

From: [Laura Bronson](#)
To: [Standards of Conduct](#)
Subject: Re: FW: For Wednesdays meeting
Date: Tuesday, August 16, 2022 3:14:46 PM

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Yes Of Course! It would fit right in line with Agenda III-UPDATE ON COMMISSION TO IMPROVE STANDARDS OF CONDUCT.
°°THE ATTACHED IS A FORMAL CWS COMPLAINT AND SPELLS OUT WHAT ONE FAMILY HAD DEALT WITH FOR 7MONTHS WHILE THE COURT IN THR END HAD NO JURISDICTION AND WAS DISMISSED .

THANK YOU

On Mon, Aug 15, 2022, 4:34 PM Standards of Conduct
<standardsofconduct@capitol.hawaii.gov> wrote:

Laura: Please confirm that this is the right attachment that you're intending to submit to the House Commission to Improve Standards of Conduct.

The Commission is discussing Legislative processes on Wednesday.

Thank you!

-----Original Message-----

From: Laura Bronson <lvb@hawaii.edu>
Sent: Monday, August 15, 2022 1:07 PM
To: Standards of Conduct <standardsofconduct@capitol.hawaii.gov>
Subject: For Wednesdays meeting

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Michael Holzman-Escareno (Case #: 00093410)

Complaint Against CWS Unit 1 and Unit 3

- Social Worker Malie Carvalho (Unit 3)
- Social Worker Teresa Witten (Huntsinger) (Unit 1)
 - Supervisor Mark Galloway
 - Supervisor Wendy Robinson

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I, Michael Holzman-Escareno, use the following statement as my declaration of the mistreatment of myself and my family, their gross negligence and partial investigating and reporting efforts, as well as their use of blackmail and retaliation. CWS Unit 3 Social Worker Maile Carvalho and Unit 1 Social Worker Teresa Witten (now known as Teresa Huntsinger) each engaged in misconduct that is unbecoming of a social worker sworn to care for the welfare of children. Their misdeeds will be met with a potential lawsuit if action is not taken. I would like a written response to ensure that some action is being taken to investigate this matter as well. I will be reaching out to DHS and CWS in the near future to ensure that this document has been thoroughly investigated.

INTENTIONAL OMISSIONS OF INFORMATION

Summary of Allegations:

CWS and Social Worker Maile Carvalho intentionally withheld information concerning the welfare of my children, the criminal history present in Taylin Abadilla's household, and the character of my family, each with the purpose of getting the children back to Mrs. Abadilla as quickly as possible.

Failure to Disclose and Investigate Reported Harm

Failure to Report and Investigate Child Statements

Social Worker Maile Carvalho (hereinafter referred to as SW Carvalho) failed to disclose my children's statements to her about their presence in the vehicle during the event that led to Mrs. Abadilla's Reckless Endangerment charge and eventual plea. Mrs. Abadilla was accused and pled to running Samantha Bechert, a girlfriend of Mrs. Abadilla's husband, off the road in a high-speed chase. My children have repeatedly said they were in the vehicle when it happened. SW Carvalho reported on multiple occasions that she had "no safety concerns with Mrs. Abadilla."

SW Carvalho first notes that she became aware of the children's presence in the vehicle during this crime in her May 16, 2017 case log, which was her initial interview with my two children, writing:

"Per Tayli, the only person who tells her not to say anything is her mother. Per Tayli, mother told her not to say anything when she ran over a girl. When questioned about it, Tayli said Mom didn't run over the girl, but Mom was trying to run over the girl. Per Tayli, the girl went on top of the grass because she was trying to get away from mother running her over."

During our July 12, 2017 meeting, SW Carvalho also admits on two separate occasions that the children told her they were present in the car on the day in question. She stated that she told Mrs. Abadilla "straight up—your kids say they were in the car" and followed that up by stating that it's "serious stuff" (Between 7:00-9:00 minutes on July 12 recording.

SW Carvalho attempted to reason with me about why she didn't report anything to the Prosecutor's Office or include this information in any of her Court filings. She stated that it wasn't her responsibility to go to the prosecutor, but that it was the prosecutor's responsibility to follow up on the matter. She also told me that it was not her job to get anybody prosecuted for crimes, but most importantly, she wasn't involved with the case when the incident happened (implying it wasn't in her jurisdiction as an investigator).

However, by that logic, she wasn't involved in the case when anything that she reported happened, especially not the allegations from an anonymous source that "claimed" I was sexually assaulted by the father I never knew as a child. If something that happened a few months before the case opened isn't pertinent, I do not understand how something that supposedly happened over 25 years ago is.

SW Carvalho understood that Mrs. Abadilla put my children's lives at risk but failed to fulfill her duty to protect my children and keep their best interest at the forefront of her investigation. SW Carvalho is a mandatory reporter of potential child endangerment and harm, and she failed to report or address this child endangerment anywhere outside of her case log. As a social worker, it is her duty to conduct herself in a manner that protects the children in her care. She failed to fulfill her responsibilities as a social worker and her duty to our community.

Failure to Disclose My Children's Fear of Being Returned to the Abadilla Household

SW Carvalho reported that the children were “not fearful of either parent’s home,” despite interviews to the contrary conducted by herself, CWS intake worker Maria Jimenez and the Guardian Ad Litem assigned to the case. The children told her about multiple violent and traumatic incidents they witnessed between Mr. and Mrs. Abadilla.

Failure to Disclose Criminal History in Household

Throughout the entirety of the case, SW Worker Carvalho failed to identify the criminal records of Mrs. Abadilla and her father, Zack Smith. SW Carvalho said that Mrs. Abadilla did not have any criminal record, while also not mentioning Mr. Smith’s criminal record when mentioning Mrs. Abadilla’s “strong support system.”

Mrs. Abadilla has a conviction for Assault 3 on her record stemming from her attacking my sister in my driveway in 2009. Mr. Smith was convicted of Promotion of a Dangerous Drug in 2008.

Mrs. Abadilla and our children lived with Mr. Smith when they were in Mrs. Abadilla’s care and is also where Mrs. Abadilla lived through the duration of the CWS case. Without ever addressing the records of Zack Smith and Mrs. Abadilla, SW Carvalho told the court on multiple occasions that the Smith-Abadilla household was a safe place for my children to return to.

This information can be found with a simple internet search and seemed to be to pertinent and easy to access to have been missed due to negligence. Although CWS never reported any sort of record for either party, the Guardian Ad Litem did address this in her August 15 filing with the Court.

Despite the concrete information available to her about Mrs. Abadilla’s family, SW Carvalho chose to ignore this information, but felt it was absolutely necessary to list out every allegation about my family and I from her anonymous phone call sources, including accusing my mother of drug use while failing to note Mrs. Abadilla’s father’s record of such activity, as well as her husbands failed urine analysis that led to his parole violation. SW Carvalho also says that an anonymous source told her that the father that I never met had an assault charge on his record, but again, fails to disclose the records of the Smith-Abadilla family.

Omitting Positives About Holzman-Escareno Family

SW Carvalho omits all of the positive information she found about my family throughout the course of the process, outside of my mother whose reputation was mercilessly slandered at the hands of CWS. Every member of my family has or still does work with children and also have no record of criminal activity.

As of her July 26 report, SW Carvalho still stated that she was gathering information about my family and I, despite knowing the following information about my family members already.

- Laura Bronson is Michael’s mother. She has no criminal record and no history of drug use. She previously owned her own business and is a devoted grandmother to each of her grandchildren. She spent years as a Youth Development Specialist for the Boys and Girls Club in Hilo.
- Juliana Holzman-Escareno is Michael’s sister. She graduated from UH Hilo with a BA in Psychology and currently works for the County of Hawaii and for a youth safe home run by the Salvation Army. She has no criminal record and no history of drug use.
- Anthony Holzman-Escareno is Michael’s brother. He graduated with his MBA from the University of Oregon in 2016 and was UH Hilo’s Commencement Speaker for the Class of 2012. He has no criminal record and no history of drug use. He coached Pop Warner football in Hilo while pursuing his undergraduate degree. He works for the NFL in Los Angeles and comes back to be with the kids during the offseason.

As of July 26, SW Carvalho had spoken with every member in my family except my mother on multiple occasions. However, she was still “gathering information on father” as of that date. It also includes an anonymous call from “June” that was not mentioned in the July 12 meeting with my siblings and I, to be discussed later.

MALEVOLENT DISTORTION OF INFORMATION

Summary of Allegations:

It was as though SW Carvalho was trying to disprove anything the children said about me that was positive, while trying to blame me for coaching them into saying anything bad they said about their mother. She disregarded every good thing my children said about me in every report, but she included every allegation made in every anonymous phone call she received.

CWS' Social Workers Defamation of Myself, My Mother, and My Family

Defamation of Me

In our meeting on July 12, SW Carvalho said she had no safety concerns with me, but on July 26, it was “unknown” if I have the ability to provide a safe home. By July 26, the only thing written under the “Safety Issues/Factors” section in the report is that “one parent [me] engages in stalking and controlling behavior over the other parent.” Nothing of this sort was ever proven, and SW Carvalho made her judgements based on whatever Mrs. Abadilla told her. There is absolutely nothing negative written about Mrs. Abadilla. SW Carvalho excluded every issue she was audio recorded discussing with me on July 12.

While the kids were in Mrs. Abadilla’s primary care, during the same school year the children were taken away by CWS, they were late to school over 35 times, in two quarters. Despite this, SW Carvalho felt that, although I only had my children every other WEEKEND, that it was my fault for the kids being late because Mrs. Abadilla didn’t have help and she hadn’t married Kanani Abadilla yet. It literally said that they hadn’t been married yet, as if that dictates whether should could have helped him or not. This was before the TRO against him was ever in place as well. SW Carvalho actually attempted to blame me, through Mrs. Abadilla’s words, for the children being late, when I only had them every other weekend. She actually stated in an early briefing that the kids had good attendance at school.

Defamation of My Mother, Laura Bronson

Off nothing more than Mrs. Abadilla’s words, SW Carvalho slandered my mother’s reputation in her filings and before the court. SW Carvalho did not even speak to my mother until our Ohana Conference on August 29, 2017, which was four months after she had banned my mother from any contact with my children. Prior to this, her opinion was again based on Mrs. Abadilla’s word and that of other anonymous sources about things that supposedly happened years ago. She never questioned my mother or me about any of the accusations she reported. There was not one allegation of my mother harming or endangering any of my children. In our July 12 meeting, SW Carvalho admits that she never talked to my mother.

SW Carvalho never gives a good reason for why she prohibited my mother from visiting my children. Among the reasons given as to why my mother could not be around the children:

- To me: “There’s a lot of stuff that it seems like you do because you’re directed by your mother.” When that was proven wrong because my mother had no involvement in the CWS case at all. SW Carvalho did not speak to my mother until our August 29, 2018 Ohana Conference.
- She writes in her case log that my mother “is the driving force behind most of the problems between Michael and Taylin, and if she stopped telling Michael what to do, they wouldn’t have as many problems as they have.
- She said my mother going to a public court hearing was her finding a loophole in the TRO laws, despite there being no TRO against her when this occurred.
- She also said my mother couldn’t be around the children because she asked them if “they were okay” and if “they felt safe.” SW Carvalho never had a conversation stating that these seemingly harmless and caring questions were enough to be removed from the children’s lives completely.

This is another one of her creative scenarios that she puts together in these reports. There is no way she could have deduced that without ever speaking to my mother. These words are straight from Mrs. Abadilla’s mouth, and SW Carvalho never even attempted to investigate them. She even went as far as making up a statement by Tayli in her July 16 case log. She said that Tayli said “Grandma Laurie” did something. This is not what Tayli calls her. She never has.

She settles on her opinion on my mother stemming from my mother's acting out at a court hearing with Mrs. Abadilla. Mrs. Abadilla put a TRO on my mother, which was dismissed. There was no incident that occurred in court that day, and none was noted by the court. SW Carvalho was not even in the court room that day, nor did she ever ask me or my mother anything about this "incident"—the first mention of which was at the July 12 meeting with SW Carvalho.

My mother was assaulted by Mrs. Abadilla's associates, and despite Mrs. Abadilla admitting to SW Carvalho that her friends did take part in this assault (although she tried to blame it on my mom), this assault was never brought up in Court or addressed by SW Carvalho again. The only time it was ever brought up was as a reason to take the children away from my sister, who served as their initial resource home. SW Carvalho used my nephew telling the kids and us explaining what happened as a way to justify removing the kids from my family member. However, the actual act of assaulting a human being was not only treated as though it was nothing, but it was also used against us.

Misrepresenting or Omitting the Information Provided in Interviews with Children

Misrepresenting Children's Responses to Defame Me

SW Carvalho used unreasonable and invalid inferences to conclude that the children don't think there is anything wrong with Mr. Abadilla or in Mrs. Abadilla's home. See below for her line of reasoning.

In her May 16, 2017 (9:15AM) case log, SW Carvalho wrote:

- "Per Tayli, Tayani's dad hit mom once at his brother's house. Per Tayli, Tayani's dad was throwing stuff out. Mom told him to hurry up, he slapped her and then she was bleeding from her nose."
- "Per Tayli, she is not fearful of anything at father's house."
- Tayli does not mention any bad things directly about mother.
- "Per Tayli, Uncle Kanani is kind of nice. This Social Worker asks if he was ever mean to her, she said no."

SW Carvalho then goes on to invent what she believes is happening, saying that Tayli seems to have been:

"coached a lot in what to say how to respond, without realizing that she has been coached. This social worker believes that a lot of adults are talking around her and she hears it, or they talk good about Dad, saying how good dad is compared to mother and Uncle Kanani, because Tayli could not say exactly what was so bad about mother, but that she didn't want to be with mother. She also couldn't identify any time Kanani was actually mean to her but states she doesn't want to be around him."

SW Carvalho uses this as her reason for saying Tayli was coached. Tayli told the social worker that she was in the car when the mother attempted to run over a girl. A trained social worker should be able to identify that as a specific incident that Tayli told her about that shows her mother endangered her. Also, she probably doesn't want to be around Kanani because he hits her mother, even though he is "kinda nice" to her. SW Carvalho's line of reasoning is either highly incompetent or completely biased.

None of the information said during this exchange, outside of the kids being coached, was ever mentioned in any court filing or appearance. In our July 12 meeting, SW Carvalho mentions this May 16 interview and says that the kids "said nothing" to her because they didn't want to say anything bad about either of their parents (Between 40-43 minutes in July 12 recording with SW Carvalho). Now after reading the case file, I know that is unequivocally false.

Misrepresentation of my Interview Answers

In her report on May 16, SW Carvalho writes that Tayli told her that I had LaMichael in my arms and Mrs. Abadilla chased and hit me, which Mr. Abadilla tried to hit me.

On this day and currently, there is an order of protection against Mr. Abadilla on behalf of my children. Tayli was with her mother and Mr. Abadilla at the time, and they attempted to pick up my son, who I was coaching at the time. I told him to run back onto the field because of the protective order and told Mrs. Abadilla to call the cops.

This incident was used throughout the case in every report as a reason for my inappropriate behavior towards both my children and Mrs. Abadilla. SW Carvalho wrote in every report that I had committed a TRO violation on this day. However, it is Ms. Abadilla who is charged with the TRO violation for this incident.

After telling SW Carvalho that I did bring snacks to my children's school and did say hi to them at times after school, she accused me of a TRO violation. When I showed her the order she was speaking of and that it does not bar me from seeing my children or going to their school, she acknowledged that the cops couldn't do anything about it, but that it was an inappropriate thing for me to do and was an act of manipulation to my children. She continued to write in her reports that I was "inappropriate and manipulative" and this was her reasoning for me being a confirmed perpetrator.

Misrepresentation of Parents Inc. Parenting Sessions in Court Filing

In her July 26 filing, SW Carvalho lied about the statements made to her by the Parents Inc. workers on the case. She said Outreach Counselor Tira Kamaka said that:

"Father is not very open in his one-on-one counseling sessions with her, therefore it is difficult to gauge whether or not he is being truthful in their discussions. His reluctance to be open in his sessions presents a challenge making recommendations as to his ability to provide a safe home for Tayli and LaMichael."

However, I knew that this had to have been a lie on somebody's behalf, so I showed Mrs. Kamaka what SW Carvalho wrote, and she told me that it was not what she had reported to SW Carvalho and there must have been a mistake.

Misinformation and Lies

Intending to Place Blame on Me for Mr. and Mrs. Abadilla's Misdeeds

In her initial reports, SW Carvalho and Mrs. Abadilla attempted to say that Samantha Bechert was my ex-girlfriend. Ms. Bechert is one of Mr. Abadilla's many mistresses, and she is also the victim of Mrs. Abadilla's Reckless Endangerment charge mentioned in the complaint. Prior to that event, I had never spoke with Ms. Bechert. However, SW Carvalho and Mrs. Abadilla attempted to make it look as though I had something to do with Mrs. Abadilla's charge against Ms. Bechert. It was a blatant attempt to look like it was me and people I know pushing Mrs. Abadilla to these outrageous acts.

SW Carvalho admitted to reading all the current TROs, but she must have missed the one where Mrs. Abadilla wrote that "Samantha Bechert and [herself] don't get along due to prior sexual involvement with herself and [Mrs. Abadilla's] husband, Kanani Abadilla."

After being called out about this by my advocate and in my corrections, SW Carvalho attempted to just take all mentions out except for one that said that Ms. Bechert and I were not exes but were in "some type of relationship." Mrs. Abadilla is never asked about lying in the report, nor does SW Carvalho ever mention where this information came from in either her report or before the court. It was just another to negatively affect the Court's opinion of myself.

Irresponsible Summation of Psychological Reports

SW Carvalho's use of the psychological reports was partial, biased and maliciously misleading. Not only did she use an excerpt from my evaluations and applied to the entire report, but she also failed to address concerning statements in Mrs. Abadilla's reports.

Mrs. Carvalho used one result on one test to say that I was "fake-gooding" my entire psychological evaluation (See her report). The line in my report read: "The profile on the CAPI (Child Abuse Potential Inventory, which pertains to physical child abuse) yielded an elevated validity configuration, the Faking Good Index." That one line was used to summarize a 6-page report. Please see my entire psychological report that was attached in her report. This was all when there was not a single allegation of child abuse against me.

In a later report, SW Carvalho merely attached Mrs. Abadilla's psychological report without mention of any of the troubling findings in that evaluation. Her entire psychological exam can be found in SW Carvalho's report and in our CWS case files. Below are some of the things SW Carvalho failed to mention or explore.

- Mrs. Abadilla was diagnosed with “Adjustment disorder, NOS, Child Neglect, initial encounter, Disruption of Family by Separation, CWS with some adverse personality traits.”
- Her scores reflected: “Positive Impression Management suggesting that she sees herself as being exceptionally free of common shortcomings to which most individuals will admit. Responses are viewed as defensive, as she is reluctant to admit to minor faults and tends to minimize any negative impact that her actions may have on others such as her children.”
- “Also, on her PAI, Ms. Abadilla described problems of greater intensity than is typical of defensive respondents in areas such as suspicious, drug abuse or dependence, physical signs of depression, history of anti-social behavior, poor control over anger, and impulsivity some of which is incongruent with her self-report.”
- “Despite Ms. Abadilla’s cognitive parenting knowledge, historically she has not consistently demonstrated her ability to place the needs of her children above her own.”
- “...minimizing her current situation along with blaming others for the removal of her children...hence this may be more due to denial and lack of insight which could lead to further problems”
- “She did not admit to endangering her children and any time and feels that Mr. Bronson and his family are the reason she and her children are in this mess.”
- “...tended to minimize the severity of the situation, blame Mr. Bronson [Holzman-Escareno] for her children being removed, and gloss over pertinent details; however, she would provide answers when probed.”

Her negligence in failing to address these findings with the Court, and her biased reporting of the two evaluations, is further evidence of SW Carvalho’s attempt to cover up child endangerment on behalf of Mrs. Abadilla’s, while trying to create a picture of me being the perpetrator.

When the GAL filed her report on August 15, 2017, she states that she had yet to receive the psychological evaluation of Mrs. Abadilla. I truly believe that SW Carvalho intentionally kept the psychological report away from the GAL in order to sway her report towards Mrs. Abadilla.

SW Carvalho felt the need to mention the “fake-gooding” and “[denying my] own personal faults” (the only mention of either evaluation in a report) in one part of my evaluation but failed to address Mrs. Abadilla’s same faults and more.

After receiving Mrs. Abadilla psych evaluation, SW Carvalho attempted to make me retake my own evaluation but with a different doctor in her July 26 report.

GROSS NEGLIGENCE

Summary of Allegations:

CWS and Social Worker Maile Carvalho were grossly negligent in their reporting and handling of my case. SW Carvalho failed to identify Taylin Abadilla as a perpetrator despite recorded admissions stating otherwise. SW Carvalho failed interview my children until over a month after the case was opened and self-admittedly failed to answer her phone or check her voicemails for over a month. SW Carvalho and SW Teresa Witten each failed to properly investigate anonymous calls before including their full contents in their court reports and treating them as verified calls, without even once asking me about the calls.

Failure to Identify Taylin Abadilla as A Perpetrator

Mrs. Abadilla is a victim of her husband. However, when she refuses to remove my children from the violence her husband inflicts on her in front of our children, she became a perpetrator to my children. SW Carvalho failed to disclose or hold Mrs. Abadilla accountable for this endangerment.

My children told multiple people the same thing about the violence in their mother's household.

- After being taken from Mrs. Abadilla's care on April 17, 2017, my children told intake worker Maria Jimenez the following "They want mom and stepdad to stop fighting...they both get scared when mom and stepdad fight...both stated that fighting usually starts with arguing, but that stepdad starts hitting mom" and "if they had a choice, they would stay with Dad, as there is no fighting at Dad's house and they feel safe." (So, allegations of "coaching" don't apply).
- The Guardian Ad Litem reported the following in her August 15 report: - Children made it clear in Guardian Ad Litem that they "both did not want to go home because of the fighting between their mother and her husband, Kanani Abadilla."
- My daughter told SW Carvalho the following during a May 16, 2017 interview: "Per Tayli, Tayani's dad hit mom once at his brother's house. Per Tayli, Tayani's dad was throwing stuff out. Mom told him to hurry up, he slapped her and then she was bleeding from her nose."

According to SW Carvalho (July 12 conversation), her investigation into domestic violence witnessed by my children composed of Mrs. Abadilla telling SW Carvalho "that's nothing," which was enough for SW Carvalho to never once mention the domestic violence between Mr. and Mrs. Abadilla in any of her filings or appearances in front of the Court.

During a recorded meeting on July 12, 2017, SW Carvalho initially told my siblings and I that the children had never told her that Mr. Abadilla hit their mother. However, later in the meeting, she recants and says that she "forgot" that the children told her that Mr. Abadilla physically assaulted their mother in front of them. She said that she confronted Mrs. Abadilla by saying "Are you getting beat up? Your kids said you get beat up. You must be getting beat up." Then she said that "[Mrs. Abadilla] needs to admit it. She needs to get to that point, cause that will always be an issue."

SW Carvalho reported that it seemed like the children were coached in their May 16 interview, despite them reported this to three different individuals. Even after the children reported the domestic violence in an August interview with the Guardian Ad Litem (while the children were in the care of Mrs. Abadilla's family), SW Carvalho still attempted to rehome the children with Mrs. Abadilla multiple times. She never addressed domestic violence with the court, outside of stating her belief that I needed domestic violence classes.

Despite this, I am the only identified perpetrator by SW Carvalho for "constant manipulation and violation of current orders of protection," which were and are completely false.

Failure to Return Phone Calls and Check Voicemails

I spoke to intake worker Maria Jimenez on April 17, 2017, the first day my children were taken into CWS custody, as stated in the CWS case log. I was proactive and, on the phone, trying to figure out what to do. SW Carvalho called me one time about the case. Although I missed that call, I attempted to call her back and left multiple messages for her to call me back. This was prior to her initial filing on the case, which she lied before the Court and said she wasn't able to locate me. However, she never returned any of my calls prior to the date, and I was never served with any papers to

appear in Court. She acted as though I was non-responsive to her, when the truth was actually that she failed to return any of my attempts to contact her.

During the meeting with SW Carvalho on July 12, SW Carvalho admitted to not checking her voicemail from June 5th through July 12th. She apologized for not returning my sister, Juliana Holzman-Escareno, phone calls asking if she could schedule visits with my children. Both my brother and sister called many a time in an attempt to get visitation with my children, but SW Carvalho failed to return any of their attempts to reach out.

For a CWS investigator, who has the lives of children, parents and families in their hands, to fail to return phone calls and check her voicemail for such extended periods of time is beyond irresponsible: it is negligent, and it was done in an attempt to hurt my family and our ability to be in my children's lives.

Waiting to Interview My Children for a Month After Intake

SW Carvalho waited until May 16, 2017 to interview my children, and I believe she did this so that she could use the term "coaching" and have reasoning behind it. The Guardian Ad Litem met with the children on May 3. How did SW Carvalho, who had time to write two entire reports full of information, not have time to interview my children for an entire month? For her very first interview. She wanted to get them as far away from what they reported on April 17 to Maria Jimenez. That's the only reason I can think of, especially because SW Carvalho interviewed Tayani Abadilla, Mrs. Abadilla oldest daughter, the day after our case was opened on April 18. However, she waited until May 16 for my children, despite their claims of domestic violence to the intake workers.

Failure to Investigate Anonymous Calls Included Report (While omitting things the kids told her)

In her July 26 report, SW Carvalho speaks of an anonymous phone call that she received in June. However, this call wasn't even mentioned during our July 12 meeting. In fact, she said that there was "nothing bad" about me in her next report.

SW Carvalho's irresponsible and misleading use of anonymous sources, as her lone source of information, was irresponsible and an obvious attempt to distort the Court's opinion of me and my family. She attempted to pass off this information as the truth in court and in her filings. Not only did she fail to investigate these anonymous calls, but she also failed to question me (or even inform me) of any of the allegations made before they were put into her reports.

Among the allegations she reported without informing me or asking me about (even after reporting them):

- That I was sexually assaulted as a child (this never happened)
- My mother was on illicit drugs while I was growing up (also untrue)
- My mother was verbally abusive and manipulative to me (not true)
- We lived at our grandmother's until she passed away (untrue she moved to Oahu well before she passed in 2015. I had lived with Mrs. Abadilla as early as 2008, which the social worker knew to be true.)

SW Carvalho literally made accusations in her reports from an anonymous source about things that supposedly happened a decade[s] ago, but refused to address, by her own admission, my children's statements concerning domestic violence and reckless endangerment from a mere months prior because she "wasn't in our case at that time." (Between 7:30-10:00 minutes in July 12 recording). When would CWS be involved with a family and in a case unless something has happened (i.e. the TROs and the domestic violence and reckless endangerment in my TRO against Mrs. Abadilla.

As of her July 26 report, SW Carvalho had still failed to disclose public information in Mrs. Abadilla's record, Mr. Abadilla's parole violation, and Mr. Zack Smith's record. Despite this, SW Carvalho disclosed numerous allegations made my unconfirmed anonymous sources. SW Carvalho's subjectivity and bias in reporting is disgusting.

COLLUSION WITH THE OTHER PARTY

Summary of Allegations:

Social Worker Malie Carvalho worked in collusion with Taylin Abadilla to attempt to take my children away from me. SW Carvalho supported, rewrote and covered up Mrs. Abadilla's obvious lies in her court filings. She also accompanied Mrs. Abadilla to an unrelated TRO hearing, while SW Witten personally brought Mrs. Abadilla a copy of an "anonymous" call that CWS received to a different TRO hearing. It got to the point that SW Carvalho was even called out in front of the court by the judge for her partial stance.

Supported Taylin Abadilla's Fabrications and Rewrote Reports without Addressing Changes

During a May 17 conversation between SW Carvalho and my advocate, Anthony Holzman-Escareno, SW Carvalho (standing with Mrs. Abadilla) was questioned about the various gross inaccuracies in her report, and she stated that if Mrs. Abadilla feels that she reported her responses wrong in the future, she would correct it for the record and take the blame for the mistake.

SW Carvalho attempted to cover up Mrs. Abadilla's lies about Samantha Bechert, addressed earlier in this complaint. She also attempted to cover up the fact that Mr. Abadilla was a wanted fugitive. SW Carvalho did not acknowledge his status until well after he was taken into custody on May 16. She did this despite being shown evidence to the contrary. When questioned by my advocate about her omission of this fact, she said that "fugitive" and "wanted" were not the right words, despite him being picked up for a federal warrant. She attempted to argue semantics over the fact that she neglected to tell the court that Mrs. Abadilla, who SW Carvalho wanted to rehome the children with, had a wanted man with a record of violent felonies living in the house with her.

The Timing of Anonymous Source Calls

Multiple anonymous calls came on days following setbacks for Mrs. Abadilla in our CWS case and a TRO case.

SW Carvalho attempted to drop the CWS case and return the children back to their mother until custody could be cleared up, but the judge denied her request. The following day, CWS received an anonymous phone call about me using drugs, which SW Carvalho used as a way to attempt to defame me before the Court, and I believe she colluded with Mrs. Abadilla to make these phone calls happen.

On June 18, 2018, Mrs. Abadilla filed an OBOM TRO against me which was denied on June 19, 2018. On the day the TRO was denied, CWS gets an anonymous call stating that I smoke "ice" with my mother, which is the same accusation made in Mrs. Abadilla's denied TRO. This is the same call that Teresa lied on tape about getting on June 19. She told me that she received the call on June 21 in an attempt to say that my questions about Mrs. Abadilla making the call were misleading.

Accompanying Taylin Abadilla to TRO Hearing

On May 17, 2017, SW Carvalho attended a TRO hearing between me and Kanani Abadilla. She attended the hearing with Mrs. Abadilla and sat next to her for the duration of the hearing. She was leaving the courthouse when my advocate, Anthony Holzman-Escareno questioned her about her appearance with Mrs. Abadilla, to which she said she was in District Court for another reason and happened to see Mrs. Abadilla and decided to sit in. Her and Mrs. Abadilla also left the building together.

Called out for being bias by Judge Frensz

In an August court appearance, SW Carvalho was called out by Judge Dakota Frensz for being biased and asked if she was willing to stake her reputation with the court defending Mrs. Abadilla. This happened when SW Carvalho tried to place the kids back with Mrs. Abadilla and close the case; the judge denied her request and scolded her.

Filing Recommendation Reports in TRO Cases

Despite closing the case and stating that she did not have jurisdiction (Supervisor Mark Galloway) on multiple occasions, CWS still attempted to file recommendations on Mrs. Abadilla's behalf in fraudulent TRO cases placed by Mrs. Abadilla

against myself and my mother. SW Witten filed a recommendation in a denied OBOM TRO against me. She also filed one in a case between my mother and Mrs. Abadilla. Each report was written with the malicious intent to slander me in front of the court.

So the outcome of this case? Mrs. Abadilla didn't even have the strength to show up to court, she called and dismissed the TRO after receiving my mother's response to it. She knew that the accusations were false. If she believed that my mother and I did drugs in front of our children (ludicrous accusations), why would she not fight it? Both times she filed TROs against my mother with the help of CWS, she dismissed them without ever allowing my mother to fight her accusations.

RETALIATORY ACTS AND BLACKMAIL

Summary of Allegations:

CWS, SW Carvalho and SW Witten each acted in retaliatory ways. SW Carvalho removed my children from my sister's home because I decided I wanted an advocate, and my advocate asked SW Carvalho some hard questions and told her some hard truths. She then banned my advocate, who is my brother and the kids favorite uncle, and my sister from seeing the kids after they were removed. SW Witten denied my sister visitation because I would not agree to jurisdiction. I wanted the court to decide that, which is my right. My sister was told she could not visit the kids unless I dropped my Motion to Dismiss.

Removing Children from Resource Home

SW Carvalho states that the kids were removed from their original resource home (with my sister) on May 17, 2017 due to an incident that occurred on April 12, 2017—prior to CWS involvement in general. CWS became involved in the case on April 17, 2017, and the children lived with my sister for the next month. The day before they were removed from the home, SW Carvalho asked my sister if she would be willing to go week-to-week with Mrs. Abadilla's brother, Justin Smith. My sister said she would do whatever the kids wanted to do.

May 17, 2017 was the day that my advocate and SW Carvalho spoke. The moment my advocate corrected her about CWS guidelines, she told him that he would not be in my children's lives anymore. Later that day, I received a call from my crying sister saying that "they are taking the kids away from me." This was direct retaliation from me getting an advocate who was smarter and better at communicating his point than I am.

During our July 12 meeting, I told SW Carvalho that she didn't give me any explanation of why my children were being removed from their resource home. She told me that she "[doesn't] have to" and "I don't have to give any explanation. I can go get kids when I want to. Honestly, I can."

SW Carvalho then explained why the children were pulled directly from school that day, without offering a transitional period, as is standard operating procedure under CWS guidelines, absent imminent harm. SW Carvalho gave the following reasons for imminent harm (why they were pulled from school without a transitional period):

- Father admitted to grabbing LaMichael from the field during his court appointed weekend, when he was assaulted and had LaMichael ripped from his arms by Mrs. Abadilla's associates. LaMichael told the Social Worker about this incident as well. It happened in May 2016.
- My advocate holding her accountable to CWS guidelines and disagreeing with her report and her ability to be objective.
- TRO violations that did not exist (never an arrest or charge)
- My calling Mr. Abadilla's probation officer and getting his probation revoked. Mr. Abadilla had a warrant well before CWS got involved and it was for a failed urine test (contact his Federal Probation Officer Keola Jenkins)
- My mother asking the children "If they feel safe?" and "Where they want to be?"

My sister, Juliana Holzman-Escareno, went from good enough to be the resource home and primary caregiver for the children to not even being able to visit my children in the span on one day. Ms. Carvalho offered my sister the following reasons for the children being removed from her home:

- An incident that occurred April 12, 2017 (CWS was not involved in the case until April 17, 2017)
- A TRO that my sister had against Ms. Abadilla in 2009 after Mrs. Abadilla assaulted her.
- That having to care for the children might tear my sister's family apart due to her not wanting my children around my brother or my mother without having any actual reason
- Ms. Abadilla would have to take off work to visit the children, which was the reason SW Carvalho gave the Court for the change

I was being forced to take off work to see my children every week without paid leave, unlike Mrs. Abadilla who worked for the State at the time. SW Carvalho states in her report that I told her I could lose my job if I had to do day visits. Mrs. Abadilla's work schedule was used as a reason for the children being removed from my sister's home, but there were no accommodations made for me or my work schedule. My sister was forced to take off work or use her lunch

break to take my children to their visits with both myself and Mrs. Abadilla, but CWS offered pick and drop off services for their new resource parents (Mrs. Abadilla's brother) because they couldn't make the scheduled visits.

On July 12, 2018 (the same day as our meeting with SW Carvalho), my brother brought my children fruit on one of my scheduled visits. I asked if my brother could stay because he was moving to California in less than a month. The worker supervising the visit asked SW Carvalho if my brother could stay, to which she said no. Later that day and on recording, she said that all we had to do was ask if we wanted to see the kids, despite admitting in the same recording that she said no when we did ask.

Denying Visitation to Family Members Unless Jurisdiction was Agreed To

SW Witten denied my sister visitation with my children unless I dropped my Motion to Dismiss for a lack of jurisdiction. She said that until I agreed to give them jurisdiction, there was nothing she could do concerning my sister visiting my children. SW Witten texted this information to my sister (text messages can be provided. This use of blackmail tactics is against the ethics of a public servant and are actually a crime. To attempt to extort me into agreeing to jurisdiction by keeping my children away from aunts and uncles who they adore is unacceptable.

SW Witten also called my sister, Juliana, after our August 29 Ohana Conference and asked her if she would talk to me about agreeing to jurisdiction.

Domestic Violence Classes for Me

Also, during our July 12 meeting, I asked SW Carvalho why I had domestic violence classes when I hadn't done anything to warrant such a class. She responded by saying that domestic violence classes are the only form of "anger management" that CWS has, and that it's more to "learn about relationships and how to notice toxic relationships, and what to do when you're in it, and how to get out, just so you start recognizing it earlier."

CWS' Intentional Misconduct

Denying Right to Know Where Children Are

After SW Carvalho removed my children from my sister's home (the resource home) on May 17, 2017, her and other CWS workers denied me the right to know where my children had been placed. SW Carvalho would not give me that information, despite informing Mrs. Abadilla of my children's presence in my sister's home. There were no allegations or reasons SW Carvalho gave that implied I was a danger to the children, so there was no reason for her to withhold that information from me.

During a visit (which is recorded in the CWS file), Tayli let out that "Uncle Justin" takes them to school. The worker, Stephen O'Connor acknowledges that I didn't ask my children any questions after hearing this, but the case log notes that the worker had previously told the children not to tell me where they were staying at, per SW Carvalho's instruction (as written in her May 19 CWS report).

Child Endangerment

Despite the domestic violence in the home, SW Carvalho continuously attempted to rehome the children with Mrs. Abadilla, and despite a current order of protection for my children against her husband, Kanani Abadilla. SW Carvalho also admitted in our July 12 meeting that she knew Mrs. Abadilla was physically assaulted in the presence of my children by Mr. Abadilla.

On July 26, SW Carvalho attempted to place the children back with in their mother's home despite all of the known concerns of endangerment present in the home. She did this without receiving the results of Mrs. Abadilla's psychological evaluation (which was quite concerning), her drug assessment or any other of her service plan responsibilities. SW Carvalho notes that Mrs. Abadilla did all of her services in one day on July 12, the same day we met with her at the CWS offices in Hilo.

SW Carvalho did not mention any of the concerns addressed with us on July 12 in her court filing or appearance on July 26. She knowingly attempted to place the children in a dangerous environment. In a July 19 Ohana Conference, SW says that she has "no safety concerns for [Mrs. Abadilla]," a week after admitting on recording that she knew Mrs. Abadilla was beat up in front of her kids and took them on a high-speed car chase.

SW Carvalho attempted to give the children back to Mrs. Abadilla, even after Mrs. Abadilla told the GAL her priorities and plans. There is an active TRO for my children against her husband Kanani Abadilla. Mrs. Abadilla said that "her plan was to have Kanani return to her home upon his release from incarceration, and that she would see if Tayli and LaMichael could return to Justin and Christina (or other approved family member) until arrangements could be made to have Kanani reside elsewhere." Her not viewing the needs of her children over those of her husband are directly in line with her psychological evaluation that SW Carvalho failed to address or pay attention to. Aren't those exams given so CWS can evaluate them?

Denying Advocate Presence

When my advocate, my brother Anthony Holzman-Escareno, introduced himself to SW Carvalho attempted to tell him that I could not have an advocate because I already had a lawyer. When my advocate informed her that in "A Guide to Family Services" it says that he is entitled to both an attorney and an advocate, she immediately got defensive and said that if my brother was going to be my advocate, he wasn't going to be around my children again.

Presentation of Information in Log and Meetings vs Court and Filings

The only evidence CWS and SW Carvalho ever presented against me were unsubstantiated (and even worse, uninvestigated) anonymous phone calls. This was the only evidence used to paint my family and I as a danger to my children. The CWS case logs are filled with things that painted Mrs. Abadilla in a negative light and me in a positive one, but none, and I mean none, of those things were ever reported or discussed with the court. This is a disservice to the interest of the children she serves to protect and a disgrace to the Department of Human Services.

Involvement in Custody Issue

On May 4, 2017, the OBOM TROs were dropped on both sides, which she stated multiple times as the reason for CWS having jurisdiction over the case. However, CWS kept the children from both parents until November 2017. Outside of the OBOM TRO, there was nothing that gave CWS a reason to keep the children from me. The only incidents of alleged abuse and endangerment were statements from the children about Mr. and Mrs. Abadilla.

Although she states that CWS does not get involved with custody issues in our July 12, 2017 meeting, SW Carvalho then goes on to say that they are holding onto the kids because it's a custody issue and they need to see how it is resolved stating:

“...we need to see what your guys's custody process, to know where to return the kids, because by the way, if I return them to you and Taylin wins, it's worse obviously. If I return them to her and you win, it's worse for the kids. It's like, whatever house they go to, I want that to be the house they're gonna stay at.” (Page 27 MC Convo)

Despite this, two weeks later, on July 26, 2017, SW Carvalho asked the court to give the children back to Mrs. Abadilla. Her request was denied.

When the case was closed in November 2017, we were supposed to be attending a hearing for family supervision, but instead, a new judge, Judge Anthony Bartholomew was in the court room, and he closed the case with no argument from CWS (SW Witten had taken over by now). Of course, Mrs. Abadilla said he opposed getting the case closed, to which the judge said that it was a custody issue. Judge Bartholomew, with no prior knowledge of the case, obviously knew that something was not right and that it was a CUSTODY issue.

Lying with the Intent to harm

During a meeting on July 12, 2017, Social Worker Malie Carvalho initially told my siblings and I that the children had never told her that Mr. Abadilla hit their mother. However, later in the meeting, she recants and says that she “forgot” that the children told her that Mr. Abadilla physically assaulted their mother in front of them.

SW Teresa Witten Lies, Collusion and Deceit

During a June 25 meeting with SW Teresa Witten and Supervisor Mark Galloway, SW Witten lied about multiple things in the meeting, and then proceeded to one of the same lies in her court filing.

On June 18, 2018, Mrs. Abadilla filed an OBOM TRO against me which was denied on June 19, 2018. On the day the TRO was denied, CWS gets an anonymous call stating that I smoke “ice” with my mother, which is the same accusation made in Mrs. Abadilla's denied TRO. She also filed a OBOM TRO against my mother, which the kids were denied but Mrs. Abadilla herself was granted a temporary order. SW Witten brought Mrs. Abadilla a copy of the anonymous report to the courthouse on the day of her first court appearance for the TRO. Mrs. Abadilla attempted to use it as evidence, but as the judge said, it is not evidence. Mrs. Abadilla later failed to appear and the TRO was dismissed with prejudice.

Also on June 18, 2018, Mrs. Abadilla refused to give back my children on our weekly exchanges, per our active custody order, and she told the police that CWS informed her not to give me my children. I asked SW Witten on multiple occasions, on the phone and through text message if she told Mrs. Abadilla to violate a standing custody order. SW Witten refused to answer my question.

On June 25, my siblings and I met with Teresa Witten and supervisor Mark Galloway in a meeting that was recorded. When we mentioned both that Teresa calling me on Friday after receiving the call on Tuesday showed she didn't see imminent harm as well as the suspicious timing of the denied TRO and the anonymous call, Social Worker Witten stated that the call wasn't received until Thursday June 21, implying both that she called within the 72 hour window and that she didn't believe there was a connection between Mrs. Abadilla and the call.

She also stated in the meeting and her report file that the call came directly into the unit and had to be rerouted to the 1-800 system. The caller must have been somebody who knows that SW Witten's unit is the one that had previously worked on our CWS case.

I requested a copy of the report that was made, and it clearly states that the call came in on June 19. However, in her court filing, she stated in her signed statement that the call came in on June 21, 2018, which is an obvious lie and an intentional effort to mislead the court.

Also, in her filing, she said that the case was closed because I refused to take a drug test, again writing her report in a way to defame my character. I had told her that I had done enough voluntary, missing-works things for CWS, and they could get a court order if they wanted anything from me, at which point I would happily take a drug test. However, the judge denied their ex-parte motion to order this urine analysis, which is the actual reason the case was closed.

SW Witten even went as far as asking my children if I was ever sick and including a quote about the one time I was sick and kept them out of my room to keep them away from germs. This was completely written as if she was implying that I was on drugs or withdrawing from drugs.

In the same June 25 meeting, we questioned why SW Witten would feel the need to pull me in and file a recommendation to a denied TRO case for the accusation made on June 19, when she got an even crazier accusation in February and didn't even mention anything about it. She said that she never got the anonymous call in February and she didn't know what we were talking about. I told her that she had included the February anonymous call in her February report that she gave to the custody judge. She again denied that she had ever seen the complaint. See attached the report she wrote in February with the attached anonymous call.

The timeline of the events that transpired in February is below:

- January 29, 2018: Initial appearance for an OBOM TRO that was made through ATV, which is a mandatory reporter to CWS
- February 4, 2018: An fictional anonymous call is made speaking about me being beat up for drug money because I had to pay my lawyer (which I didn't have) at a drug house, after an associate of Kanani Abadilla struck me while I was fishing at King's Landing.
- February 13, 2018: Show cause hearing. SW Witten informed the court that she had not investigated Mrs. Abadilla yet because she never got a referral from ATV. ATV, however, insists that they sent a referral.
- February 20, 2018: SW Witten files a report with the court stating that the kids seemed like they were coached and they had black circles under their eyes. At the end of her report, she mentioned the anonymous call and the contents of it, but she said there was no investigation or action to be made because they were not involved with my family.

The inconsistency in investigating allegations is very backwards in this CWS Unit. I will use the following to show just how biased and inconsistent the CWS was during their time with me:

In February 2018, I have an approved OBOM TRO against Mrs. Abadilla. I went to Alternative to Violence for the TRO, which is a mandatory reporter. They insist that they sent a referral to CWS. SW Witten says she did not receive a referral. An fabricated anonymous call is made that states I was beat up at a house while attempting to buy three different types of drugs because I had a drug debt to somebody due to me not being able to pay my lawyer. However, I was never once questioned by CWS, as SW Witten said CWS was not involved in this case.

In June 2018, Mrs. Abadilla attempts to get an OBOM TRO on me, and it is denied. Another fabricated anonymous call was made to CWS stating that I do drugs. Due to this, SW Witten insisted that she needed to talk to me and asked me to take a urine analysis. SW Witten even brought a copy of the report to Mrs. Abadilla for a hearing with my mother.

How can two allegations of such differing degrees be inverted so badly? The answer lies in the fact that one was about helping me, which was her report about coaching, etc. and not getting involved, and the other was helping Mrs. Abadilla, which has been the way CWS has handled this entire case. For Mrs. Abadilla, the social workers were personally delivering anonymous reports to her at the courthouse, literally for use as evidence in a TRO hearing. An anonymous call! For me, they didn't even ask Mrs. Abadilla a single question, let alone investigate her.

Conclusion

SW Carvalho and SW Witten's actions were malicious and gross in nature. Although I believe that social workers should have the power to interfere with family's where abuse and/or neglect is present, I do not believe it is right for them to bully families. We would not be bullied. We knew that we were right and telling the truth, no matter how much CWS tried to lie and coverup the things that were happening in front of my children. I hope that this is not what the Department of Human Services and Child Welfare Services stand for and represent. The welfare of the mother was placed far above the welfare of the children in this case. The wellbeing of my children was ignored on multiple occasions; this goes against the very acronym your department does and has had: "Child Welfare Services" and "Child Protective Services." SW Carvalho and SW Witten have each proven their inability to put the needs and welfare of children first, just as their mother, Taylin Abadilla, has. They have shown that they are not only unfit to be in the position of social worker because they use that power to ruin families lives. Each of them should never be allowed to have this type of power of another family. This affected my children and my family emotionally and psychologically tremendously. This is just the beginning. Far more crooked stuff happened than this. I will be requesting the case logs I do not have from July through November. I know for a fact that my family is not the first family to receive such treatment from CWS and its social workers. I am doing everything in my power to ensure that mine is the last. This is not the end of the matter. The CWS social workers are so used to bullying families into doing whatever they say, and when my family stood up to them, they attacked. We are still standing, and I am going to continually follow with this matter until something has been done. Again, I reiterate: I expect a response about this matter, and if no action is taken, I will file a civil lawsuit against DHS and the individual workers (as *Demaree v. Pederson* showed) and go to the media.