -- I'm inclined to believe that.

18 Q. Do you think it's going to be beneficial for  
19 children's health on a going forward basis, based upon  
20 your training and experience that you were discussing  
21 with Mr. Hicks, that they be reunited with a mother who  
22 ignored that and failed to protect them from that for  
23 years?

( ) A. Not -- no. No.

25 Q. Same with hitting a belt. One of the children

1 reported that Leizza Adams was hitting them with a  
2 belt; do you think that's a beneficial thing for a  
3 child to be reunited with?

4 A. May not be. I'd have to see the whole  
5 situation for what it was.

6 Q. Do you think Leizza Adams, after ignoring the  
7 fact that her children were being hit by her husband  
8 for years, do you think it's beneficial for their  
9 emotional healing, based upon your training and  
10 experience, to continue in a relationship with her?

11 A. Continue in a relationship, yes.

12 Q. why?

13 A. Again, for the reasons I stated about  
14 severance of ties.

15 Q. Sometimes -- you also just admitted to me,  
16 though, that severance of ties is sometimes good when  
17 you're in --

18 A. Sometimes it is, yes.

19 Q. why is this one different?

20 A. Severance of ties, if the children are not in  
21 the custody of their mother, does not mean that they  
22 don't get to see their mother or talk to their mother  
23 or visit with their mother, and so that's how I qualify  
24 my answer.

25 Q. The mother is also a perpetrator of the abuse.

Okay for  
Deiza to  
be with



1 A. If the mother is a perpetrator, then it would  
2 not be in the best interests of the children to be with  
3 her if she is the perpetrator.

4 Q. If a mother knows full well what's happening  
5 to her children, whether it be hitting, sexual abuse,  
6 mental humiliation on a regular basis, if she knows  
7 full well and does nothing about it to stop it, is that  
8 a good thing to sever ties with her?

9 A. To be in the same home, if that's what you  
10 mean?

11 Q. I mean no visitation any further, so the  
12 children can move forward and heal.

13 A. For no visitation at all, no, not necessarily.

14 Q. Why not?

15 A. Because if the mother goes through  
16 rehabilitation and training, then she can be corrected,  
17 she can be helped, and so her mothering skills can be  
18 corrected after they have been influenced by the other  
19 parent then, yes, I think that with rehabilitation that  
20 if she can correct those things, complete severance as  
21 in no visitation whatsoever, that call may not be made.

22 Q. Are you aware that your sister after  
23 approximately 18 months of rehabilitation has not  
progressed?

25 A. I am not aware that she has not progressed. I

de 1339  
Improving  
DOT

1 am aware that she has progressed.

2 Q. But you have no personal knowledge of that;  
3 correct?

4 A. Only in speaking with her and watching how she  
5 does and what her counselors tell her.

6 Q. So this is based upon her statements to you?

7 A. And the statements of the people who work with  
8 her.

9 Q. Who gave you those statements besides your  
10 sister?

11 A. I don't know if I can name names, but the  
12 people who work with her, who I believe it's called  
13 Easter Seals Blake Foundation, Easter Seals I have  
14 heard them in meetings personally say that she is  
15 making progress.

16 Q. When did you hear that?

17 A. If I remember correctly it was an ART. I  
18 cannot remember the meaning of the acronym at this  
19 moment.

20 Q. How long ago was that?

21 A. I think it was last month.

22 Q. Is that the only time you've ever heard that  
23 from a third party other than your sister?

24 A. I believe I heard something to that effect  
25 from my sister's other lawyer, Mr. Caine, at a

1 dependency hearing, something to that effect, if I  
2 remember correctly.

3 Q. When?

4 A. I believe it was the last -- I think it was  
5 the last dependency hearing. I don't remember the  
6 date.

7 Q. Was that within the past month?

8 A. I believe so. I believe it was last month.

9 Q. So all of your understanding of your sister  
10 making beneficial progress is from her, other than over  
11 the past month?

12 A. From her, only from her, is that what you're  
13 saying?

14 Q. It's from her other than over the past month  
15 where you've reported hearing it from third parties.

16 A. I would hear it from those third parties in  
17 the last at least month.

18 Q. Okay. Have you ever personally attended any  
19 of her sessions with her children?

20 A. What kind of sessions?

21 Q. Any of her visitations.

22 A. Sibling -- let's see, I believe so. I'm  
23 trying to remember an occasion. I'm having difficulty  
24 recollecting a specific situation in which I did visit  
25 with the children and Leizza. I'm not remembering

Protective Co  
ADG  
let them see  
LeizBT

1 right now.

2 Q. Okay. But it's your opinion, based upon your  
3 training and experience, that a mother who ignored for  
4 approximately seven years that one or more of her  
5 children were being sexually, physically, and  
6 psychologically abused is a good environment for those  
7 children to return to?

8 A. To return to?

9 Q. Yes. Or visit with, either.

10 A. I believe that -- well, I think this for me  
11 it's a multi-part answer. Again, going back to if a  
12 mother is rehabilitated that, yes, there can be  
13 visitation. I think that ties not be absolutely  
14 severed with a mother who can rehabilitate.

15 Q. A mother who's not rehabilitated, the answer  
16 is then no?

17 A. If she's not rehabilitated, then I wouldn't  
18 say all ties cut and that the mother not be able to see  
19 or talk to or communicate with her children, I believe  
20 that's too far.

21 MS. RANSOM: I'm sorry, can you read that  
22 answer back?

23 (Record read by reporter.)

24 Q. So there's pretty much no circumstances under  
25 which you would say that children should no longer see

Wife per  
Oral sex  
No protective  
Cupus

1 a parent who has participated in abuse of them over the  
2 years?

3 A. I wouldn't say that specifically. The reason  
4 is if I know that a parent, let's say Leizza, for  
5 example, if I had any reason to believe she would  
6 perpetrate heinous crimes against these children, that  
7 she would, in fact, do that, no.

8 Q. If you knew your wife was performing oral sex  
9 on your son, what would you do about it?

10 A. We would talk about it, she would get  
11 counseling, and if the law demanded that she pay  
12 consequences, then I would say that the law would have  
13 to do its job.

14 Q. How would the law know?

15 A. Well, either she would confess it or I would.

16 Q. Would you go to the police and notify them?

17 A. Yes, ma'am.

18 Q. You know your sister did not do that; correct?

19 A. To my knowledge, that is correct.

20 Q. She did not do that for approximately seven  
21 years after finding out about that happening; correct?

22 A. I don't know about seven years, but if that  
23 was seven years, if that is, in fact, true, then that  
would be correct if that was true.

25 Q. And she had three more children after finding



1 out about Paul Adams' conduct with M-1; correct?

2 A. That would be correct.

3 Q. And the last one, M-2, was molested from  
4 approximately being three to five weeks old; correct?

5 A. Yes. If the reports are true, yes.

6 Q. And your sister didn't report that either, did  
7 she?

8 A. Not to my knowledge.

9 MS. RANSOM: Nothing further.

10 THE COURT: Thank you, Ms. Ransom.

11 Mr. Hicks, redirect?

12 MR. HICKS: Just a few.

13  
14 REDIRECT EXAMINATION

15 BY MR. HICKS:

16 Q. Adam, is there ever a point where someone  
17 ceases to be a perpetrator and instead becomes a victim  
18 also?

19 A. Yes.

20 Q. For example, if --

21 MS. RANSOM: Foundation.

22 Q. If your husband --

23 THE COURT: Wait. There's an objection.  
24 overruled. Go ahead.

25 Q. If your husband quit using restraints on you

1 after the first year that he raped you, would that  
2 possibly be a reason for you to become a victim instead  
3 of a perpetrator? In other words, if your husband  
4 started raping you your first week of marriage, and  
5 after a year he quit using the restraints on you --

6 MS. RANSOM: Objection. calls for  
7 speculation.

8 THE COURT: I think that does. Sustained.

9 Q. Adam, if your husband forced you to have sex  
10 anally when you didn't want to and held you in place to  
11 do it, and did it often enough, would that at some  
12 stage cause you to become a victim instead of a  
13 perpetrator?

14 MS. RANSOM: Objection. calls for  
15 speculation.

16 THE COURT: Sustained.

17 Q. Adam, if the husband intentionally hurt you  
18 and said that pain and joy in sex are related, pleasure  
19 and pain, so you need to process both, and he did it  
20 often enough, at some stage is it possible that you  
21 would cease to have the emotional ability to fight  
22 back?

23 MS. RANSOM: Objection. calls for  
24 speculation.

25 THE COURT: Sustained.

1 Q. In things like the diary, where Leizza sought  
2 out the diary that would have never been found  
3 otherwise, read in it something that she did not  
4 remember, insisted on going to the FBI agent at her  
5 church and telling him, him telling her no, no, you got  
6 to go to your lawyer, so you go to your lawyer and tell  
7 him, so that your lawyer tells the other attorney, even  
8 though if you don't do any of that, it can never be  
9 used against you because no one will ever know it.

10 MS. RANSOM: Objection. Leading, speculation,  
11 foundation.

12 THE COURT: Sustained.

13 Q. Adam, if a spouse controlled every bit of your  
14 finances, controlled every bit of who came to your  
15 house, controlled every bit of what you did and blamed  
16 you for everything, if he used the children to harass  
17 you, if he acted like the master of the castle and used  
18 economic abuse, used coercion, used threats and used  
19 sexual abuse --

20 MS. RANSOM: Your Honor, counsel is  
21 testifying. Can you direct him not to speculate?

22 THE COURT: Counsel, I don't see how that can  
23 be a question for this witness. I'm not sure it would  
24 be a proper question even for a qualified psychologist.  
25 Sustained.

1 MR. HICKS: I don't have anything, else Your  
2 Honor.

3 THE COURT: Thank you, Mr. Hicks.

4 Mr. Alcantara, thank you very much, sir, you  
5 can go ahead and step down. Be careful of the step as  
6 you go.

7 Mr. Hicks, you may call your next witness.

8 MR. HICKS: Your Honor, I call Eneida  
9 Alcantara.

10 THE COURT: okay. Ms. Alcantara? Yes, come  
11 forward, please. The clerk will administer the oath or  
12 affirmation.

(Witness sworn.)

13  
14 THE COURT: And, ma'am, you were here in the  
15 courtroom when I gave instructions to the previous  
16 witnesses, including your husband, so I'll ask you to  
17 keep those in mind. I'd like to make sure we can all  
18 hear your answers when you give them, so when you  
19 answer, please speak into the microphone. You can pull  
20 the microphone toward you or adjust it if you need to.  
21 And I apologize, I didn't quite catch your first name.  
22 would you tell me?

23 THE WITNESS: Eneida.

24 THE COURT: E-n-i --

25 THE WITNESS: E-n-e-i-d-a.