

## **Health Impact News**

# **Medical Kidnapping Children in the United States: North Carolina**

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# North Carolina



# Report Exposes Why Corrupt CPS Agencies Seldom Place Foster Children with Family Members



Image from [Fox 8 North Carolina](#)

by **Brian Shilhavy**  
**Health Impact News**

We are very pleased to see local media investigate the corrupt practices of child service agencies kidnapping children. While we disagree with the News Anchor at N.C. Fox 8 who started this report by stating that removal of children by the State is “almost always” in the best interest of the child (we have been covering this issue probably longer and have looked into probably more cases than they have, and we have found that it is almost NEVER in the best interest of the child to remove them from the home), we do

applaud their investigation into why children removed from supposed “abusive homes” are almost never placed with family members, but instead go into the foster care system to strangers.

Fox 8 points out in their investigation that North Carolina rejects funding that would put children permanently with relatives instead of in foster homes. Grandparents who are able and willing to care for their grandchildren, for example, are routinely rejected by the State.

Why?

Melissa Painter of Fox 8 points out that in North Carolina more than 10,000 children are in foster care under the care of the State. This brings in more than \$198 million of funding to take care of these children.

Federal laws actually require states to give preference to placing children with relatives. There is even federal funding available to place the children with relatives in “permanent legal guardianships.” But North Carolina (and many other states) do not follow this practice, because children put up for adoption bring in more federal funding. Instead of giving federal funds that can be designated for relatives in guardianships, they keep the funds for themselves to administer the foster care and adoption system.

In short, a child put into the foster care system on the path to adoption, brings in more money to the State and employs more people to “administer” these children. They are simply unwilling to give these funds to relatives to take care of the children, because their job security is at stake.

*Child welfare experts say subsidized guardianships save*

*taxpayers money in the long run, because they cut the enormous ADMINISTRATIVE costs of managing an open foster care case. (emphasis added.)*

Watch the [Fox 8 report](#) for yourself:

Video no longer available.

[Source](#).

# Native American CPS Whistleblower Goes Missing in North Carolina - Daughter on the Run



Cheyenne with her father Randy Davis before their separation. Image source: [Reunite Cheyenne Davis Facebook page](#).



by Health Impact News/MedicalKidnap.com Staff

## Whistleblower's Daughter is Terrorized, Detained, and Kidnapped

The following two videos recorded the scene on the night of April 14, 2014, when Cheyenne and Randy Davis were followed for at least a mile by law enforcement, pulled over, and brutally separated by Sampson County Deputies. No reasons were given for the stop and subsequent arrest of Randy, nor the abduction of his daughter, Cheyenne.

The first video shows the initial stop:

<https://youtu.be/zL6M7GdHvWc>

The second video shows officers assaulting and forcibly removing Cheyenne from the car and away from her father. Another adult female, along with her son, were also in the vehicle, and the officers removed her child also. There was apparently no court order from a judge to take the children into custody. The officers were simply following directions from CPS social workers. This is what we refer to as legal kidnapping in the United States today.

**Warning! This second video contains graphic audio and visual materials which may not be suitable for some viewers:**

<https://youtu.be/U4vozsgv5ow>

Cheyenne was placed back into foster care where she had previously reported abuse at the hands of her alleged care takers. Randy ended up in jail without being charged, and although the judge authorized his release, the Sampson

County Sheriff decided that Randy would be detained further after his daughter, whom he had not seen since that night, escaped from her foster home.

The sheriff allegedly decided that Randy knew Cheyenne's whereabouts and that he could hold him until he disclosed her location.

How is this allowed to happen in America?

On the surface it appears to be another horribly routine abduction by state authorities across the country vying for federal funding by placing children into foster care while removing parental rights and making these children wards of the state—much like the abduction of Isaiah by Illinois DCFS when he actually resides in Missouri:

**[See – Fight Rages for Teenager Isaiah Rider's Freedom – His Mother Commits "Cardinal Sin" Of Questioning Doctors](#)**

**[Also see – BREAKING – Illinois Social Worker Threatens to Arrest Teen Isaiah Rider When He Turns 18](#)**

However, when one looks into the story behind Randy and Cheyenne Davis, you will learn that they are Native American Chaotan Indians. This is important to know.

**Biological Parents Viewed As "Red Tape"?**

When CPS takes a child, the parents no longer have a right to determine who, how, or with what their child will be treated, or if the treatment is actually necessary in the case of medical kidnappings—leaving medical researchers an open

opportunity to push experimental drugs into the hospitals and clinics without objection.

These children are often given experimental drugs in adult dosages and a lot of the drugs are not recommended for children under the age of 18 years. Drug companies can get around parental 'red tape' by serving up these cocktails to state wards whether medical treatment is actually needed or not.

A second child was also taken in these videos—he too was abducted while kicking and screaming out in terror. We are not sure who he is, nor where he was taken. But it is clear that these children are being traumatized and placed in unfamiliar surroundings. In many of these situations, they later being diagnosed with emotional disorders, while the cause for these disorders is blamed on innocent parents rather than the blatant abductions. These children are then treated with experimental drugs.

However, if an Indian child is taken from a reservation it generates even more federal money.

## **How Many Native Americans Does It Take to Fund A State Government?**

In South Dakota the magic number is 750 per year according to reports from Lee Stranahan on [Tammi Stefano's radio show](#) which aired August 7, 2015. More interesting was the idea of 'special needs' children generating a greater amount of revenue. Of course, Stranahan connected the dots, citing George Bush's declaration that all Lakota Native American children should be deemed special needs because they all failed a racially biased test that was based in Texas.

[https://youtu.be/l4\\_DuRA5kS8](https://youtu.be/l4_DuRA5kS8)

[Daniel Sheehan of the Lakota Law Project](#) states:

*The Department of Social Services makes up 53% of the entire budget for the state of South Dakota every year, right on the backs of the Native people.*

Just how much money North Carolina generates from abducting Indian and other children is still being determined.

It is far too easy for state agencies to come in and take your children based on CPS' inability to determine abuse from hospital rhetoric designed to parallel abuse and give custodial and experimental rights to hospitals which then are paid by pharmaceutical companies to administer their product—approved or not.

Taking Cheyenne was a bit different—not the fact that they took her, but the alleged reasons behind her abduction. What Randy claims is that his daughter, Cheyenne, was kidnapped, and that Cheyenne's mother was used as the catalyst for her kidnapping when she repeatedly called from an undisclosed location.

Randy also believes that Cheyenne was taken in retaliation for his many 'whistle-blower' articles about corruption in Sampson County, North Carolina, and its footprints that lead straight to Washington D.C.

The smoke that follows these seemingly vindictive and retaliatory abductions is more likely to focus observers' attentions on the abductions themselves which leave readers

believing that something had to be wrong with the parents because, naively, most Americans believe in America and all it stands for, and find it hard to believe that these children were taken without reason.



Father and daughter on a family outing. Image source: [Reunite Cheyenne Davis Facebook page](#).

Randy and Cheyenne were planning a family day when they were visited several times by the Sampson County Sheriff's Department according to [a report published on CopBlock.org](#):

*"... officer...explained that he was there to do a 'welfare check' on Cheyenne. When Cheyenne asked him who called for this welfare check, the officer advised, 'Your mother, Theresa Davis.'"*

Mr. Randy walked in the room to see this happening and asked Cheyenne to call her mother, as he had already talked to her mother once earlier in the day and he was clueless as to why this was happening, and so was Cheyenne. The Sampson County officer stated there was no need to explain, but Mr. Randy insisted that Cheyenne call her mother and the officer listen, which he did.

Cheyenne asked her mother why she was doing this silly business and Theresa Davis said,

*“Because everybody down there is calling me and telling me how your Daddy is crazy and out of his mind and that it is worse than before.”*

Cheyenne asked who

*“everybody” was, who was calling Theresa. Theresa Davis refused to answer as to who “they” were.”*

Following this incident Randy and Cheyenne left their home and were eventually followed and stopped, leading to Cheyenne’s abduction and Randy’s incarceration (see videos above).

## **North Carolina Doesn’t Want Their “Dirty Laundry” Aired – At Any Cost**

Randy refused to be quiet about corruption and his family was allegedly detained by the Sampson County North Carolina Sheriff’s Department as a result. Cheyenne also

refused to be quiet about her abuse while in foster care. Randy was arrested and placed in jail while his daughter was placed back into foster care, where she eventually escaped.

This doesn't appear to just be a case of a placement because her father is being incarcerated and her mother had already lost custodial rights. It does not appear to be a case of 'just doing one's job.' This case was allegedly founded on solicited false allegations and hearsay in order to keep Randy from exposing additional corruption and little known to Theresa Davis, her calls would put her daughter on the run.

Has anybody seen Randy since he was hauled off to jail and accused of concealing his daughter's whereabouts after she escaped from foster care?

Cheyenne intends to stay away from North Carolina until she reaches the untouchable age of eighteen. Randy hasn't seen his daughter since the night of the video and it's said that he told the Sheriff as much. It's hard to believe that law enforcement would go to such lengths to stop someone from exercising their Constitutional rights.

If what Randy says is true, then Cheyenne was a double bonus. Scaring the father into silence by taking the daughter, while getting more federal money during the process appears to be the potential solution in this case.

Refusing to be silenced, Randy Davis has given up his freedom. Yet, he has still exposed additional mechanisms used to control people who speak up about what's wrong in the country—CPS, police, sheriffs, state, county, and federal agencies, and tribal councils.

Refusing to become a part of the protective services system,

Cheyenne vows to stay away from North Carolina until her eighteenth birthday. She won't allow herself to be abused or manipulated. She is strong and resourceful.



Cheyenne Davis, still in hiding from Sampson County CPS says, “I am where I am because I want to be here, I’m here of my own free will and I’m well outside North Carolina agency jurisdiction.” [Image source YouTube video: Copy of CPS Exploitation Movie Trailer by Cheyenne Davis.](#)

## **Who is Randy Davis, the Whistle-Blower Ruffling Feathers?**

Randy Davis is a Native American Chaotan Indian who was last reported to be living in Sampson County North Carolina. His Facebook page says he likes fishing, Chuck Negron, and documentaries like CPS, and a film called “Persecuted.” Randy is much like you. He likes what he likes and he doesn't like what he finds inhumane.

Here you are—exercising your rights—when, unknown to you, there is a target on your back. Randy was a bit of a



conspiracy theorist. He wrote articles for Watchdog Wire. Randy was a whistle-blower who was not afraid to speak his mind, or expose corruption where he found it. He wrote several articles on corruption and misappropriation of funds and 'ideas,' referring to his written comments on November 1, 2013, when he wrote the article entitled:

## **DC Delegate Eleanor Holmes Norton Instructs Indians on racial slurs?**

*Excerpt:*

*On Wednesday October 30, 2013, Farrell Howard and I, both Croatan Indians from Sampson County, attended the Sirius XM Radio's Madison Show in Washington, D.C. We made the five-hour trip to D.C. because I was invited to be a guest at the Urban View Roundtable with Joe Madison's "Washington Redskins: What's in a Name?"*

*We are very grateful and thankful to Madison and Sirius XM Radio. It was an opportunity for the Croatan Indians of Sampson County to be heard; something our Democratic and Republican officials and representatives in North Carolina have denied us for the past two years.*

*I disagree 100% with both of Norton's assumptions. US government involvement in Native American affairs has historically shown the reverse of the intended government "help."*

*Even now in North Carolina, government programs and NC Commission of Indian Affairs are the problem, not the cure.*

See the full article and many more by Randy Davis [here](#).

## **Whistleblower Says NC Misappropriating Funds – Money Doesn't "Go Missing"**

Randy would go on to say that his input into this meeting to which he was invited would be ignored by those who sat on the panel. This was the panel trying to determine if Native American Indians had been insulted by the use of the team name applied to the Washington football team—the *Redskins*. Randy stated he wasn't insulted by that, but was insulted by Bin Laden being referred to as being like Geronimo by President Obama.

Over the next eighteen months or more Randy Davis would write several additional articles about the state of North Carolina, the government, and missing funding. Here's where it gets tricky. Missing money. Money does not go missing. Everybody knows what to do with money. You spend it. Someone didn't spend the money earmarked for housing use on the North Carolina reservations on the housing and Randy wrote about that too, in an article titled:

### **COHARIE INTRA-TRIBAL COUNCIL INC NON TRANSPARENT AND DISCRIMINATORY ACTIONS BENEFIT THEMSELVES WITH FEDERAL MONIES Clinton North Carolina**

Randy Davis reported that over \$740,000.00 were unaccounted for. Read the full report at:

## **Complaint Review: COHARIE INTRA-TRIBAL COUNCIL INC**

Money is strange. Everybody wants it, but no one will admit to having it. Randy reported this alleged corruption under the guise of a 501c3 and refused to let the matter be swept under the carpet. Although he himself is a Native American, he claims that this Coharie nation only recently came into recognition and the two nations Coharie and Choatan were combined, but still recognizes his Choatan heritage. (The State of North Carolina recognized the Coharie in 1971.) See [here](#).

That's two different groups of people Randy Davis has alienated by choosing to exercise his first amendment rights rather than ignore the world around him.

Randy continued to speak out...

## **GOP Sen. Jackson Ignores North Carolina Native Indians' pleas for justice**

time,

## **NC: Coharie Leaders intimidate Special needs child of whistleblower**

after time,

## **DC Delegate Eleanor Holmes Norton Instructs Indians on racial slurs?**

after times...

**Video: NC Tribal Council Loses Three Quarters of Million HUD Funds**

**NC Attorney General Supports Gay Rights, Forgets Native American ...**

**NC: Coharie Whistleblower Scandal, Another GOP State Senator Involved**

**NC Senator Sponsor of 'AG GAG Whistle Blower Bill' Meets with Felon USDA Inspector**

**NC: Governor Pat McCrory Embraces Convicted Felon who says "We Can Sway Election" (video)**

**Video: Lumbee Federal Recognition bill writer advises Tribal Council to Violate Federal and NC law**

Read all of these stories and more at [WATCHDOG.ORG](http://WATCHDOG.ORG)

## **Exposing Racketeering One Day, Feel the Consequences the Next**

Randy Davis angered a lot of people for disclosing what he believed to be the truth behind their politics. This created a *Rico* type of vindictiveness that permeated across boundaries.

The Rico Act was implemented to reprimand and defend those seemingly unrelated entities who conspire to defraud for different reasons, but with the same goal and intention:

*It is this factor of continuity plus relationship which combines to produce a pattern.” S. Rep. No. 91-617, p. 158 (1969) (emphasis added). Similarly, the sponsor of the Senate bill, after quoting this portion of the Report, pointed out to his colleagues that “[t]he term ‘pattern’ itself requires the showing of a relationship . . . . So, therefore, proof of two acts of racketeering activity, without more, does not establish a pattern . . . .” 116 Cong. Rec. 18940 (1970) (statement of Sen. McClellan).*

See also:

*id.* , at 35193 (statement of Rep. Poff) (RICO “not aimed at the isolated offender”);

*House Hearings, at 665. Significantly, in defining “pattern” in a later provision of the same bill, Congress was more enlightening: “[C]riminal conduct forms a pattern if it embraces criminal acts that have the same or similar purposes, results, participants, **victims, or** methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated events.” 18 U.S.C. § 3575(e). (Source.)*

Under the far-reaching influence of the RICO statute, an enterprise or person can be convicted of and face charges for racketeering in any territory or possession of the US, allowing the act’s authority to be exercised across all state lines as well as in areas such as Guam and Puerto Rico.

Those charged under the law face fines, imprisonment, or both, as well as the mandate to surrender to the federal government any enterprise and assets acquired by means of racketeering activity. Under this set of penalties, the federal

government is not only able to prosecute crime syndicate bosses, but to prosecute criminal associates as well as seize the actual operations beneath them. This enables the statute to deal a considerable blow to the entirety of a corrupt organization. (A racketeer is someone who is involved in multiple criminal enterprises.) ([Source.](#))

In legal terms, racketeering refers to conducting a business, or business activities, in an illegal manner or by using illegal means. Sometimes the entire business itself is illegal, such as **drugtrafficking, child pornography, or human trafficking.** In other examples, however, the business itself may be legal, but the tactics or practices used in the business are illegal, such as **extortion** or **money laundering.**

There are a number of crimes that may be part of an illegal enterprise, such as loan sharking, theft, and embezzlement, as well as **bribery**, counterfeiting, and **kidnapping.** Embezzlement and **obstruction of justice** appear on the list, as do mail, wire, bankruptcy, and securities fraud. ([Source.](#))

Some will say that it is Randy's fault that his daughter is on the run, and he was incarcerated, but others will recognize conviction and an uncontrollable direction towards 'truth.' Still others will recognize that the truth sets us all free.

Cheyenne has several videos on the web expounding on the corruption taking place within the North Carolina CPS. The videos show her father discussing the issues and CPS trying to ignore the issues about his daughter's detention.

See one of Cheyenne's self released YouTube videos (below):

## “Help Me Get Back To My Dad”

<https://youtu.be/26aCd6K9d4s>

## Whistleblower’s Daughter Escaped, Still on the Run

The judge had already stated that Cheyenne was to be released from custody, yet North Carolina was still holding on to her and intervening much the same as was done to Elissa Maple (See her story [here](#).) and Isaiah Rider.

Randy and Cheyenne Davis are two resourceful and intelligent people. They are not afraid to speak the truth, despite what that truth is costing them. Wherever Cheyenne is, she is safe. But in North Carolina, where is Randy Davis?

# A Year After Emergency Room Visit, North Carolina Couple Still Fighting for Medically Kidnapped Newborn



Kacie and Raymond loving on their baby boy RJ. Source: Hernandez family

## UPDATE 4/27/2016

Health Impact News has confirmed that there is now a gag order placed on the Hernandez family. The most recent post on the [Battle4RJ](#) Facebook page stated that there was to be a court hearing on April 25. The family is not permitted to discuss RJ's case, and declined to comment when contacted. What we do know is that RJ has not been reunited with his family. It is clear, also, that the Battle4RJ Facebook page is no longer being run by anyone in the family.



In December, both of RJ's parents were evaluated by [Dr. Michael Holick](#) of the Boston Medical Center. Dr. Holick is considered one of the world's leading experts on Vitamin D, and he specializes in calcium and vitamin D disorders, Ehlers Danlos/hypermobility syndrome, metabolic disorders, nutrition, and osteoporosis. Both Kacie and Raymond Hernandez were found to be Vitamin D deficient and were diagnosed with [Ehlers Danlos Syndrome](#). Raymond also has [Marfan Syndrome](#). These are conditions impacting [connective tissue](#), including bone, which can manifest in decreased bone density and bones that are more easily broken.

However, in January the Battle4RJ page noted that the testimony of the Hernandez's expert was not permitted to be submitted. At that time, the court stated that RJ could have genetic testing, but it would have had to be with the same hospital that accused the parents of abuse – UNC Children's Hospital. It is unknown if that has occurred, but it almost certainly would present a conflict of interest.

Child Abuse Specialists are not specialists in medical conditions that mimic child abuse, yet their testimony is often used in court hearings to condemn innocent parents. Specialists in neurology, orthopedics, genetics, and metabolic bone disorders frequently have the expertise to identify the real medical conditions, but numerous families contacted by Health Impact News have shared that the testimony of these experts is not welcome in some courts.

Ever since RJ was taken by Child Protective Services, his family continued to note popping and cracking of his bones, and he shows signs of being somewhat developmentally delayed.

Though the family can no longer inform the public what is

happening with their case, it is important that they not be forgotten and that supporters continue to advocate for them. Legislators may still be contacted. Their information is at the end of this article.

## **A Year After Emergency Room Visit, North Carolina Couple Still Fighting for Medically Kidnapped Newborn**

by **Health Impact News/MedicalKidnap.com Staff**

In what is becoming an all-too-familiar scenario, a young couple living in Fayetteville, North Carolina, took their baby to the emergency room when he was not acting right, only to find themselves almost a year later still battling to try to bring their child home out of Child Protective Services custody.

### **Concerns During Pregnancy**

High school sweethearts Kacie and Raymond Hernandez, originally from Folsom, California, were transferred to NC in the middle of Kacie's pregnancy, and there were concerns already. The couple eagerly anticipated the birth of their baby, and he is now the "light of their lives."

There was difficulty in nailing down a precise due date because the ultrasounds in California showed that their baby's head continually measured a full month ahead of his body. Doctors told her that she measured "too small" at almost every prenatal appointment. The baby was not an active baby, and Kacie rarely felt him move. She says that

she felt like something was very wrong, and would often call the nurse hotline in tears out of fear for her baby.

In mid-August of 2014, the NC obstetrician decided to do an ultrasound and found that her amniotic fluid levels were low and that the baby was breech. There were no recommendations made at that time other than instructions to come back in two weeks to reevaluate. When Kacie returned on August 28, the amniotic fluid levels were at <5, and she was diagnosed with oligohydramnios. The baby was still breech, with the left side of his body tucked up under his mother's ribs.

Little RJ (Raymond III) was born the next morning via c-section, at somewhere between 4 to 8 weeks premature. Kacie remembers him literally being stuck in her ribs and someone pushing down on her ribs to dislodge her baby. He weighed 5 lb, 14 oz, and was whisked away from them. She was told that he had breathing problems, but was ok. She had hoped to hold her baby skin-to-skin and breastfeed after he was born, but it was more than 7 hours later before she was able to hold her tiny bundle of joy.

## **Early Signs of Possible Problems Missed by Doctors**

It was not until much later, after their world came crashing down on them, that they learned that their son had “multiple physical abnormalities that were never once mentioned.” Kaycie and Raymond were not even informed at the time that their baby had been taken to the NICU. Records show that he had a fever, as well as a wide anterior, abnormal head, neck, and extremities. The parents were assured that RJ was fine, and he went home with his parents at just 2 days old.



RJ is very loved. Source: [Battle4RJ Facebook page](#)

There were symptoms in RJ's early days that concerned his parents, but were dismissed by the doctors. At times he would sometimes stare off in the distance, and, since birth, his eyes would move in opposite directions. Doctors now tell the Hernandez family that these eye movements were seizures. He kept his legs pulled up tightly to his chest for his first 2 months and showed signs of jaundice, such as yellow eyes and orange skin. The doctor assured them that his bilirubin levels were going down and would resolve without treatment. At one visit, RJ's right eye was completely bloodshot, but the doctor allegedly chalked it up to a strain from crying.



Baby RJ. Source: Hernandez family

## **Their World Comes Crashing Down**

On the day after Thanksgiving, when RJ woke up from a nap, his parents noticed odd marks on his nose and under his left eye. They took pictures and sent them to family members to see if anyone could figure out what it could be. They decided to monitor him, and look out for any unusual behavior. The next day, the marks appeared to have spread and were darker. Still, RJ wasn't acting differently, but they decided they were going to take him to the pediatrician on Monday morning. It never got to that point.



Raymond adores his son. Source: Hernandez family

That same evening, as his diaper was being changed, RJ's eyes went in different directions and he went limp. Kacie called her mother and applied a cold compress to his forehead.

*RJ opened his eyes and let out a terrible cry.*

His parents rushed him to Cape Fear Valley Hospital, where doctors originally thought it was a virus. They asked to do a CT scan due to the marks on his face. Kacie and Raymond

readily agreed.

## **Doctor Accuses Parents of Abuse**

They were not prepared at all for what happened next.

Cape Fear Valley Hospital has a “[Child Maltreatment Team](#)” so that their staff is trained in recognizing signs of abuse. As Health Impact News has noted, sometimes they “find” abuse where none exists, or they assume that injuries are the result of abuse without first checking to see if there are any underlying physical conditions to account for the injuries. Factors, such as RJ’s history surrounding his birth, are sometimes ignored.

See:

### **[Are New Pediatric “Child Abuse Specialists” Causing an Increase in Medical Kidnappings?](#)**



RJ lights up when he sees his parents. Source: Hernandez family

Kacie reports:

*The doctor who had once been so kind and helpful came in with a different demeanor and very coldly informed us that our child has brain bleeds and a linear skull fracture.*

*While we fell apart trying to ask how this could have happened, he quickly walked out and child protective services stepped in.*



They later learned that the brain bleeds were old and healing, and that RJ had a completely healed clavicle and a healed rib fracture. RJ was 3 months old, and fractures take 2 to 3 months to heal. These fractures, including the skull fracture, were on his left side, where he had been tucked up under his mother's ribs at birth, when someone pushed hard on her ribs during the c-section.

Meanwhile, RJ was transferred to UNC Children's Hospital in Chapel Hill, without his parents, who were separated from him and from each other and interrogated by CPS and detectives. Police asked them who slammed their 9 lb baby boy against a wall or threw him from a second story of a building.

*We were in complete shock. Our son has never been dropped, he's never rolled off of anything, he's never sustained a single injury or any type of mistreatment.*

## **When Parents Are Accused of Abuse, Doctors Quit Looking for the Cause, and Children Can Go Without Needed Treatment**

They were "treated like complete monsters." They told the investigators about their family history of epilepsy. They requested testing for possible genetic or bone disorders such as osteogenesis imperfecta. They asked for the doctors to test their son to see what could possibly explain his injuries. Later, their own research showed that RJ's prematurity, and low amniotic fluid can predispose to brain bleeding and even brittle bones. His Vitamin D levels were not tested at the hospital, but they are low even now.

According to Kacie:

*More research needs to be done, and more tests need to be given to our son, and we need someone willing to actually figure out what is going on with our child rather than just accuse us of abuse. Our son is so loved and is the light of our lives, and we desperately need a second opinion to explain exactly what happened to him and what type of treatment he needs.*

## **No Charges Filed, but RJ Taken by CPS**

Their baby stayed in the hospital at UNC Children's for 2 weeks, but they were not permitted to see him at all. They were not even allowed to enter the waiting room, so they spent nights in their car in the hospital's parking lot. CPS seized custody of RJ.

The Hernandez's called Kacie's mother in California, who promptly made arrangements to come to North Carolina to care for RJ. She left her job, husband, and family behind in order to make sure that her grandson did not go into foster care. She was permitted to care for him after he was released from the hospital in December.

She is still in North Carolina today, and her daughter and son-in-law have only been permitted short visits with RJ since then. Up until the September 24 hearing, they only got to spend one hour per week with their own flesh and blood. Since the hearing, their minuscule time has increased to 2 hours per week.

No charges were ever filed against Kacie or Raymond, but CPS has punished them severely without proof of any

wrongdoing.

## **Brain Bleeding Continued, but Has Now Stopped**

Though RJ was no longer in his parents' custody, there were multiple reoccurring brain bleeds that would appear randomly in completely different spots between his discharge in December and May 2015.

At his July CT scan, the family was finally given some good news:

*Good news, RJ is completely fine. He has no new bleeds and his linear skull fracture is completely healed. We no longer have any need to see him.*

Medical staff and social workers told the family that RJ would be developmentally delayed. He was sure to have difficulty crawling and talking. The team of child abuse doctors even told the court that their son was blind, but it was obvious that this was not true. That allegation was later withdrawn.

Today RJ is proving every social worker in his case wrong by meeting every single milestone – crawling, talking, and even learning sign language.



RJ wants to go home, and his parents want him home more than anything. Source: Hernandez family

## Awaiting Medical Expert Testimony

It was back in March that the family was able to hire a medical expert to review all of RJ's medical records, and the family began trying to obtain records to get them to him. The court ordered that the record be given to the expert at the June 4 hearing. However, it was only on October 2 that the CPS team finally got the last of the records to the expert for him to review. The Hernandez family fully expects the records to exonerate them.

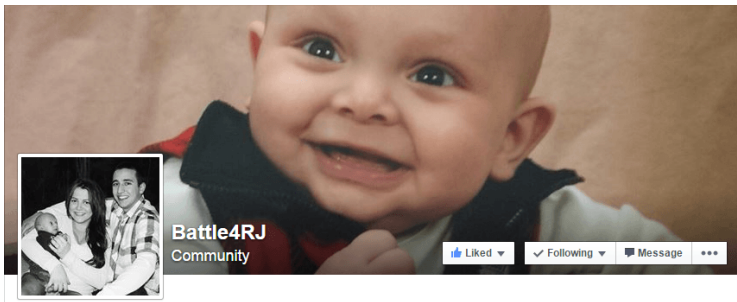
The next hearing is an adjudication hearing on October 20, and the family hopes to have the expert opinion by then. Their family court trial isn't scheduled until next year. They have been told that the goal is reunification, but they have also been told that CPS wants to terminate their parental rights.

## How You Can Help

A friend of the family has called for a prayer chain for RJ, asking for people to:

*Set your clocks for 10:00 am and 10:00 pm every day. It takes but a minute. There is POWER in PRAYER. May God be with them. God is Mighty. ... Matthew 18:20 For where two or more gather in my name, there I am among them.*

There is a website for the family at <http://battle4rj.com/> Also, a Facebook page has been set up for supporters to keep up with the story and become involved in helping them.



### [Battle4RJ Facebook page](#)

Supporters are asked to contact Governor Pat McCrory and ask for RJ to be returned home. He may be reached at 919 814 2000, or contacted [here](#).

Congressman Marvin W. Lucas represents the district that the Hernandez family lives in. He may be reached at 919 733 5775, or contacted [here](#).

Senator Ben Clark is the Senator for their district. He may be reached at 919 733 9349, or reached [here](#).

This whole ordeal has taken its toll on Kacie and Raymond, who desperately want to get their son back. Kacie says:

*I'm ready to be a mom again, not just a visitor.*

## North Carolina Child Medically Kidnapped Starving to Death in Foster Care



Malakai appears to be starving in foster care. Source: [Help Save Malakai Facebook page](#)

## UPDATE 3/12/2016

According to the [Help Save Malakai](#) Facebook page, there is good news and bad news on the case.

The bad news is that no real investigation into the alleged abuse of Malakai while in foster care was ever actually done. According to grandmother Kimberly Deese, she called the Fuquay Varina Police Department for a year attempting to get them to do a “child well check” of Malakai. She has also pleaded with Wake County child protective services to investigate the allegations of abuse. Both were denied. When she learned that the foster family had moved to Johnston County, she made a report of the abuse,

*hoping that I could get justice and that they would find that my grandson was indeed abused in the foster home. I even sent Johnston County North Carolina the copy of the published “Medical kidnap” story as well.*

She later learned that the report was sent to Durham County CPS to be investigated, but the copy of the Medical Kidnap story was left out, along the list of people sent with the report of those who could verify that Malakai was in good health before CPS involvement. Durham County investigators spoke only with Kimberly, her daughter, the foster family, and Wake County CPS, before sending the report back as “Unfounded.”

When Kimberly questioned the decision, she was told that Wake County had the ultimate decision as to whether or not Malakai had been abused by the foster family.



*Because Wake County Child Protective Services has full custody, they had a big say so. This is outrageous and a big conflict of interest. Wake county child protective services assisted Durham County in the investigation which is a huge conflict of interest. I call this "One agency backing the other to protect their interest," as my daughter's case worker Leeann Watson is good friends with the foster family.*

More bad news:

Kimberly had been hopeful that Governor Pat McCrory was going to help them after she received a call last year from the governor's office. The secretary told her they would investigate and get back with her. She never heard from the governor's office again. The family is very discouraged by this and feels that the governor does not care about what is happening to children and families in the state through CPS.

The good news:

Even though Malakai's mother, Heather Hill, has had her parental rights terminated, she has a new attorney who is planning to appeal her case to a higher court. This process will take several months, and the attorney says that it will probably be fall before they have a final answer. Kimberly promises to keep us updated, and says:

*I pray there will be a positive decision made.*

**UPDATE 12/17/2015**

Grandmother Kimberly Deese updated the [Help Save Malakai](#)

Facebook page:

*My daughter received a call today from the [social] worker that's investigating Malakai's abuse in the foster home. The investigator questioned my daughter about her concerns of what she saw when visiting with her son at wake county cps,, My daughter told the worker, that Malakai had a black eye, busted lips lots of bruising on her son's body and a great deal of weight loss and that her son was talking before he ever went into foster care and that he stopped talking ever since he was place. Heather even told the worker which I was not aware of, that kimmie Heathers sister was [banned] as well from seeing Malakai because Heathers case work LeeAnn Watson said Kimmie kept feeding Malakai when she was told to stop feeding him. LeeAnn Watson, my daughter's unlicensed and uncertified social worker did NOT let my STARVING grandson eat but a few spoon fulls of food while his brother Zacy (lives with the father and mother in law) got to eat all he wanted. I praise the Lord that there is a investigation going on with my grandsons abusive treatment with [foster parents]. I pray that my grandson will be place here with me as he will be safe and truly loved and with his siblings.*

**UPDATE 12/5/2015**

From the [Help Save Malakai](#) Facebook page:

**GOOD NEWS I JUST GOT A LETTER FROM JOHNSTON COUNTY CPS. THEY SAID THAT MY CONCERNS MEET THEIR REQUIREMENTS FOR DOING AN INVESTIGATION. NOW LET'S JUST HOPE THEY DO SO**



*home study and placement in my home, the new kinship laws and a letter, certified and signature on delivery.*

She also reports that she received a call from Governor Pat McCrory's office in response to her call for an investigation. Gov. McCrory is up for re-election. Kimberly is hopeful that the governor's office will follow up and investigate her grandson's deteriorating condition in foster care.

In another interesting development, Ms. Deese reports that she has learned that the social worker in her grandson's case, Leann Watson, is not a licensed social worker in the state of North Carolina. Kimberly has been in correspondence with the North Carolina Social Work and Licensure Board, and they stated that "Leann Watson is not licensed or certified by this board."

Original story:

## **North Carolina Child Medically Kidnapped Starving to Death in Foster Care**

by **Health Impact News/MedicalKidnap.com Staff**

A North Carolina grandmother is "horrified" at the condition of her 3 year old grandson Malakai. The deterioration in his health reportedly happened after Child Protective Services removed him from his family and placed him in foster care. She reports that he had previously been very healthy, with no medical problems. Now, the foster parents are collecting disability payments for him and he looks like he is starving. Kimberly Deese is fearful for her grandson's life.

She and her daughter Heather Hill are frustrated with the level of corruption that they say they have encountered as they fight to get Malakai to safety. There appear to be some ethical violations in this case which allegedly began with a false accusation made in retaliation against Heather.

The family claims that no matter what hoops they jump through or what evidence they provide, Wake County CPS seems determined to sever all family connection to Malakai Deese and adopt him out. Heather's parental rights have just been terminated, and CPS has made it clear that they refuse to consider placement of Malakai with his maternal grandmother, without basis, and in violation of both state and federal law. The family hopes to appeal, but they have only until December 4 to do so. Kimberly has recently appeared on [The Captain's blogtalk radio show](#) and the [Porthole to Justice](#) show to tell her family's story. They want help in their fight to fight to save this little boy.



Malakai in happier days – before foster care. Source: [Help Save Malakai](#) Facebook page

Ironically, grandmother Kimberly had just finalized her adoption of another grandchild only a month before Malakai was seized by CPS – in the same county. Yet, when it came to Malakai, the social worker refused to do a home study or consider placing the toddler with his grandmother.

## Young Mother Struggles, but Her Mother Has Always Been There for Her (It's Called "Family")

Heather has faced difficulties in her life, and as often happens in loving families, her mother has been there to step in and support her when needed. Malakai is Heather's second-born child. When his older sister Nevaeh was born, Heather recognized that she was not dealing well with her post-partum depression. She has a learning disability, and has been on disability since childhood. She made the decision to sign over custody of her baby to her mother, who later adopted her. The adoption was finalized in Wake County on May 1, 2014.



Kimberly with Neveah. Source – Deese family

Malakai was born prematurely on May 21, 2012. Kimberly was with him from day 1. While Heather worked to get on her feet, Malakai stayed with his grandmother for his first year. Heather fell in love with a young man, Quadir Hill. When she

found that she was, once again, expecting, Kimberly encouraged them to get married. At that point, Malakai went to live with his mother and step-father. Quadir's mother, Urika Hill, was reportedly opposed to the marriage, and seemed to dislike her daughter-in-law. Zechariah Hill was born on May 7, 2013.

The marriage did not go well. They separated, and Heather filed charges against Quadir for domestic violence, allegations which he denies. On April 15, 2014, Heather "won full custody, child support, and [a] one year protection order."

## The Nightmare Begins

The very next day after the ruling, Heather was to take Zechariah for visitation with his father. She told him and Urika that the baby had developed a rash on his upper thigh, and she gave them the creams she had been using to treat it. However, it did not look like a rash to Urika, who took him immediately to the hospital at WakeMed Garner Healthplex.

Doctors at WakeMed determined that it was, indeed, a thermal burn, and not a diaper rash. His records from April 16 note:

*No signs of possible abuse and/or neglect were noted at the time of the assessment.*

And:

*There are no other marks or lesions concerning for abuse.*



However, Urika Hill accused Heather of deliberately inflicting a burn on her grandson. A social worker was called in, and Heather was questioned. According to documents:

*When questioned, the mother was unable to provide a credible explanation as to how it was sustained.*

This was because, at the time, Heather had no idea what had happened. She genuinely believed that it was some type of diaper rash, perhaps a reaction to the chemicals in the disposable diaper. However, her family was quickly able to put the pieces together and figure out what had happened. They realized that Heather was completely innocent of any wrongdoing.

## **Simple Explanation – No One’s Fault – But Mother Arrested Anyway**

Heather discovered what she thought was a rash a few days before, the morning after a family cookout. After she was accused of abuse, her sister remembered an incident where Zechariah was screaming at the cookout. Kimberly recounts that Tony, Heather’s current boyfriend, put Zechariah in a wagon to ride around the yard. He screamed and hollered. At the time, everyone present thought that he was just frightened, and Tony continued to ride him around in the wagon. When he didn’t stop crying, he stopped and took him out. No one thought anything further about it, because he stopped crying shortly thereafter.



This was the wagon Zechariah was riding in a few days earlier. The family thought he was scared. Source: Deese – Hill family

He got burned on the buckle of the wagon! Kimberly figured it out. Tony sat Zechariah on the wagon, and just where the burn is on his upper thigh was where the buckle was, because he didn't buckle him in. It was a simple accident, and Heather was not even involved.



Source – Deese–Hill family

## **Mother Arrested Without Evidence, Later Freed**

However, without conducting any type of investigation, police arrested Heather and charged her with misdemeanor child abuse. That charge was later changed to felony child abuse, after CPS took Zechariah to their own doctor, who said that the burn would leave a scar. (According to Kimberly, it didn't.)

Kimberly and Heather took photographic evidence and the explanation of what happened to Heather's criminal attorney. Kimberly says that the state recognized that they didn't actually have a case, so they offered a plea deal instead. Heather was scared and didn't think she could fight the system, even though she had nothing to do with the burn, so she accepted the plea bargain. The deal reduced the charge back to a misdemeanor, accusing her of failure to take

Zechariah to the doctor for the burn, the burn that she had thought was simply a rash. She would not face jail, but probation.

## **Zechariah and Malakai Taken by CPS**

However, none of the evidence or explanation of what actually happened would stop CPS from taking the 2 boys away from their mother and into state custody. CPS sent Zechariah to live with his father's mother Urika Hill, where his father lives as well. But they sent Malakai to a foster home with strangers, since his father was not around.



Malakai – happy and healthy before CPS. Source: Help Save Malakai Facebook page

Interestingly, this means that Quadir Hill no longer has to pay child support for Zechariah.

## Wake County CPS Refuses to Consider Heather's Mother for Placement, in Violation of Federal Law

Even though Kimberly Deese had already played a huge role in little Malakai's life, the social worker refused to consider placing Malakai with his maternal grandmother. Federal law says that social services must consider relatives and close family friends before placing a child in foster care. However, in Malakai's case this was allegedly not done.

Kimberly believes that it is because she fought the system and argued her daughter's innocence. Just one month before Malakai was taken, Kimberly's adoption of Malakai's older sister Nevaeh was completed – in the very same county.

Kimberly says she had already passed a background check, which revealed no criminal history, not even so much as a parking ticket. She had already passed a home evaluation in Wake County, and passed all the other requirements necessary to adopt a child through the same family court system that her grandsons were now in.

However, social worker Leeann Watson allegedly refused to do a home evaluation. According to a report from the GAL, Salvatore Quattrocchi:

*Malakai's grandmother would like him placed with her and is willing to have custody. However, based on concerns from WCHS [Wake County Human Services] and this GAL, [she] was not considered for custody.*

According to Deese family advocate Amelia Duran:

*The state has no position for rejecting placement with the grandmother.*

In fact, North Carolina has recently passed its own state law, parts of which echo federal law requiring placement with a relative. Section 10(a1) of [HB 669](#) states in part:

*In placing a juvenile in out-of-home care under this section, the court shall first consider whether a relative of the juvenile is willing and able to provide proper care and supervision of the juvenile in a safe home. If the court finds that the relative is willing and able to provide proper care and supervision in a safe home, then the court shall order placement of the juvenile with the relative unless the court finds that the placement is contrary to the best interests of the juvenile.*

The GAL's report states no reason that Kimberly should not have custody, other than his vague, unspecified "concerns." Apparently, no such concerns came up when his same county was investigating her for the adoption of Neveah.

Additionally, Kimberly's sister Tina has offered to care for Malakai; however, Kimberly reports that, when the judge asked if there were other relatives willing to care for Malakai, Heather's court-appointed attorney James Hunt remained silent.

## **Previously Healthy Child Now on Disability in Foster Care**

Kimberly and Heather report the Malakai was in perfect health when the state took him and placed him in foster

care. Now they have learned that his foster parents get a disability check for him every month.

Kimberly accompanied her daughter on a visit to see Malakai on November 1, 2014. She had no idea it would be the last time she would see him.

*I saw my grandson. I could not believe the deterioration in his health.*

When social worker Leeann Watson left the room, Kimberly quickly pulled out her camera and asked her daughter to take Malakai's shirt off, so they could take pictures. She broke down into tears as she described what happened next:

*I was horrified at what I saw. I could see all the bones in his back and all the bones in his front. I felt helpless. I did not know what to do.*





Kimberly Deese: “I could see all my grandson’s bones, it was so horrible. reminded me of a child from a third world nation. I just wanted to cry. This is America – this thing should NOT BE HAPPENING.” Source: [Help Save Malakai](#) Facebook page

Kimberly demanded answers when Leeann came back in the room. Her response floored her:

*She said it was only a growing spurt. I told her, “No, that was a lie.”*

At that point, Kimberly was told that grandparents have no rights. She was escorted from the premises, and banned from seeing her grandson again, “just out of concerns.”

Malakai’s health has reportedly deteriorated even further since then. When Heather visited him recently, she said that he is skinnier and less active now than ever. He even has to wear leg braces now. The family believes that this has to be

the result of malnutrition.



Malachi – left – with his mother and brother at a visit at the CPS office in August 2015. While Zechariah is thriving in his grandmother’s care, Malachi’s weight scares his family. Source: [Help Save Malachi](#) Facebook page

In August of this year, Leeann reportedly told another caseworker that Malakai was so skinny because he has hyperthyroidism. However, he was recently tested, and the test came back negative. So that’s not it.

Heather reports that many of her visits are scheduled at lunch time. She brings food, and she says Malakai always

seems hungry. However, she also reports that Leeann has forbidden her to feed him more than a couple of teaspoons of food each visit.

- He has a good appetite but tends to gorge anytime he is near food. The foster family has to control his rate of eating to ensure that he chews his food adequately. This GAL has observed this behavior while monitoring visits with his mother.

Source: copy of GAL report provided by family

Malakai has also come to visitation with bruises on his back. The family was told that Malakai falls a lot. They wonder why these injuries and his condition are allowed to go unchecked now that he is in foster care.

Kimberly says that she is fearful for her grandson's very life:

*I'm scared they're going to push this so far that it might end up killing him in their effort to make him disabled.*

Her words are chillingly similar to those of Leanna Smith, an Arizona mother whose children were medically kidnapped several years ago. In October, Leanna found her daughter's story on a GoFundMe page. The foster parents were asking for money to get out to get her previously healthy child a liver transplant. See story:

### **[Shocked Arizona Mother Finds GoFundMe Page for Medical Needs of Daughter Medically Kidnapped](#)**

How can it be that healthy children are taken away from loving families, and yet wind up disabled, starving, or in

need of an organ transplant after Child “Protective” Services takes custody?

## **Police and CPS Refuse to Investigate**

Kimberly has been pleading for someone to investigate what is happening to her grandson in foster care. She reports that she went to the police to file a report, but they told her they couldn't help her, because she only has the foster parents' names, not their address.

She asked Wake County Human Services, the agency that administrates Child Protective Services, to investigate. This was the response that she received:



Human  
Services

WAKE COUNTY HUMAN SERVICES TEL 919 212 7000  
Child Welfare Reception Line 919 212 9529  
Child Protection Report Line: English 919 212 7990  
Español 919 212 7963

220 Swinburne Street • P.O. Box 46833 • Raleigh, NC 27610  
www.wakegov.com

KIMBERLY DEESE

Re: Malakai Deese

Dear Ms. Deese,

Thank you for your report of suspected child maltreatment regarding the above named child dated 10/19/2015.

The report was not accepted for investigation or family assessment because the reported information does not meet the statutory definition of abuse or neglect, in that there is no information in the report to indicate that any specific action or inaction of the caretaker resulted in the harm or injury to the child. If you disagree with the decision not to investigate or conduct a family assessment, you may call the Intake Supervisor at (919) 212-9529 to request an additional agency review of this decision.

If your report was related to abuse, your name will be given to the appropriate law enforcement agency. We appreciate your concern for the welfare of children in our community.

Sincerely,

Handwritten signature of Anita Bradshaw in black ink.

A Bradshaw  
Human Services Senior Practitioner  
(919) 212-9529

Handwritten signature of M Whitley in black ink.

M Whitley  
Human Services Supervisor

Source: [Help Save Malakai](#) Facebook page

## Court Appointed Attorney Good Friends with Social Worker?

The Wake County social worker involved with Malakai's case, Leeann Watson, and Heather's court-appointed attorney James Hunt are reported to be close friends. Kimberly reports that she frequently sees them laughing together, and that Hunt told her from the beginning that they were "good friends." Would this not present a conflict of interest? It appears to Heather and Kimberly that Hunt is more interested in serving the wishes of his social worker friend

than the needs of his client.

Heather says that she has tried to fire Hunt as her attorney, but the judge denied her request. He has not, in the family's opinion, fought for her at all, but has gone along with everything the social worker wants.

## Grandmother Receives Threats

In September, Kimberly petitioned the court for custody of Malakai, but she says that the judge screamed at her for filing the wrong paperwork. She was devastated. She had filed the paperwork that the clerk had given her to file, but she believes that the clerk intentionally gave her the wrong forms, and she says that the social workers smiled and smirked at her in court.

Later that week, on September 25, Kimberly received an anonymous threatening phone call. The caller told her that they were in court that day and saw what happened:

*The judge knows about you. You need to stop investigating Malakai's placement and pursuing placement of him with you. Don't you have other children?*

Kimberly hung up, shocked, and frightened.

This wasn't the first time she had been threatened since CPS came into their lives. Heather had another baby after her boys were taken. Shortly before Tony Jr. was born, Kimberly moved her family out of Wake County, into Harnett County. Leeann had been following the pregnancy, with every intention of seizing the new baby as soon as he was born.

However, social workers in the new county investigated, and found no reason to take the new baby. When Leeann discovered they had moved, she was reportedly furious with them. She told Kimberly:

*You're going to regret this.*

Since Tony Jr. was born, Heather has gotten into trouble with the law on unrelated charges, and will be in jail through January. She signed over custody of Tony Jr. to her mother. The social workers in Harnett County had no problem approving Kimberly and her home for custody of her newest grandson. They reportedly do not understand the vendetta that Wake County social worker Leeann Watson has against Kimberly Deese. Watson is allegedly furious that Kimberly has the baby in her care.

## **Grandmother Accused of Racism**

Social worker Leeann Watson has allegedly played the race card in court, and has accused Kimberly Deese, who is white, of racism, and has made false allegations of her using racial slurs. Kimberly assured us that nothing could be further from the truth. All of Heather's children are of mixed racial heritage. During numerous conversations with Health Impact News, it was very clear to us that Kimberly deeply loves her grandchildren. She is very concerned, especially for Malakai's well-being. The fact that his father is African-American is irrelevant. Kimberly calls the racism charge "creative evidence" – CPS is making up things as they go.

## How You Can Help

Heather's parental rights were terminated on Wednesday, November 4. That hearing was not supposed to take place until the end of November. Heather only learned of the hearing that morning. They were blindsided and shocked. They have learned that the date was changed because the foster family wants to adopt Malakai – a little boy who already HAS a family who loves and wants him. Malakai's biological father has been located and is reportedly stepping into the fray, so Malakai cannot be adopted quite yet.

The family has until December 4 to file an appeal. They are hoping that people will step in to help them to fight to save Malakai. They need a new attorney. They need help figuring out how to fight this, and how to report the ethics violations.

A Facebook page has been set up for supporters to follow their story and join them in fighting back.



The Governor of North Carolina is Pat McCrory. He may be reached at 919 814 2000, or contacted [here](#). He is also on [Facebook](#) and [Twitter](#).

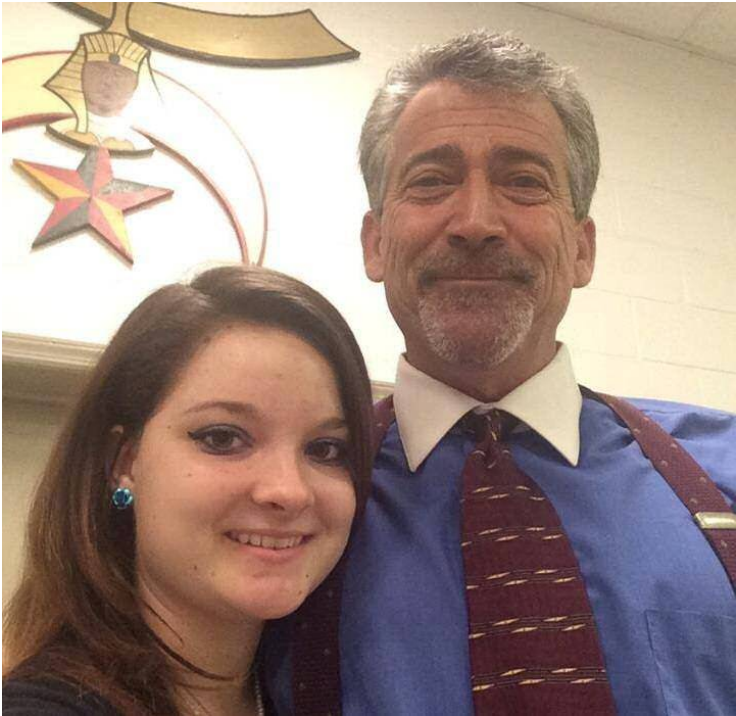
Representative Duane Hill represents the district in Wake County. He may be reached at 919 733 5755, or contacted



[here](#).

Chad Barefoot is the Senator for that district. He may be reached at 919 715 3036, or contacted [here](#).

# **EXCLUSIVE: Corrupt North Carolina Officials Try to Silence Whistleblower Using Child Protection Services**



Randy Davis with his daughter Cheyenne.

by **Health Impact News/MedicalKidnap.com** staff

A massive fraud cover-up in the state of North Carolina has

Randy Davis fighting mad. The corruption involves senators, the NC Commission of Indian Affairs, the Coharie Intra-Tribal Council, and entire departments within Sampson County – including Child Protection Services (CPS) – where Randy lives.

The laundry list of crimes, which stretches back to the 1920s, is extensive and involves everything from misuse of federal HUD and USDA funds, to virtually every civil rights violation imaginable, to a massive land grab and falsifying birth and death certificates. The whole ugly story resembles the mafia – whole generations of families in NC with multiple crimes and cover ups. And Randy Davis not only knows everyone involved – he allegedly has hundreds of documents, audio and video to prove every bit of it. That apparently makes him a high value target that needs to be silenced.

But using CPS to take his daughter didn't keep him quiet. She has been on the run for the past year – in hiding so CPS can't grab her to be used against her father. Three arrests on eight different trumped up charges (all eventually dismissed) and 136 days in jail without cause – all to coerce him into revealing his daughter's location – unsuccessful. With this story – an exclusive to Health Impact News – Randy is now coming forward to tell an astonishing story of governmental abuse of power and corruption.



Cheyenne Davis. Video recording recorded while in hiding from CPS. [Source](#).

## Meet Randy and Cheyenne

Randy Davis is a successful businessman, Chief of the Croatan Native American tribe, and a dedicated father to Cheyenne, a 17-year-old honors student.

Several years ago, an elderly neighbor of Randy's who is also Croatan, needed some financial help. Since Native Americans in Sampson County, NC, receive all government benefits through a local governing body called the Coharie Intra-Tribal Council, Randy requested their assistance.

But he ended up with more questions than answers. Around the same time, his cousin, Maretta Brewington, a member of the governing Coharie Board, was discovering questionable practices that looked suspiciously like food stamp and

Medicaid fraud.

## **Randy Exposes Fraud, CPS Removes Cheyenne Without Judge's Order**

The deeper they looked, the more fraud they found.

Eventually, they compiled enough evidence that Randy went to the State Attorney General, Senator Wesley Meredith and Senator Brent Jackson.

“Oh, no, not that,” was the AG’s first response as he refused to investigate since it would be a conflict of interest: “the state investigating the state,” according to Davis.

Senator Jackson ignored and never responded to Davis’ request for investigation.

As for Sen. Meredith, Davis says he later learned that the senator called the Coharie Board and reportedly asked them to help “shut him up.” The senator also reportedly told Maretta she would never see the documents they had turned over to him again, and soon thereafter coincidentally received a large, lucrative contract from a Native American tribe for the senator’s landscaping business.

So Davis took all the information on the Coharie Board’s fraud to WRAL TV, which ran a brief story on February 20, 2014 reporting \$740,000 “missing” from the Coharie accounts. See:

### **[‘We’ve got to find that money:’ NC tribe accused of misusing taxpayer funds](#)**

Within seven days of this story airing, CPS allegedly opened

a case on Randy.

Within another week, they took Cheyenne.

Maretta (Randy's cousin who had uncovered some of the fraud), who worked for the Department of Social Services, was placed on administrative leave and Randy reports she was threatened by her supervisor to stop exposing the fraud and connections between various government officials and the Coharie Board, or she would be fired.

The night CPS kidnapped Cheyenne, they also took Maretta's 16-year-old mentally ill son as well.

The police could not provide even a single document or reason for either child's removal. Randy reports they threatened to "fight him" if he would not bring his daughter and Maretta's son to CPS. Watch the first two videos from the previous story Health Impact News published on Randy and Cheyenne for the firsthand evidence of what happened.

The first video shows the initial stop:

<https://youtu.be/zL6M7GdHvWc>

The second video shows officers assaulting and forcibly removing Cheyenne from the car and away from her father. Another adult female, along with her son, were also in the vehicle, and the officers removed her child also. There was apparently no court order from a judge to take the children into custody. The officers were simply following directions from CPS social workers. This is what we refer to as legal kidnapping in the United States today.

**Warning! This second video contains graphic audio and**

**visual materials which may not be suitable for some viewers:**

<https://youtu.be/U4vozsgv5ow>

Original story:

## **Native American CPS Whistleblower Goes Missing in North Carolina – Daughter on the Run**

At the temporary custody hearing, questions and accusations revolved around Randy's relationship with Maretta's son, who had been recently released from a mental hospital with a diagnosis as psychotic, bipolar and a "habitual liar" by four different psychologists. The boy had confessed to raping his eight-year-old cousin as well as other crimes, which had turned unwanted law enforcement attention to the places where his crimes occurred: the Coharie Board's property and one of its member's home.

Randy believes they sought to implicate him in Maretta's son's crimes, as well as fabricate other issues related to the boy, in order to take the heat off the Coharie Board, while also silencing Randy and Maretta.

## **Cheyenne Kept as Prisoner in Abusive Foster Home, CPS 'Shops' for Diagnosis**

Cheyenne's life, already torn from her father, descended into a nightmare. Relatives who were readily available and willing to take her were apparently ignored by the court.

The foster home to which she was sent did not return her to school and blocked all her access to the outside world and her father through phone or internet. Cheyenne reports

witnessing the foster mother slapping her own daughter many times, and seeing the daughter “pimping out” other foster children in the home.

The police were called multiple times to the home.

Two agonizing months went by before Randy saw his daughter again.

During that time, as he desperately fought to have Cheyenne placed in kinship care, she was being taken to psychologist after psychologist. Randy believes they were trying to get a diagnosis that would label her mentally unfit in some way so that any testimony she might have could be discredited.

But Cheyenne’s multiple psych evaluations all came back normal.

## **CPS: “We Don’t Need a Judge”**

Finally, in late spring, the judge permitted Cheyenne to live with Andy and Pam, Randy’s cousin, and gave him unlimited access to his daughter.

The same day she was transferred to Pam’s home, CPS informed Randy there were “new allegations” and rather than the judge’s ruling of unlimited access to Cheyenne, he cannot talk by phone or in any way interact with her except for one hour per week at CPS offices.

When Randy questions why CPS will not follow the judge’s orders, Cheyenne is told by CPS:

*“We don’t need a judge.”*



Cheyenne was able to record much of the meeting at the CPS office, and towards the end of this clip below, a person she identifies as CPS Supervisor Jane Dudley states that because they were opening a “new” investigation, they did not need a judge’s order.

[https://youtu.be/es\\_IzYznoJM](https://youtu.be/es_IzYznoJM)

In this video by Cheyenne below, Randy Davis interacts with “over a dozen” CPS staff, including the director, in a meeting he said was quickly called to “clear up misunderstandings.” Randy asks why they are not obeying the judge’s order to return Cheyenne to himself.

<https://youtu.be/IbLqUIL4uhM>

Meanwhile, Randy complied with a CPS request for a psychological evaluation. The evaluation was normal, but CPS told the judge they don’t believe it’s authentic and demands another exam.

Randy reports the judge saying at the hearing on Sept. 11, 2014:

*“What does this man have to do to get his daughter back?”*

In a highly unusual move, the judge then required Frank Bradshaw, the DSS attorney, to hand write his orders in full, in the court room in front of him, requiring that if the psychological examination is affirmed to be accurate by the examiner, the case is dismissed and CPS must return Cheyenne to her father’s custody within 24 hours.

## **CPS Violates, Ignores Judge's Orders**

On Oct. 6 the psychologist affirmed the assessment as genuine. Yet Cheyenne was allegedly kept in CPS custody for another 15 days, directly violating the judge's orders. On Oct. 21, Cheyenne was finally returned to Randy's custody.

But it's not over. Far from it.

Within days, Randy reports that he received a phone call from CPS telling him Cheyenne's return to his custody is a "trial placement," despite the judge's orders stating he has full custody.

When CPS demands a home inspection, Randy refuses. Randy learns by accident that a trial is to be held Oct. 29 to determine whether there had been abuse or neglect of Cheyenne. Randy says he was never summoned or informed in any way of the fact that the court intended to bring him to trial...for the same case which had just been dismissed.

## **Tried Twice for the Same Crime??**

A week after Cheyenne returned home to her dad, Randy attended what appeared to him to be a completely bogus trial, since the previous judge had already dismissed the case.

The U.S. Bill of Rights prohibits citizens from being tried twice for the same crime – but this is exactly what seems to have happened to Randy. This time, without testimony or proof, the judge decided that Randy was guilty of "neglect" but still permitted Cheyenne to stay in Randy's custody.

But Randy knows too much, and has documentation that can

expose too many corrupt officials.

Only one week passes when again, on Nov. 5, Randy received a phone call informing him that he must appear at CPS offices within three hours or face arrest.

When he arrives, he is informed that there are once again new allegations made by one of the CPS workers. Incensed, Randy tells them:

*“If I’ve done something wrong, then file criminal charges!”*

No charges are ever filed.

## **Police, CPS Trespass and Search Multiple Homes – Randy & Cheyenne Hide**

Outraged at this new harassment, Randy takes Cheyenne to his brother James’ home in a different county, and intentionally calls the police to request a “welfare check” on his daughter, hoping for fairer treatment and to prove that all is well.

The police visit his brother’s home and allegedly report everything is “fine.”

Randy takes the police report that there are no concerns for Cheyenne’s safety and emails it to Sampson County CPS to inform them that there is no reason for anyone to further disturb his daughter.

But, Randy says:

*“I knew they were up to something again.”*

They left Sampson County for his beach house, hoping to be left in peace.

That night, Sampson County police allegedly crossed jurisdictional lines into Cumberland County. Nine police and Sampson County CPS surrounded James’ home and demanded to search for Randy and Cheyenne.

Allegedly, no warrant or paperwork of any kind was provided. The same night, the police reportedly also surrounded and searched the homes of Randy’s cousin Maretta, Pam, Andy (Cheyenne’s kinship foster parents), and Randy’s home.

## **Arrest Warrants Issued for CPS Directors, but Sheriff Threatens Randy**

Randy’s brother immediately files trespassing charges in Cumberland County on Nov. 11, and the Magistrate, recognizing the validity of James’ claims, swears out three arrest warrants on the Sampson County DSS Director, Sara Bradshaw, as well as the CPS Director and the Foster Care Director.

The next day, Nov. 12, Sampson County Sheriff Jim Thornton allegedly called Randy and demanded:

*“Bring Cheyenne to CPS or I’ll bring charges against you.”*

Randy, after enduring repeated civil rights violations and

lawlessness from county officials, refuses and hangs up on the sheriff.

Sheriff Thornton swears out three warrants on Randy for “obstructing an officer, obstructing justice and resisting” – because Randy allegedly hung up the phone on him.

## **District Attorney Ignores Lawless CPS, Randy & Cheyenne On the Run**



Cheyenne and Randy Davis during happier days.

The following day, Nov. 13, the District Attorney, Frank McQuaide, disposes of the Cumberland County warrants against the Sampson County officials.

Apparently jurisdictional overreach and trespassing is legal in his district.

It is obvious to Randy that the system is stacked against him, and the corrupt officials want to regain custody of his daughter in order to keep him quiet about their activities.

For the next four months, Randy home schools Cheyenne while hiding at his beach house and various other places in and out of state.

## **SWAT Gear, Military Grade Tracking Without Federal Warrants**

Determined to find Randy and Cheyenne, Sampson County police reportedly returned to Randy's brother James' house on Dec. 5 in SWAT gear and body armor.

James protests and demands they prove they have Cumberland Sheriff's approval before he will agree to another search. When the call is made, the Cumberland Sheriff's response is a vehement:

*“Get away from James' house!”*

In response, the Sampson County police allegedly said that they had “pinged Randy's cell phone” at James' house.

This type of high-tech cell phone tracking technology requires a federal warrant. According to Randy and his brother, the police had no such warrant, nor any legal authority to search. The Sampson County Sheriff will later admit under oath that he “might have” used this technology to locate Randy, despite the lack of a federal warrant.

## **Bond Set \$9500 Over Legal Limit**

After several months in hiding, Randy pays his bond for the obstruction of justice charge (for hanging up the phone on the sheriff) in Feb. 2015.

The bondsman informs him that the legal limit for a bond on this charge should only be \$500, but it has instead been set at \$10,000.

Randy pays \$3,000 and is told:

*“Something’s not right over there in Sampson County. You need to subpoena those guys.”*

## **Cheyenne In Hiding, Randy Held in Jail Without Bond**

Randy attended court March 4th for the criminal trial on the obstruction of justice charge for which he had already paid bond. The judge finds Randy guilty of hanging up the phone on the sheriff and sentenced Randy to the maximum of 45 days in jail – without bond.

However, Randy is informed that if he’ll tell them where Cheyenne is they will let him go. But Cheyenne was in hiding, and out of reach of corrupt Sampson County officials.

## **Randy Kept in Jail Without Cause – Unless He Will Identify Cheyenne’s Location**

Within three days, Randy filed an appeal and the judge set bond at \$1,000, which Randy paid several days later.

What happened next seems unthinkable.

After Randy pays his bond, the bailiff allegedly begins walking him back to jail.

“Where are we going?” Randy says he asked.

He is informed that there is a “secret order” and he must remain in jail. That is, unless he’ll tell CPS where Cheyenne is hiding.

How could this happen in America?

Citizens cannot be randomly held in jail without specific charges and due process according to the rule of law and the Constitution. Yet Randy is incarcerated for a total of 136 days....until July....apparently without cause.

Hearing that her father is in jail, Cheyenne posts a [YouTube video](#) on April 2015 saying she is well and safe, but that her dad should be released.

<https://youtu.be/26aCd6K9d4s>

In May, despite obstruction and all other charges against Randy being dismissed, Sampson County officials allegedly would not release him from jail.

In July, after months of legal wrangling, Randy is finally released from jail, with no probation and clear of any charges.

However, the judge adds multiple restrictions to Randy’s release, requiring that he live in Sampson County and spend every night in that county.



These requirements, Randy notes, are unconstitutional. He has appealed these restrictions to the state Appellate Court.

## **Cheyenne Remains in Hiding for Fear of Retaliation by Corrupt Government Officials**

As of today, all charges have been dismissed against Randy, and he has full custody of his daughter.

However, Cheyenne remains in hiding. They fear if she should reappear, the whole corrupt circus of lies would begin again.

Here is a recent video she posted on Dec. 17, 2015:

<https://youtu.be/jdnd1G9G3iQ>

Despite the incredible measures taken against him, Randy is unbowed, and determined more than ever that the truth of the Sampson County and Coharie Board's fraud and cover-ups be brought to light.

Randy and Cheyenne's story includes so many alleged forms of government abuse and even lawless anarchy it is difficult to recognize this could even be possible in America. Power and money, coupled with a virtually complete lack of accountability have allowed corruption to flourish, making CPS in Sampson County nothing more than a way to silence those who would speak out, according to Randy.

Health Impact News and MedicalKidnap.com will continue covering this story.

# Infant with Brittle Bones Medically Kidnapped in North Carolina as Mother is Arrested



Baby love with Marty Peele. Photo courtesy Peele family.

UPDATE 3/8/2016

**[Dr. Phil Exposes Medical Kidnapping and Shaken Baby Syndrome False Diagnosis with North Carolina Family](#)**

# Infant with Brittle Bones Medically Kidnapped in North Carolina as Mother is Arrested

by Health Impact News/MedicalKidnap.com staff

When police arrested North Carolina mother Marty Peele on charges of child abuse last summer, her friends say they knew there had to be another explanation for 4 month old Micah's injuries. They say that the picture that was painted by the media was inconsistent with what they know of Marty, and that she couldn't possibly have done the things that she has been accused of.

Petreana Anderson is one of Marty's friends who considers herself "a pretty good judge of character." She told Health Impact News:

*I hate that they [the media] painted her as a monster. That woman wouldn't hurt anybody.*

Local media reported that Marty was accused of breaking 12 of Micah's ribs and 2 shoulder blades, as well as leaving deep bite marks. Jevae Pope echoes the response of many of Marty's friends when she says that:

*There is no way that you can convince anyone who knows Ms. Mary Peele that she would be capable of such a crime. ... Her son is her life and she is not capable of committing such a heinous crime.*

A number of other friends have spoken up to declare that Marty could not have hurt her baby, and several respected expert medical doctors have reported that Micah's injuries are not the result of abuse, but of a real medical condition. However, Child Protective Services has ordered her not to have any contact with her baby, or with any other child under age 18, and she is facing a criminal trial for felony child abuse.



2 different images for Marty Peele. The first when she was arrested and charged with child abuse, and the second, the loving mother that friends describe. Photos courtesy of WRAL and Peele family.

There are two completely different, and incompatible, pictures being painted of Marty Peele, so what really happened? What does the evidence say?

## Her History

From a young age, Marty has always enjoyed being around children. She ran her church's nursery as a teenager, where Marty was dubbed the "Baby Whisperer," because she could reportedly calm the little ones down.

As she grew up, she became a nanny, and other families trusted her with their children. She spent her entire life loving and caring for children, and even became a labor coach for friends who were expecting.

It wasn't just children, either. Marty's friends say that she has always been quick to give of herself to those in need. She checks on her neighbors who are senior citizens. Kristan Walker has known Marty for 15 years. She reports that:

*Marty goes out of her way to help other people – all the time. She STILL does it!*

She has worked for many years as a photographer of children and families. She volunteers with charities that help those in need, and opened up a children's resale business to help provide parents with affordable baby gear, clothing, and toys, "going above and beyond" to help parents in need.

## "Miracle Baby"

She always dreamed of being a mother to her own children, but a series of miscarriages left Marty wondering if that was ever going to happen. The grief of 8 miscarriages took its toll on her emotions and her marriage, which ended in divorce.

Later, when she and her fiancé Derrick Dover found that they were expecting, she didn't dare hope. But she made it through the first trimester and got past the point at which she had lost her other babies. Because of so many miscarriages, this pregnancy was considered high risk.

It was a stressful, but joyous time. Marty was determined to embrace the pregnancy, the good along with the nausea and discomfort. Her chief complaint was heartburn, for which she consumed Extra Strength Tums antacid tablets on a daily basis. She didn't really consider Tums a drug, and was completely unaware of research that indicates that the use of antacid tablets like Tums can lead to bone fragility issues.

She stepped up her research, and decided that she would make organic baby food for her baby. She planned to have a completely natural childbirth, and chose not to circumcise or vaccinate her son. She organized and planned every detail for a fabulous nursery for this much-anticipated baby.

Her "miracle baby" was born on March 24, 2015, after a long and difficult induced labor. Micah was full-term, born at 41.2 weeks. During labor, Marty reports that her baby did not descend into the birth canal. After 40 hours of labor, Micah was born via c-section. He weighed 8 lbs 10 ounces.



Derrick and Marty were overjoyed when Micah arrived. Photo courtesy Peele family

Micah was her “dream baby.” Marty Peele was over the moon with joy to finally have him. But, all along her mother’s intuition told her that something just was not right.

## **Early Indicators of Problems**

Medical reports show that Micah’s anterior fontanel (soft spot) was completely closed at birth. The bones in his head which are supposed to mold and overlap during the birth process didn’t. In hindsight, Marty wonders if these were indicators of bone problems even then. He also had an elevated bilirubin level, requiring him to spend time under the bili lights during his first week. He developed a large umbilical hernia at around 6 weeks of life.

Although he had a smile that would light up the room, Micah

was also reportedly a “fussy baby,” and seemed uncomfortable often. Marty was familiar with babies and knew that some babies are fussier than others, for no apparent reason. She writes:

*We practiced attachment parenting in our home (baby wearing, breastfeeding, co-sleeping, non vax, no circ, gentle parenting style) but my handsome boy was unhappy. We had multiple doctors visits and even a couple ER visits where my mama intuition said something is JUST not right.*

Car trips were especially difficult. Micah seemed to hate being buckled in to the car seat. Several of Marty’s friends recounted the story of how Marty and her fiance started out on a road trip to visit relatives, but Micah was inconsolable, screaming the entire time. An hour into the trip, they turned around and came back home. Later, Marty discovered that car seat buckles would tend to cause increased pain in babies with the injuries that he would have already had at the time.

He also didn’t like being put into a swing or being put down. He would scream when being dressed and undressed. He preferred swaddling and baby wearing. He was also noted to be “extremely flexible.”





Micah was fussy, and his mother knew something wasn't right. Photo Peele family.

They just didn't know what was wrong, but Marty and Derrick were concerned. On one occasion, Micah woke up unable to move his arm. She didn't know if he had slept on it funny, or if there was something else wrong. She called the pediatrician's office, and took him to the E.R. They were told that it was benign nursemaid's elbow and were sent home.

The parents would ask about his fussiness at doctor visits, but they were assured that he was fine.

He wasn't.

## “The Bottom Just Fell Out”

Derrick’s birthday was July 18. On the following day, the family was preparing to celebrate his birthday with friends. When Marty picked up Micah out of the crib, she felt an odd lump on his rib cage. She had noticed something odd before. When she called her pediatrician to describe what she felt, he instructed her to take him to Wake Med Children’s Hospital.

Nothing could have prepared them for the horrible chain of events that followed. Doctors found a dozen fractured ribs and broken bones on his shoulder blades. A nurse noted scratches on his shoulder and charted it as a bite mark.

Only about 2 hours after their arrival at Wake Med, an after-hours social worker, Danielle Doyle came in to where Micah’s parents were waiting for answers. Instead, they were stunned by the social worker’s words:

*I’m supposed to come in here and act all concerned for the parents, but I know that you guys abused this baby.*

Marty and Derrick were interrogated for almost 8 hours, separately. Then, Marty, who was the primary caretaker, was accused of child abuse, arrested, and her child was seized from her and placed into foster care.

The Child Abuse Specialist assured the court that the only thing that could have caused these injuries was violent abuse, and the judge set her bail at \$400,000.

But is abuse the only thing that could have caused his

injuries? Or is there another explanation?

## “Bite Mark” Wasn’t a Bite Mark

Local media ran with the story that Marty had abused and bit her baby. The original medical reports stated that there was scabbing on Micah’s upper arm “resembling bite marks.” Immediately, Marty and Derrick volunteered to take bite impressions to prove that they did not bite Micah. They were told that there was no place available that performed such testing.

By the 2nd day after Micah’s admission to Wake Med, it was clear that the marks were not from a bite, and the notation about the bite mark was struck through. That bit of information never reached local media, or the court room. The erroneous information was reported more than a week later by local media. Both [ABC](#) and [FOX](#) news reported:

*She also allegedly made a deep bite wound on the boy’s shoulder.*

[WRAL](#) reported that a warrant said the deep bite was on his left shoulder.

Personal Needs: child has wet diaper Entered: <PMS 7/19/2014 22:22>  
07/19/14 22:27 Nurse's Note 3- Pt with noted bruising and scabbing to left upper arm-resembling bite marks-MD Frater  
aware. <PMS:07/20/2014 05:51> Modified: 07/20/14 05:52 Entered: <PMS 7/19/2014 23:39>

None of the outlets have posted a retraction or correction to their information.

## Parents Had No Explanation for the Fractures – AAP Policy Says That Itself Is An Indication of Abuse

In the medical reports, it was noted that the parents had no explanation for Micah's fractures. Marty freely admits that they didn't. She had that sense for some time that something wasn't right, based on her mothers' intuition, but she didn't know what was wrong. She isn't trained in medicine. How could she know if there were a yet-undiagnosed medical condition underlying his fussiness and the fractures? That was the reason that she took him to the doctors, because they are supposed to be the experts who can figure those things out.

Instead, she was blamed.

What she didn't realize is the very policies of the American Academy of Pediatrics can be a set up for parents of children with undiagnosed medical conditions. According to a 2015 Clinical Report from AAP, [The Evaluation of Suspected Child Physical Abuse](#), the fact that "There is either no explanation or a vague explanation given for a significant injury" is itself a red flag for abuse. Further, the journal report states:

*Physical abuse is in the differential diagnosis for children with fractures in the following situations:*

- *Fracture(s) in nonambulatory infants, especially in those without a clear history of trauma or a known medical condition that predisposes to bone fragility;*
- *Children with multiple fractures;*
- *Infants and children with rib fractures;*

- *Infants and toddlers with midshaft humerus or femur fractures;*
- *Infants and children with unusual fractures, including those of the scapula, classic metaphyseal lesions (CMLs) of the long bones, vertebrae, and sternum, unless explained by a known history of severe trauma or underlying bone disorder; and*
- *The history of trauma does not explain the resultant fracture.*

At the time that Micah was brought in to Wake Med Children's Hospital, there was no "known medical condition that predisposes to bone fragility." There was only the sense that something was wrong. Instead of seeking out possible explanations, the conclusion that the doctors and social workers reached a mere 2 hours after the x-rays was that the child had been abused.

He was found to have multiple fractures, a couple of unusual fractures, and rib fractures. The baby-wearing, breastfeeding mother had no explanation to offer for the stunning revelation.

It was that evening that she learned that there had been an accident a couple of weeks prior. Her father told them about an incident that he had previously thought nothing of. He had been watching Micah while she and Derrick went out to a date-night dinner. He had carried Micah to the kitchen with him to prepare a bottle. He slipped on a rug and fell backwards to the ground, while holding the baby. He never let go of Micah, and gripped him tighter as he fell.

Apparently, the investigators dismissed this as an

explanation for Micah's injuries. Indeed, in a healthy baby, there would likely have been no issue. However, if Micah had an underlying condition predisposing him to any kind of brittle bone condition, he easily could have suffered broken bones from that fall. Fractures have been noted in such babies from such simple things as a diaper change or a nurse holding down a baby for shots or medical procedures.

## **Medical Experts Say That There ARE Explanations for His Injuries**

Marty spent 4 days in jail before family and friends were able to bail her out. Once she got home, she was determined to find out what kinds of explanations there could be. An avid researcher, she tracked down stories that were similar to hers, as well as medical research for conditions that might explain the symptoms that she would have expected the doctors and hospitals Micah had seen to find.



Photos courtesy Peele family.

Almost a half dozen expert doctors have now issued reports that there are indeed very plausible explanations for Micah's injuries, and they strongly assert that he was not abused.

Marty found that there are many things in Micah's family history that offer explanations, besides his own medical history. His blood work values were all over the charts when tested in July, with more than half a dozen factors that were high and just as many that were lower than normal. He also had bowing of his legs.

She had never heard of Ehlers-Danlos syndrome before, but was surprised to find that she, herself, had many symptoms of the rare connective tissue disorder. She traveled to Boston in September to be evaluated by renowned Vitamin D expert Dr. Michael Hollick. He diagnosed her with

EDS/hypermobility syndrome. He found that she has a [Beighton score](#) for hypermobility of 9 out of a possible 9, as well as other symptoms, such as:

*a history of gastroparesis, orthostatic hypotension, hyperflexibility with subluxation of multiple joints and fractures with minimum trauma, especially of her ankle and doughy-textured skin. She has aches and pains in her neck, thorax and lower back.*

Having a parent with Ehlers-Danlos increases the likelihood that Micah also has the condition. Babies who are born with EDS are more likely to have bones that are easily fractured. Their bones, especially ribs, can be broken even during birth and during handling immediately after birth.

The numerous miscarriages that Marty experienced before Micah was conceived are a known contributor to inadequate mineralization as the baby grows in the womb. He was born with low Vitamin D levels, and those levels remained low at the time of his admission to the hospital, despite his mother giving Vitamin D supplementation.

Despite the many fractures, Micah has shown no signs of internal organ injury or bruising. According to orthopedic surgeon Dr. Doug Benson:

*An infant because of its small size and limited muscle has a thin chest wall and multiple rib fractures from trauma virtually always have associated chest wall, or internal organ damage....to a greater extent than adults. Rib fractures due to metabolic bone disorders usually do not have associated chest wall injuries or internal organ damage.*



Additionally, he writes:

*The diagnosis of Child Abuse because of “multiple unexplained fractures” is unsupportable.*



Micah's smile would light up the room. Photo courtesy Peele family.

## Errors in Social Worker's Report to Hospital

Interestingly, though medical records show that there is family history which should alert physicians to possible metabolic bone conditions, medical reports from Duke University show none of that. Wake County Human Services social worker Benjamin Bynum took Micah to Duke for genetic evaluation in September 2014 and provided doctors at Duke University with Micah's history. Neither Marty nor any other family members were permitted to be in attendance. It is remarkable to not how many details are incorrect in just one paragraph in the report:

*A three generation pedigree was obtained and is in the Medical Genetics chart. The family history was specifically screened fro history of fractures, blue or grey sclera, hearing loss, and dental problems. The family history was negative. The family history is otherwise negative for mental retardation , birth defects, multiple pregnancy losses, or known genetic disorders. The maternal side of the family is Caucasian. The paternal side of the family is mixed ethnicity.*

However, medical records note that Marty's family has a history of fragility fractures. Marty herself has a history of ankle fractures, and there is hearing loss on the maternal side. On Micah's father's side, Derrick's adult teeth never came in, only his primary teeth – an indication of odontogenesis. That paragraph notes no multiple pregnancy losses, yet Marty suffered 8 miscarriages before Micah's birth. That fact is noted elsewhere in the Duke report.

The maternal side of the family is not Caucasian – Marty is of mixed ethnicity, not Derrick. Derrick's side of the family is African-American.

Marty has noted numerous other errors and inconsistencies in the records that she has obtained. If they can get so many facts incorrect in just one paragraph, the question must be asked: how reliable is any of their information?

## Friends Are Concerned

Because Marty has been accused of child abuse, doctors aren't looking for what may actually be wrong with Micah, and that is concerning to Marty and Derrick's friends, including Laura Antonelli:

*The longer this drags out, the longer [Micah] could be suffering. They still haven't diagnosed him.*

There was a doctor's appointment scheduled in December with a specialist, but that appointment has now been pushed back to January.

Kristan Walker has known Marty for 15 years, and she says that the thought that Marty could hurt her own child is "the craziest thing I'd ever heard in my life." She says that this makes her scared for every other mother, because:

*This can happen to anyone if it can happen to her. This has 'sucked all the life' out of Marty.*

## What Happens Next

Micah was able to move out of foster care into Derrick's mother's home. Marty and Derrick signed over permanent

custody to Derrick's mother, in order to keep from having all of their parental rights severed. They are not allowed to see him at all. Even traditional family gatherings have been halted. There is no "Christmas at grandma's house" with everyone all together.

Marty reports that she still buys clothes and toys for her son; she just can't see him with them. She bought a giraffe halloween costume for Micah, and, as she always does with new clothes, she took pictures of the clothes – the shell of the person that she most wants to see.



Marty wants to be taking pictures of her son IN the costume and clothes she buys. Instead, she takes photos of the empty shell. Photo courtesy Marty Peele.

Criminal court has been continued, and no new date has been set. Friends and supporters are hopeful that someone

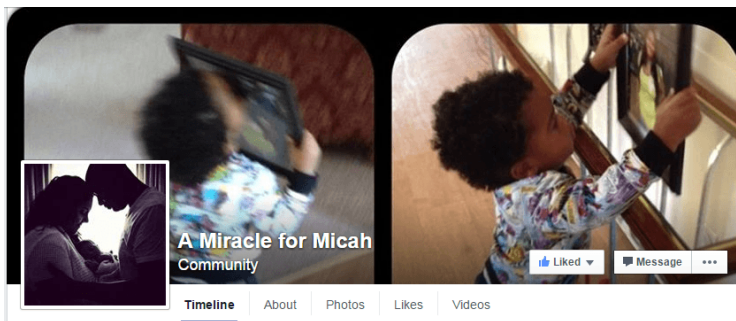
in the system will recognize that they've made a mistake, and restore Micah to his family. CPS has stated that there is no explanation for Micah's injuries, yet 5 expert doctors have agreed that this is not child abuse, that Micah has some type of metabolic bone disorder.

Marty still cries for her baby every day. All she ever wanted was to be a mommy.

*I can't wrap my brain around that I might have to sit for a trial for something that I'm not remotely capable of doing.*

## How You Can Help

Friends have set up a new Facebook page for people to follow their story – [A Miracle for Micah](#).



Their story takes place in the same county where a little boy named Malakai has been starving in foster care – Wake County, North Carolina.

See story:

## North Carolina Child Medically Kidnapped Starving to Death in Foster Care

Supporters are asked to contact Governor Pat McCrory and ask for him to intervene. He may be reached at 919 814 2000, or contacted [here](#).

Other North Carolina stories:

[EXCLUSIVE: Corrupt North Carolina Officials Try to Silence Whistleblower Using Child Protection Services](#)

[A Year After Emergency Room Visit, North Carolina Couple Still Fighting for Medically Kidnapped Newborn](#)

# North Carolina Whistle-blower Imprisoned, Daughter Kidnapped by CPS - Are Their Lives Now in Danger?



Randy Davis with daughter Cheyenne. Together again, but for how long? Image copyright by Randy Davis.

**CORRUPT NC NATIVE TRIBE STEALS  
HISTORIC DOCUMENTS, ERASES 400-  
YEAR-OLD NAME VIA MASSIVE FRAUD,  
RETALIATES AGAINST WHISTLE-BLOWER  
BY KIDNAPPING DAUGHTER**

*Racial identity pawned and plundered for government funds.  
One of the oldest known and first discovered Native*



## ***American tribes, the Croatan – systematically erased from history.***

by **Health Impact News**

One Native American tribe's descent from a proud heritage into lawlessness and greed has gone unchecked for decades.

Until now.

In 2012, Randy Davis just wanted to obtain a box of his family's papers from his local tribal headquarters. Little did he know his questions would bring down retaliation that included his daughter being kidnapped by CPS, theft, false imprisonment, uncounted civil rights violations, his name smeared, his livelihood lost, and his life forever changed. See our original story about Randy Davis here:

### **[EXCLUSIVE: Corrupt North Carolina Officials Try to Silence Whistleblower Using Child Protection Services](#)**

Though the Croatan, as a people, still exist, many of its leaders appear to have sold out their birth right for state and federal largesse – not only changing their tribal name, but paying academics to eradicate the name from historical research and even illegally changing birth/death certificates.

In addition to this paper genocide being perpetrated against the tribe by its own, there is federal and state fraud and abuse, and the lawless attempts to bribe, smear, coerce, kidnap and jail those members who might object or reveal the truth.

And then there is the “reservation shopping” by the

national casino and gambling interests who have literally stolen the Croatan's historical records, apparently in an effort to "create" a tribe worthy of federal recognition, with the accompanying right to set up casinos, netting billions of dollars for those who control it.

One man stumbled into all of this unwittingly, setting off such retaliation that he has considered seeking witness protection for himself and his daughter.

## A Proud Family Heritage Now in Danger of Being Lost



John White discovers the word "CROATOAN" carved at Roanoke's fort palisade. Image source.

CROATOAN. A single word, carved on a tree was all that remained of one of the first settlements in America by the English.

In 1587, John White led more than 100 colonists in a first

attempt to found a permanent English colony in the New World. The group settled on Roanoke Island, off the coast of North Carolina.

White then returned to England to bring more supplies, but was delayed for nearly three years. When White finally arrived, he found the colony abandoned.

Only two clues remained: The word “Croatoan” had been carved on a post and the letters “CRO” scratched into a tree trunk. For hundreds of years, historians believed the settlers, without supplies and facing a severe drought, were assimilated into the Croatan tribe living in the area. Several recent archeological digs seem to confirm these theories. [1]

Randy Davis, a successful businessman from Sampson County, North Carolina, can document direct descent from these Croatan Indians, with a documented family history dating back 100 years prior to the Revolutionary War. [2, 3] The tribe’s existence is documented throughout North Carolina history, with the “Croatan Indian” term identifying the group in various state and county documents, and was officially recognized by the state in 1885.

Much of the documentation and family manuscripts were kept in a box from his great-grandfather, Enoch Manuel, which along with other tribal documentation, was stored in a quiet little small town church in Sampson County, NC where many of the tribe attended.



ENOCH MANUEL AND WIFE, SARAH E. MANUEL, DAUGHTER OF AMOS HARDING—Dismal Township, Sampson County

ENOCH MANUEL AND WIFE, SARAH E. MANUEL, DAUGHTER OF AMOS HARDING—Dismal Township, Sampson County approx. 1916. [Image source](#).

Yet as Jim Crow unfolded around them, when government assistance became available in the early 20th century, Native Americans struggles in North Carolina “centered on issues of land, education, and identity in the context of land and education.”[4] Randy’s great-great-grandfather, Enoch Emanuel, was better educated than most in that era, and sought to protect his Croatan heritage and differentiate from

other native groups in the area, requesting a separate school from other area tribes in 1916. [5]

Handing out benefits such as land, and education, the government became the arbiter of what constituted an authentic tribe. Small ethnic groups fought for state and if possible national acknowledgement as “real tribes” in order to gain these prizes. With increasing activism by various native groups since the mid-20th century, many states have passed legislation to recognize some tribes and provide yet more benefits.

## **Croatan Name Vanishes – New Tribe Appears Instead for Increased Federal Funding**

This new jockeying for government recognition explains, in part, the fate of the Croatan name and people from the early 1900s until the present.

Attempting to trace the tribal name is like watching a shell game. A quick online search will turn up various documents proposing that the name belongs to assorted other Indian groups that claim this name’s heritage. To illustrate this further, read through the North Carolina Museum of History timeline on Indian history from 1880 to 1980 and suddenly the Croatan name is gone, subsumed within other groups. [6]

But it’s no mystery to Randy Davis and other Croatan members. Many of the same Croatan families listed in his great-grandfather’s documents are still his neighbors today.

Yet in the early 1970s, many of this formerly Croatan group claimed recognition under a different name: “Coharie.” This new name did not exist anywhere as a people group before

1977.

But in the newly created tribe's enrollment criteria, [7] Randy's great-great-grandfather's listing of Croatan families is used as clear identification for "Coharie" tribal members. Randy's family held the tribal chieftainship throughout the past several hundred years, until 1977 when his grandfather died. However, Randy says that his grandfather would never have agreed to hide their proud name and history just to increase the tribe's size and line its leaders' pockets.

**Eliminating A Small Authentic Tribe to Create a New Fictious Larger One to Collect More Federal Funds**



NEW BETHEL INDIAN SCHOOL Herrings Township, Sampson Co., N.C. The Croatan Tribe petitioned to the County Board of Education, in 1910, to provide a separate school for their children in Herrings and Honeycutts townships. [Image Source](#).

In 1977, the very same year of the Croatan chief's passing, the "new" Coharie tribe was born, and Randy's great-grandfather's brother, Chief Levander Manuel, is somehow listed as one of the original board members of the Coharie. In a transparent power grab, several other families decided, along with the name change, to vote for a chief, though this had never been their tradition.

Randy's family had been pushed aside, but were unaware of the extent of the deception and manipulation for decades.

Why did such a historic tribe, with families still in existence, re-name themselves and work to erase all traces of their original name?

What Randy uncovered was a shocking, concerted effort to stuff tribal rolls with additional “members” for the purpose of garnering additional government funds, and eliminate any Croatan identification across any and all official documents.

The Croatan were formally recognized by the state of North Carolina as a tribe in 1917, and that recognition still stands today. Yet the NC Commission of Indian Affairs inexplicably has no seat for the tribe, despite requests, and those who might speak up, as Randy was to discover, are afraid of retaliation.

When Randy sought out his heritage at his tribal headquarters in 2012 he wasn't expecting excuses, lies and denials. Yet no one in the Coharie leadership could give a plausible reason as to why his family's box of precious manuscripts and documents recording genealogies of all Croatan families in Sampson County and other irreplaceable documents tracing almost 300 years of family could not be produced.

Suspicions roused, he continued to pursue answers.

## **Fraudulently Altered Birth/Death Certificates**

Randy's search uncovered birth and death certificates that were altered by Sampson County Register of Deeds office. Many appear to have been changed where the certificate records the person's racial identification from “white” or “black” to Indian. [8]



The changes are not considered valid unless also changed at the state level. Maretta Brewington, another Croatan, notes:

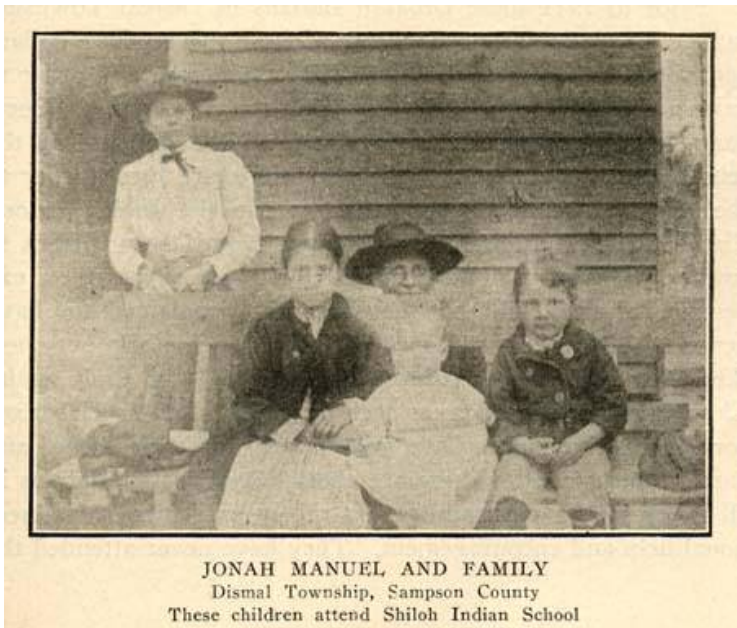
*“We cannot verify that these changes were also made on the state level. It is widely known in the community that many birth certificates were changed to ‘Indian’ so that individuals could get a birth certificate certified by Sampson County ROD stating they are Indian in order to be added to the Coharie tribal roll. Anyone can go into the ROD and change the originals, hand it to the clerk, pay a fee and have a ‘certified’ birth certificate made for them with whatever they wrote on the original.”*

There were also birth or death certificates which edited out tribal identities from Croatan to Indian – effectively erasing a person’s tribal identity for all time.

In fact, Randy discovered that even his own mother, Annie Evelyn Emanuel, had a birth certificate that had been crossed out as “Croatan” and identified as generically “Indian.” [9]

When Randy demanded that the original Croatan identity be replaced, the Sampson County ROD confirmed with the state that the original birth certificate still remained as Croatan and no changes had been made at the state level – thus validating that someone had illegally changed it.

## **‘Experts’ Paid by Tribe to Re-write History**



[Image Source.](#)

Birth and death certificates with altered identities were not enough. The tribe sought to fabricate its own history.

Randy alleges that:

*“Stewart Berde, Wes Taukchiray and David Wilkins are all paid ‘experts’ and anthropologists who were paid with federal monies in order to cover us all up.”*

Their work has succeeded, and other academics have unknowingly followed.

Just one example: *The New Encyclopedia of Southern Culture*

only records the Coharie as native North Carolinians. The Croatan are not even listed as having existed in the state.

It also notes that the Shiloh school in Sampson County was created “for the Coharie”[10], yet the original state legislature Act from 1917 specifically records: “An Act to Provide for Separate Schools for the **Croatan** Indians of Sampson County.”[11]

Duane Manuel, another Croatan and cousin of Randy’s, notes:

*“Butler and McMillian never heard of a ‘Coharie’ other than a body of water. It would seem to me that all Berde did was create a history for the said ‘Coharie’ by deleting the word ‘Croatan.’ The Coharie did not exist until the NC Commission of Indian Affairs created them.”*

A thorough review of original court, county and historical documents from the late 19th and early 20th centuries, set alongside Berde’s various official reports and books, shows this to be exactly the case.

*“For some reason the tribe Croatan needed to be hidden,” Manuel says. “Likewise the name Manuel/Emanuel (his and Randy’s direct ancestral name) seems to have been hidden.”*

And indeed, though Enoch Emanuel is briefly noted as a chief and leader in Berde’s 1984 report *Politics and Prayers: The Role of Evangelicalism in Coharie*, Randy’s family is rarely mentioned, nor consulted in the various “oral histories”

Berde records. In one case, Randy discovered what appears to be an intentional editing out of a name in Berde's writings.  
[12]

NOWHERE  
TO HIDE:  
...COHARIE  
INDIAN  
HISTORY

ENDE

Randy states:

*“It’s amazing that we have been hidden in plain sight.”*

## **Questionable Enrollments – Tribe Somehow Doubles in 10 Years**

The newly invented “tribe” suddenly discovered many more members. The rapid climb in membership, which might have been explained when the new group gained state recognition in 1971, somehow continues to expand rapidly.

According to the 2000 census, the Indian population was 1,870. The tribal roll in 2011 reported 2,791 members – doubling the tribe’s size in just 10 years. [13]

Randy has video and audio documenting that the Coharie have many questionable membership enrollment applications – including many that have not been formally completed. Though Randy sought clarification from tribal leadership, he was allegedly stonewalled.

*“It is unclear whether there are any policies and procedures to which the Coharie adhere, in order to avoid erroneous information and impostors from being given tribal cards.”*

With its newly increased rolls, the tribe raked in the benefits in millions of dollars of state and federal support, ostensibly to provide for its members’ needs.

Very few of those dollars have been passed along, as Randy

eventually discovered and documented.

## Tribes Used as Fronts for Big Gaming Interests



However, the true prize, tribal federal recognition, and the millions of dollars available to a tribe through gaming rights, was elusive.

But why let a few federal regulations stand in the way? The Coharie leadership upped the ante for this penultimate pot of gold, and began to discuss its options with a well-connected gaming attorney out of New York, James Simermeyer. Simermeyer's nephew, E. Sequoyah Simermeyer, was just appointed last November as associate commissioner of the National Indian Gaming Commission (NIGC).



Attorney James Simermeyer. [Image source LinkedIn.](#)

The Simermeyers, though residents of either Washington, DC or New York, claim membership in the Coharie tribe. Randy and other Croatan supporters have questioned the authenticity of their claim, given the tribe's loose and highly irregular enrollment practices.

In 2006, Simermeyer was co-venturer in an ill-starred attempt to bring a number of casinos, resorts, and high-stakes bingo parlors on the "tribal land" of the Ungechawk Indian Nation in New York. In the lawsuit which followed, it is noted that:



*“their endeavor fell through in large part because the Ungechawk lack federal recognition as a tribe and thus cannot legally operate a casino...” [14]*

This is exactly the situation the “Coharie” tribe faces – their state-recognized status is not enough to establish gaming casinos.

*“They came and wooed and wowed the local people,” Randy remembers of James Simermeyer and his associates. “When in reality they just wanted a tribe to use as a vehicle for fraud.”*

This type of maneuvering is not new. In 2002, William Safire in *The New York Times* observed:

*“The poorest of our aboriginal Americans are getting poorer, while non-Indians get rich hiring lobbyists to get federal recognition of a tribal front for the sole purpose of buying land to build a casino.”[15]*

Describing the significance of casino gambling to Native Americans, the leader of one unrecognized tribe said:

*“It’s no longer a matter of red; it’s a matter of green. [16]*

*Washington can conjure vast wealth for specific individuals*

*or small groups by granting unique privileges to exploit the public without competition, as in the peculiar case of Indian casinos...*

*Dozens of defunct ‘tribes’ still seek recognition, and dozens more have their eyes on reclaiming traditional lands that just happen to be near major population centers and freeway interchanges. But the backlash was already underway. It comes from gaming tribes that don’t want their good thing spoiled, from state governments that covet gambling proceeds for themselves, from a Congress fed up with ‘reservation shopping’ by casino promoters.” [17]*

Interestingly, James Simermeyer and his brother, Ed Simermeyer who is a retired BIA employee purchased property in North Carolina in 2011, [18] right off the major interstate pipeline through the state, I-95 – the perfect location for a resort/casino.

## **Theft of Randy’s Family Documents Allegedly Used to Create New Tribe**



WILLIAM J. BLEDSOLE AND WIFE, NANCY ANN BLEDSOLE, SISTER OF ENOCH MANUEL,—Dismal Township, Sampson County

WILLIAM J. BLEDSOLE AND WIFE, NANCY ANN BLEDSOLE, SISTER OF ENOCH MANUEL—Dismal Township, Sampson County. Part of Randy's extended family history. [Image source.](#)

In 2012, the Coharie leadership requested that Randy attend a meeting with Simermeyer, where the attorney proposed that a number of the various Indian tribes in NC officially join together as the "Coharie Nation."

Without the Manuel family backing, the Coharie could not proceed with this plan.

*“The Coharie have never filed even one petition for Federal recognition,” Randy notes. “Why? Because the documents needed are ours, not theirs.”*

Randy refused to agree. And then things finally started to add up.

Randy learned that the Coharie leadership would not give him his great-grandfather’s box of manuscripts because not only had copies been given to James Simermeyer, but, Randy says, Coharie Executive Director Gregory Jacobs told him, with Coharie Chief Gene Jacobs present,

*“that box would embarrass a lot of people.”*

His family’s history – the true Croatan tribal records – are a “tribe in a box” and worth millions of dollars for their ability to authenticate a tribe for federal recognition and casino rights.

Randy plans to file suit in March, since the documents are unquestionably Randy’s personal family history.

## **Death Threats for Revealing the Truth**

During this time, a Croatan and cousin of Randy’s briefly saw the contents of the precious box, including a 300-year-old parchment with Croatan minutes from Ephraim Manuel, a distant forbear.

This document, by itself, would authenticate the Croatan tribe for federal recognition.

When Randy heard about it from his cousin, he requested that he be allowed to take a picture and was told he might come by the following day. But the next day, Randy received another call and was told the cousin's friend who was helping them had backed out.

The friend is reported to have said:

*“They’ll kill me if I let him see it.”*

Randy, knowing what was at stake, took the concern seriously.

In 2013, still trying to authenticate themselves without Randy's “tribe in a box,” the Coharie made a formal request to the Department of Interior that it remove its requirement to provide “external evidence” to prove Indian descent due to “prejudice.” Instead, they suggested that documents demonstrate tribal “continuity” from 1934 to the present.  
[19]

*“The history of the Coharie is a short one, it dates to 1971,”  
Manuel points out. “The Croatan date to 1587 and before.”*

## Simermeyers and Obama Connections – Obama Administration Working to Ease Gaming Rights for Indians



President Obama on the phone in the Oval Office. [Image source](#).

Randy's family documents have been stolen, and he wants them back.

But he's not just up against a fabricated tribe and a high powered lawyer with connections to national gaming interests, all of whom are motivated to hide or use his family's precious documents. Randy has documented that the Simermeyers are frequent White House visitors – and it is well-documented that the Obama administration is actively working to ease gaming rights for Indians.

In 2014, a Beltway insider's publication noted:

*“Obama wants Congress to change a law that prevents tribes that were recognized by the federal government after 1934 from getting new trust land, which could pave the way for more casinos.”[20]*

This is a similar proposal to the request the Coharie made the year prior.

## **State and Federal Fraud – Randy Discovers \$740,000 “missing” from the Coharie Accounts**

In addition to the theft of his family’s heritage, Randy found that his cousin, Maretta, who served on the Coharie governing board, had further concerns regarding hundreds of thousands of dollars in HUD and USDA funds that were unaccounted for, food stamp and Medicaid fraud, and a budget in which 90 percent of funds were for salaries.

With more investigation, Randy discovered many of those Indians the Coharie were supposed to be helping were being mistreated and ignored. [21] He and Maretta have documented all of this and began reporting it to various authorities.

Unfortunately, according to Randy, both state Senators, the Attorney General and others were either afraid to touch it or were a part of the corruption.

So Randy took all the information on the Coharie Board’s fraud to WRAL TV, which ran a brief story on February 20, 2014 reporting \$740,000 “missing” from the Coharie accounts. See:

## 'We've got to find that money:' NC tribe accused of misusing taxpayer funds

## **CPS Used to Retaliate and Intimidate Randy by Kidnapping his Daughter**

The WRAL story did not cover most of what Randy had learned, but it was enough. Within two weeks, the retaliation began, and Randy's daughter Cheyenne was taken from him by the local CPS without a judge's order nor any reason given.

**Warning! This video contains graphic audio and visual materials which may not be suitable for some viewers:**

<https://youtu.be/U4vozsgv5ow>

The local CPS agency, it so happens, is run by many of those directly connected to the Coharie board. The entire year and a half journey to get her home included false imprisonment, \$250,000 spent in legal fees and incredible civil rights abuses. See the full story:

## **EXCLUSIVE: Corrupt North Carolina Officials Try to Silence Whistleblower Using Child Protection Services**

## **Randy and Cheyenne Free for Now – Want the Public to Know Their Story**

Randy finally received full custody last December and Cheyenne has finally been able to return home.

But Randy is more determined than ever to bring to light the



total degradation of the Croatan tribal heritage, secure his great-great-grandfather's manuscripts and fight the tribe's lawless corruption which extends throughout the state of North Carolina.

Other Croatans are too afraid to come forward, but he hopes his fight will eventually bring justice for the tribe's members and its historical significance.

Randy states:

*"I had no idea who or what I was dealing with."*

He is in the process of securing a civil rights lawyer or firm.

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# North Carolina Mother Flees State to Protect Children from State-sponsored Kidnapping



[Image from WRAL](#) in North Carolina.

## Health Impact News

A grieving North Carolina mother who lost her 7-year-old son when a neighbor's dog attacked him and mauled him to death, has taken her five remaining children and left the State of North Carolina to allegedly protect them from being taken away by social services.

WRAL in North Carolina interviewed the grieving mother, Jamie West, who reported that the accident reopened a 5-year-old rift between her and the Robeson County Department of Social Services. Social workers allegedly threatened to take her remaining children after the funeral

of her 7-year-old son Talen. Rather than attend the funeral, she has reported that she has left the state with her children.

In the WRAL interview, Ms. West reports that North Carolina social workers had taken her children away in the past, but she was able to get them back.

[Read the full story and watch the video at WRAL.](#)

**More stories from North Carolina:**

[\*\*North Carolina Whistle-blower Imprisoned, Daughter Kidnapped by CPS – Are Their Lives Now in Danger?\*\*](#)

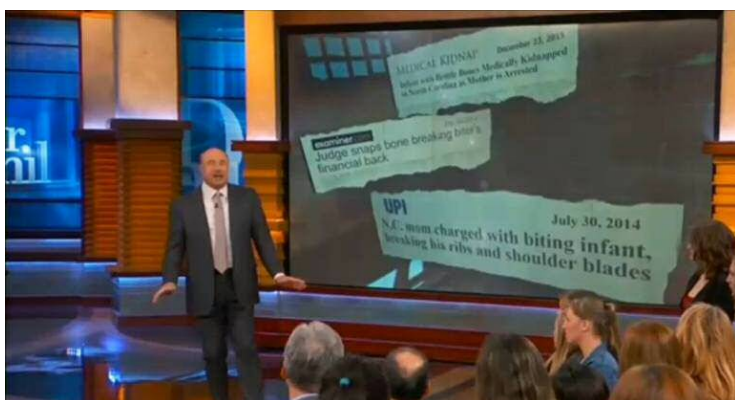
[\*\*North Carolina Child Medically Kidnapped Starving to Death in Foster Care\*\*](#)

[\*\*Infant with Brittle Bones Medically Kidnapped in North Carolina as Mother is Arrested\*\*](#)

[\*\*A Year After Emergency Room Visit, North Carolina Couple Still Fighting for Medically Kidnapped Newborn\*\*](#)

[\*\*Report Exposes Why Corrupt CPS Agencies Seldom Place Foster Children with Family Members\*\*](#)

# Dr. Phil Exposes Medical Kidnapping and Shaken Baby Syndrome False Diagnosis with North Carolina Family



In July of 2014 mainstream media only reported on the allegations against parents of baby Micah in North Carolina, who were accused of child abuse. The parents contacted Health Impact News, and we reported their side of the story in December of 2015, giving the story national exposure before they appeared on the Dr. Phil show in March 2016.

[Image from Dr. Phil.](#)

by **Orissa Mora-Kent**  
**Health Impact News**

In December of 2015, North Carolina mother Marty Peele contacted Health Impact News through their MedicalKidnap.com website in the hopes that we would tell

her story of how her “miracle baby” had been taken away from her and the father of the baby with allegations of “child abuse.”

Local media had published stories portraying them as child abusers, in spite of the fact that Marty had suffered 8 miscarriages, was well respected in her community and church, and had worked with other families’ children for over 17 years. Doctors had even testified that their child was suffering from infantile rickets, which would cause brittle bones.

But they still did not get their baby back after 19 months, so they contacted Health Impact News, and we published their story at [MedicalKidnap.com](http://MedicalKidnap.com).

The Peele family’s ordeal has now [appeared on the Dr. Phil show](#), and joining them on the show were several doctors who gave their expert testimonies in Marty’s defense, confirming that there was a medical reason for Micah’s broken ribs, and that it was not a result of child abuse. Testifying on the show were Dr. J. Patrick Whelan, EDS (Ehlers–Danlos syndrome) genetics and pediatrics expert, Dr. David Ayoub, radiologist and published rickets expert and lecturer, and Dr. Doug Benson, orthopedic surgeon who has been involved in the case for some time.

Also a guest on the show is attorney and child advocate Areva Martin who said:

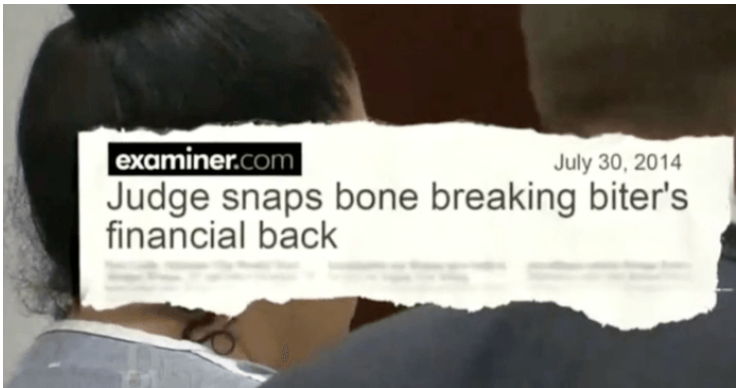
*The system has just run amuck on this case.*



## A Parent's Worst Nightmare

Dr. Phil begins the show by introducing Marty, who after eight miscarriages finally realized her dream of becoming a mother,

*Marty is a mom who says she was a nanny for 17 years, always loved children, ran her church's nursery and was even dubbed the 'baby whisperer' for her ability to calm other peoples children. Then after struggling through eight miscarriages her dream of becoming a mother finally happened when she gave birth to a healthy baby boy, but that dream quickly turned into a nightmare after an E.R. visit and she was accused of abuse by doctors, Child Protective Services and police who arrested her for allegedly biting her 16-week old son, breaking several of his ribs and his shoulder bones. She claims she was demonized by local media as a bone breaking biter mom, as news of her story spread.*



Examiner.com's headline, one example of local media reporting that Marty claims "demonized" her. Note: Marty's bail was set at \$400,000.00. [Image Source](#).



Health Impact News [reported the parents side of the story](#): "When police arrested North Carolina mother Marty Peele on charges of child abuse last summer, her friends say they knew there had to be another explanation for 4 month old Micah's injuries. They say that the picture that was painted by the media was inconsistent with what they know of Marty, and that she couldn't possibly have done the things that she has been accused of." [Image source](#).

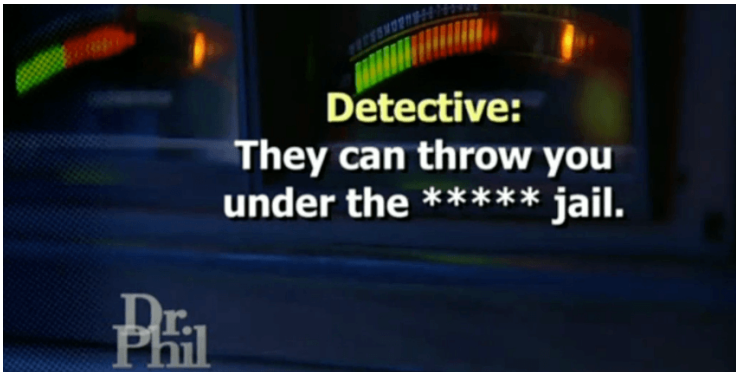
Dr. Phil states,

*Marty says she was interrogated by police for eight hours, accused of stomping on her sixteen-week old son to break his bones.*

Marty explains,

*I never have been an abusive person and for sure never hurt my son. When my son was almost four months old I picked him up out of his crib – it didn't feel right under his left arm, like a popping feeling. My fiancé and I went straight to the hospital. When we got to x-ray they would not allow us to stay in the room with him. They told us that they had found multiple fractures of my son's ribs. First we were just blown away, very shocked. Shortly thereafter, the social worker from the hospital came in and she looked right at us – she said 'I know that you guys abused your son.' Very first thing she said. The police came. The detective screamed at me, he cursed at me, he told me I was the worst f\*\*\*\*\* mother he had ever seen. He told me they were going to put me under the f\*\*\*\*\* jail.*

The detective said to Marty,



During the eight hour long interrogation, while Marty maintained her innocence that she had not hurt her son, the detective said, “They can throw you under the f\*\*\*\*\* jail.”  
[Image Source.](#)

Marty states,

*He [the detective] told me that the injuries that my son had – I would have either had to have stomped on him or he would have had to have been in a massive car accident. I told him that doesn’t make sense, he has no bruising. He had scratch marks on his shoulder where he would grab himself, they said that it was a bite mark that I bit my son. That night they told us that we had to leave without our son. We left with an empty car seat. The last time I held my son was nineteen months ago. I’ve been wrongfully accused of hurting my son.*

Dr. Phil asks the audience,

*So how could this happen? Was this a case of violent abuse or is there some other explanation- some medical reason for*

her son's injuries?

## The Search for Answers

Marty explains how she began looking for answers,

*After they took my son from us I said 'now something has to be wrong with our son.' I started reaching out to doctors. They diagnosed my son with metabolic bone disease. He had rickets which is where he is vitamin D deficient. The fractures that he had were from normal handling. We did babywear him. we would wear him multiple ways, we would swaddle him. He would scream when we put him in his car seat. Now I know he was in pain. We never ever abused our son. (emphasis added)*

Dr. Phil says,

*Well, Marty I'm glad we're here talking about this and I'm certainly sorry that you're in this situation. Now you understand that if a child is presented to an emergency room, any type of caregiver, with injuries that would not be common to the normal course of a child playing and falling or whatever, that it's upon the caregivers to err in the direction of protecting the child, right?*

Marty replies,

*Absolutely. Absolutely. And I told them that. I said I understand that you're doing your job but I need you to look*

*for the differential diagnosis. Something has to be wrong with my son. I told them over and over and over.*

Dr. Phil asks,

*Is there any situation or circumstance where unintentionally that you may have injured this child in some way? Is it possible that even in the blink of an eye, for a second...?*

Marty replies,

*Never one time. Never. Never. Ever ever. I never hurt my son. My dad did fall with him about six days prior to this and that may have exasperated the situation but I never have hurt my son ever. Not one time.*

Dr. Phil inquires,

*Your dad fell backwards?*

Marty explains,

*Yes, and grasped him to his chest.*

## Marty's Long History of Working with Children

Dr. Phil then asks,

*How do we know you didn't hurt that baby?*

Marty states,

*You know they never really looked for the differential diagnosis. There was no bruising, there was just the one scabbing—I have pictures weeks before that happened of the same area. It just doesn't add up. The dots don't match up. I've cared for children for seventeen years, that's what I've done. I love children. I've spent my life taking care of children.*

See image of what police say was a bite mark:



Marty says those are scratch marks where Micah would grab himself. [Image Source](#).

Dr. Phil asks,

*How many times have you had complaints of being rough with children, spanking children, or hurting children during those seventeen years?*

Marty replies,

*None.*

Dr. Phil clarifies,

*So you've got a seventeen-year history that says you don't lose your temper with children?*

Marty confirms,

*Exactly.*

Dr. Phil inquires,

*But now you have this child and they say you did lose your temper with this child?*

Marty replies,



*That's what they said.*

Dr. Phil asks,

*Your fiancé, has he ever been complained on for hurting a child?*

Marty stated,

*Never.*

Dr. Phil explains to the audience,

*Now detectives questioned Marty for eight hours. Let's hear some of her interrogation.*

## **Detectives Verbally Abusive in 8-hour Interrogation**



Marty Peele. [Image Source](#).

Detective states, referring to the marks on Micah's arm that Marty says are scratches,

*Marty, let me tell you something. This isn't a scratch; this is a bite mark. It's a clear bite mark.*

Marty maintains,

*That's not a bite mark.*

Detective states,

*That is a bite mark.*

Marty exclaims,

*You've got to be kidding me. I prayed for this baby, I would never let anybody hurt him, ever. I definitely wouldn't hurt him.*

The detective maintains,

*Over and over again you hurt your son.*

Marty states,

*I have not.*

Detective states,

*Even if it was Derrick, you know about it...*

Marty replies,

*I definitely do not.*

Detective says,

*Something happened to your child. He's had ribs broken and re-broken, and now broken again.*

Marty says,

*There is no way that I would allow someone to (inaudible)–*

Detective says,

*–(interposing) That’s because you’ve been doing it. Did the ribs just break on their own?*

Marty states,

*No.*

Detective asks,

*How did they break then?*

Marty explains,

*I don’t know but I spent 40 hours in labor...*

Detective,

*I don’t give a f\*\*\* about you going through labor or nothing. I’m trying to help you. You absolutely did*

*something.*

Marty says,

*That's unfair.*

Detective responds,

*You know what's unfair? Is you got a 16-week-old in there who's had the s\*\*\* kicked out of him his entire life.*

Marty states,

*Nobody has kicked anything.*

Detective exclaims,

*I'm down to the point now where I don't even give a f\*\*\* because at this point I'd rather see you under the jail than over it.*

Female Detective asks,

*What about the bite marks on his shoulders? What about the bruises on his side? You just fail to see any of that?*

## **Marty: “I Would Run Out in the Street to Protect Your Child”**

Marty states,

*He doesn't have bite marks. You can give me every lie detector test under the sun, I did not hurt my son. I love my child. I have never been in any trouble in my life. I have taken care of children for 20 years without any incident. I would protect anybody's child. I would run out in the street to protect your child.*

Detective states,

*Something happened to your child, it's you or Derrick. We're done. I have never met a mother like you before. Ever.*

## **“I Tried for 10 Years to Have a Baby – This is My Miracle Baby”**



Marty Peele. [Image Source](#).

Dr. Phil asks Marty,

*What did you think about this interrogation?*

Marty replies,

*I'm... there's not words, there's really not words. I'm so traumatized by it. I've never been spoken to in my life like that. I tried for ten years to have a baby. I had eight miscarriages trying to carry my son. This is my miracle baby and I was so focused on just telling him and explaining to him so they would realize they had made a mistake. I never imagined it would get to where it is.*

Dr. Phil asks,

*You had no idea his ribs were broken?*

Marty states,

*None!*

Marty continues,

*I think we went to eleven doctor's visits between his birth, leaving the hospital, and the day this happened.*





A happy family, Marty, Derrick and their “Miracle Baby,” Micah. Before CPS took him away. [Image Source](#).

Marty says,

*My son was my miracle child. We have missed out on moments that nothing in the world could ever replace. For sure we’ve been robbed. Nobody can give us this back. I’ve been wrongfully accused of hurting my son. I need somebody to listen, I need answers.*

## Father Under House Arrest – Could Not Travel to be on Show



Derrick, the father, is still under house arrest. [Image source.](#)

Derrick (joining via Polycom) recalls the day CPS took their son away, just because they went to the E.R. seeking help for their son's unexplained injuries,

*Marty and I are innocent. We never did anything to hurt our son. When our son was four months old she could fill up a poppy every time he would breathe in and out. When I slightly touched him he started to cry. We just headed straight to the Emergency Room. CPS came into the room. A cop and a detective – we were questioned for hours. He was*

*telling me he can tell I'm not a bad person but I need to come clean about what happened. Once the social worker told us that this is child abuse Marty and I just broke down in tears. I couldn't fathom what was going on. I was still in shock that our son had these injuries and we knew nothing about it.*



Derrick – father of Micah. [Source](#).

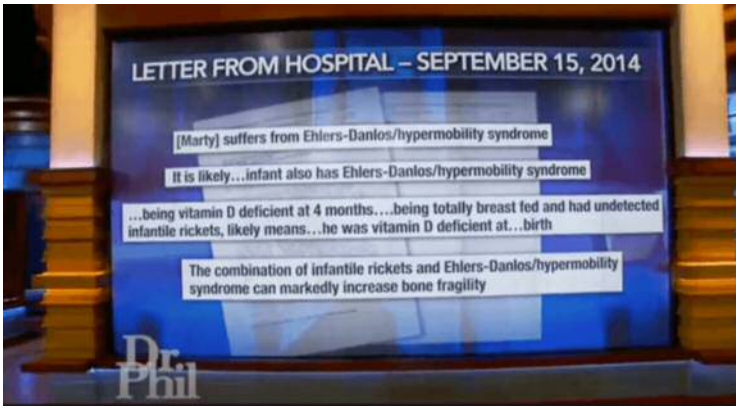
Derrick says of that day,

*They called me back there to where the nurse was holding my son and the detective told me to “hold your son one more time because you’re never going to see him again.”*

## **Hospital Letter States Micah Had “Undetected Infantile Rickets”**

Dr. Phil then states that there is a letter from the hospital, dated September 15, 2014, which puts things in a very different light.

See letter from hospital:



Could Micah's very fragile bones have broken during the 40+ hour labor Marty had with him? [Source](#).

Dr. Phil then says,

*So what you're saying then is that there were conditions, one that you have, and there is a genetic component to this that it can be passed on and that he was also suffering from infantile rickets and these fractures of ribs for example could have been during the birth process, could be from picking the child up, could be from any number of things...*

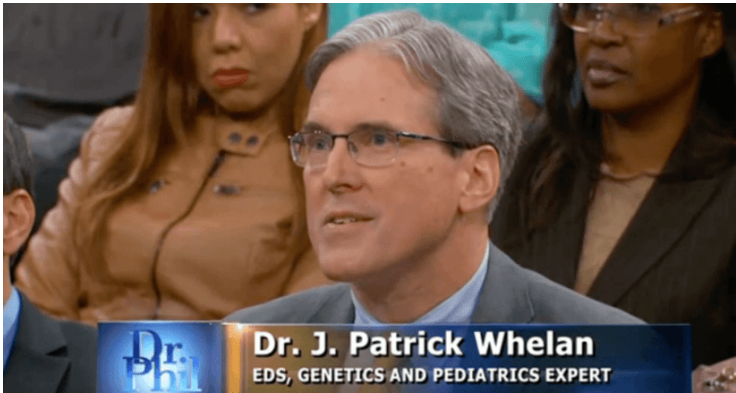
Marty says,

*It could be and I kept telling them that over and over.*

## Dr. Whelan Testifies

Dr. Phil then states,

*Well, EDS (Ehlers–Danlos syndrome), genetics and pediatrics expert Dr. J. Patrick Whelan says clues on Marty’s son’s x-rays were missed that were suggestive of metabolic bone disease. He also says there’s no doubt that Marty was a victim of Ehlers–Danlos syndrome and passed the genetic disorder to her son.*



Dr. J. Patrick Whelan, EDS, genetics and pediatrics expert testifies that clues on Marty’s son’s x-rays were missed that indicate metabolic bone disease. [Image Source](#).

Dr. Phil welcomes Dr. Whelan, asking,

*I guess the question that we have, bottom line, was this missed when they went to the hospital and is that why this abuse allegation was made?*

Dr. Whelan testifies,

*Absolutely. This is not an uncommon thing that happens in the Emergency Room. They're looking for common things; they're not looking for the rare things. They're numbed to the presence of common problems. So I think it's not surprising that a radiologist glancing at this film seeing multiple broken ribs jumps to the conclusion that this must be child abuse.*

Dr. Phil says,

*And you say he was also born with rickets.*

Dr. Whelan replies,

*So, rickets is a problem with the strength of our bones. It's a problem where for one reason or another the bone mineral density is decreased below what it should be.*

Dr. Phil says,

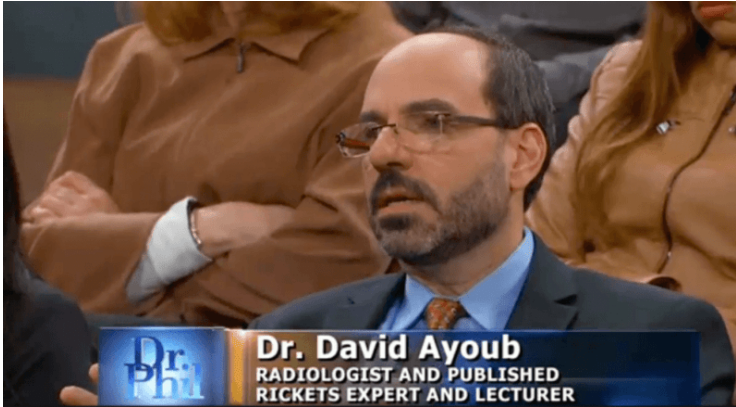
*You say they also missed some tell-tale signs of flared ribs.*

Dr. Whelan responds,

*Perhaps I should defer to my radiology colleague sitting next to me here.*

## Dr. Ayoub Testifies

Dr. Phil then introduces Dr. David Ayoub, radiologist and published rickets expert and lecturer:



Dr. David Ayoub, radiologist and published rickets expert and lecturer explained, “There was a clue in what a radiologist should have read that would have automatically, in my opinion, completely excluded the mother as a suspect, if there was abuse.” [Image Source.](#)

Dr. Phil asks Dr. Ayoub,

*Tell us what you've seen in looking at this and what it means in interpreting what has happened in this case.*

Dr. Ayoub explains,

*There was a clue in what a radiologist should have read that would have automatically, in my opinion, completely*

*excluded the mother as a suspect, if there was abuse—even before you were judging whether there was abusive fractures or metabolic bone disease related fractures—the mother brought the baby in with clicking or popping in the ribs, a non-life-threatening disease. Why would a mother abuse a child and bring that child under the light of multiple healthcare providers who would almost certainly catch her... this is an act of insanity and if this is the mindset of this mother there would be easy to find this in her background that she was doing crazy things. And this is not the action of a guilty person, so that would be the first person I would cross off my list.*

Dr. Ayoub further testifies,

*And unless you are trained carefully to look at the subtle signs of rickets on x-rays, you will never see them. They're not teaching doctors that anymore. The baby's x-rays showed enough signs, although relatively mild compared to the other cases I see, there were clear cut signs at the 2-month x-ray of rachitic rosary which is enlargement of the front of the ribs. There were changes in the wrists and changes in some of the longbones, of rickets.*

## **Dr. Benson Testifies**

Dr. Doug Benson, an orthopedic surgeon who has been involved in the Peele's case for some time, joins via phone to give his testimony.





Orthopedic surgeon, Dr. Doug Benson states that the diagnosis of child abuse is unsurmountable. [Image Source](#).

## **Nine Pregnancies in Eleven Years Leaches Minerals from Mother's Body Resulting in Brittle Bones**

Dr. Benson states,

*Right at the beginning you talked about the fact that this woman had nine pregnancies in eleven years. The mother's body leaches out minerals to make her baby and when she has one pregnancy after another she never really has an opportunity to fully recover. And it's been known for a hundred years that vitamin D deficiency is associated with*

*fractures in infants and small children.*

Dr. Phil turns to Marty and says,

*This has got to be music to your ears...*

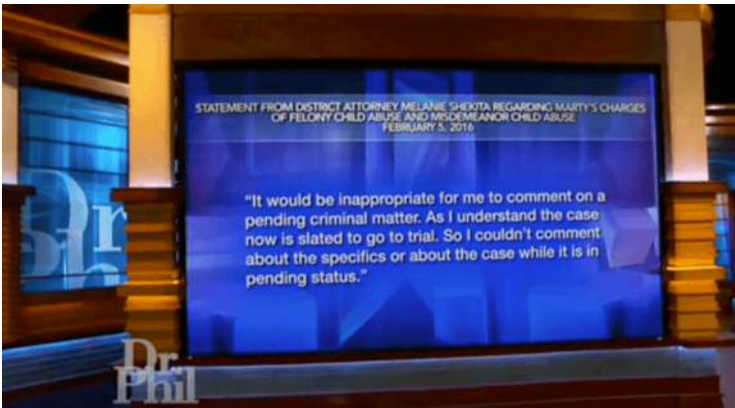
Marty emotionally replies,

*It is.*

Dr. Phil then shares that they've reached out to the Police Department, CPS, and the DA's office to hear what they have to say about this. Below are screenshots of their official comments:



Statement from Child Protective Services Regarding Marty's Son - [Image Source](#).



Statement from District Attorney Melanie Shekita Regarding Marty's Charges of Felony Child Abuse and Misdemeanor Child Abuse – [Image Source](#).

The Wake County Police Department declined to comment.

## **Attorney and Child Advocate Areva Martin Speaks, “There is no Justification for This”**



Areva Martin, attorney and child advocate, offers to help Marty and Derrick Peele fight to get their son back.

Dr. Phil says,

*I've brought somebody here to talk about this, attorney and child advocate, Areva Martin has been sitting here listening to this so far. Areva, let me think how to put this, "What the hell is going on?"*

Areva responds,

*The system has just run amuck on this case, Dr. Phil. The Distric Attorney, the CPS, the family, these experts should all be talking because they all should have the best interests of this child as the primary focus and getting this child returned to the parents, if they're not abusers. They should not be in separate corners. **They should be together working to get this child home.** (emphasis added)*

Dr. Phil states,

*As I understand it, Derrick does not have visitation. He's not even been charged with anything. Explain that to me.*

Areva explains,

*The reality is, sometimes these systems overreach. There is no justification based on the facts that we know that's before us that would support Derrick not having custody. And I wish that the family had some resources, or some pro-bono services, some clinics that are available, some free lawyers*

*that will go in the court and help Derrick get his son. Derrick hasn't been charged with any child abuse, there is no reason that Derrick should not have custody of his son.*

## **Unify This Family Now**

Dr. Phil asks Areva,

*Will you help us coordinate those resources?*

Areva replies,

*I'm going to help Derrick. I'm going to help the Mom. I'd love to help you all get the services that you need.*

Dr. Phil then explains to the audience,

*...experts here have weighed in on this. ...there's just absolutely no reason to not unify this family.*

## **How You Can Help**

Supporters are asked to contact Governor Pat McCrory and ask for him to intervene. He may be reached at 919 814 2000, or contacted [here](#).

Friends have set up a new Facebook page for people to follow their story – [A Miracle for Micah](#).



Peele family. Image [source](#).

# North Carolina Mother has Children Medically Kidnapped Based on "Child Abuse Specialist" Testimony



Holly with Baylie and Daylan at visitation. Source: Atkins family.

by **Health Impact News/MedicalKidnap.com Staff**

Holly Atkins was devastated last year when she learned that her son had multiple broken bones. A Child Abuse Specialist accused her of abuse without looking for medical conditions that would explain what happened, and Child Protective Services seized both of her children, placing them with her parents and sister.

Now North Carolina is demanding that her family cut off all ties to her, including phone calls and social media, or her

children will go into foster care and be adopted out. The court appointed GAL attorney advocate, Donna Michelle Wright, reportedly told Holly's parents in family court on March 23:

*Act like [your daughter] never existed.*

This same attorney reportedly told Holly's father previously that:

*If Holly's parental rights are terminated, your main priority will have to be the children. Your and Holly's relationship would be no more.*

While even murderers are allowed visitation with family members, 28 year old Holly is faced with losing the close relationship she has always had with her parents as well as with her 20 year old sister, who lives with her parents. Her sister is being forced to choose between her relationship between her parents and niece and nephew, or her big sister. The Guilford County Family Court has made it clear that she cannot have both.

If Holly's parents choose not to sever all contact with their daughter, the court has made it clear that the grandchildren, Baylie and Daylan, will go into the foster care system with the intent of adopting them out to strangers. Donna Wright's complete no contact recommendation was adopted by the judge, and is now part of the court's ruling, to go into effect after the next Child Protective Services "Team Meeting."



## **Medical Problems Since Birth – Misdiagnosed**

There were no significant problems with Holly's pregnancy with Daylan. She enjoyed a diet that was mostly organic and included homegrown vegetables. His birth was an uncomplicated repeat c-section, but he experienced feeding issues from the beginning, throwing up even the colostrum from day 1.



Proud big sister Baylie holds her baby brother. Source: Atkins family.

Doctors put him on formula, but he continued to projectile vomit. He lost more than 10% of his body weight. By day 4, doctors prescribed ranitidine (Zantac) and added rice cereal to his diet. At first, he was taking ranitidine twice per day.

Then, the dosage was increased and he took it 3 times a day, up until he was about 9 months old. All along, Daylan continued to projectile vomit.

He was misdiagnosed from the very beginning as having reflux, but it was not until much later, at 9 months of age, that it was discovered that Daylan is lactose intolerant. When Holly began feeding him solid food, he began throwing up less often and frequently rejected his bottle. His mother wondered if he could be lactose intolerant. After all, her sister had been. That was the point at which Holly tried switching him to lactose-free milk. All of a sudden, the vomiting stopped and he no longer needed the reflux medicine. It was never reflux.

The pediatrician recommended delaying vaccines until the vomiting was under control and he was used to his medications. Holly readily agreed with this because her daughter had reacted to some vaccines. He was not given the typical newborn vaccines, and when they started, they were given on a spaced out schedule.

All along, Holly noticed cracking and popping in Daylan, and she says he had bowed legs. She asked her pediatrician, but she was unconcerned, saying it was normal.

## **Hospital Trip Turns into a Nightmare**

There was a couple of weeks when Holly says that Daylan was not quite acting like himself and was waking up frequently. He was also teething. It was at the end of that 2 week period when everything came crashing down. He woke up one morning after being very fussy the night before. It was March 1, 2015, and he was 11 months old.

It was around 7 am, but unlike most mornings, Daylan did not stand up in his crib and throw his pacifier after he woke up. When Holly picked him up, she noticed that his leg was red. When she changed his diaper, he acted like he was in pain. She gave him ibuprofen, but when she tried to feed him, he refused to eat. By that point, his leg had started swelling.

She called her mom and together they took Daylan to nearby Moses Cone Medical Center. Doctors there told Holly that his femur was broken. As she racked her brain to try to figure out what could have happened, the only answer she could think of at the time was that somehow the family's 80 lb. boxer may have stepped on him or hurt him. The children loved playing with their dog, and the dog loved them and was very protective over Daylan and Baylie. At the time, that was the only explanation that Holly could come up with.

Despite regular pediatric visits, no one had yet considered the possibility that there was more to Daylan's symptoms.

Not knowing what caused an injury is a red flag according to American Academy of Pediatrics policy. Having no explanation triggers doctors to follow abuse protocols. At Health Impact News, we have reported on many families whose children were taken because their child had an underlying medical condition, such as infantile rickets, osteogenesis imperfecta, or Ehlers-Danlos Syndrome, which can look like child abuse. Often the doctors who see the children in the ER, or the Child Abuse Specialist doctors, are not well trained in what other things to look for before labeling a case as abuse.

Such was the case with Daylan, and abuse protocols had already been triggered in the emergency room. Doctors at Moses Cone told Holly that they were going to have to

transfer her son to Brenner Children's Hospital in Winston-Salem, NC. She did not want him to transfer, due to a previous negative experience with Brenner, but she was told that this was in case he needed surgery. She had no idea that Brenner had a team of Child Abuse Specialists on staff.

Related:

### **Are New Pediatric "Child Abuse Specialists" Causing an Increase in Medical Kidnappings?**

Before the transfer, nurses attempted to draw blood from Daylan. However, the emergency room did not have the appropriate size needle for the task. After the 4th attempt to draw blood from her baby, Holly pleaded with them to stop.

Greensboro City Police and crime scene investigators showed up at Moses Cone Medical Center. Holly reports that she consented for them to go back to her house, accompanied by her fiance and her father, in order to photograph the house and the dog.

Meanwhile, Holly tried to accompany her son as he was transferred to Brenner Children's Hospital. They told her it was against their policy, and would not allow her to go with him.

Devastated, Holly, her mother, and Baylie followed the ambulance to Brenner. They were met by security guards and police.

## Baby Stops Breathing After Being Sedated – Mother Not Told

A Pediatric Orthopedic Surgeon informed Holly that he was going to apply a spica cast, which is a kind of body cast used to immobilize the hips or thigh. Their plan was to sedate Daylan, do a full set of skeletal x-rays, and apply the cast.

Holly realized that they did not yet have blood work labs, because the previous hospital didn't have the right size needle. She has a medical background as a Certified Nursing Assistant II, and has worked in triage and trauma and with stroke victims. Sedation without first having blood work did not sound like a good idea to Holly, and she let the doctor know that. She reports that the doctor reassured her that it would just be a local anesthetic, and that:

*I don't think we'll have a problem.*

He was wrong.

When she saw her son about an hour later, Holly says that he was “loopy,” disoriented, pale, and didn't seem to recognize family members. His eyes were rolling back into his head, and his eyes appeared solid black. She says that she also noticed a lump on his shoulder that hadn't been there before she took Daylan to Moses Cone.

The staff reportedly told the alarmed mother that this was normal and that all this would wear off in an about 20 minutes. They said that “everything went fine.”

It was not until many months later that she obtained

medical records showing that he had stopped breathing and coded during the procedure, requiring resuscitation, using a jaw thrust and other measures. No one allegedly told Holly about this.

## Unexplained Fractures

However, about 15 minutes later, doctors came in to tell her that the x-rays showed several other fractures, including a fresh clavicle break, and a fracture of the tibia and rib fractures in various stages of healing. She was stunned.

Many parents in similar situations have reported to Health Impact News that their first instinct when hearing news like this is to ask themselves who could have hurt their child. Holly is no different. As doctors and police questioned her, Holly says that she and her mother at first thought that, maybe, Daylan's father could have hurt him, especially since doctors said that many of the fractures were older. She had left him months earlier, alleging that he had been abusive to her. She had never seen him abuse their children. However, in light of her son's condition, she wondered if he could have hurt Daylan when he had cared for the kids while she worked.

Holly also asked the doctors if anything else could have caused the fractures. She asked to see the x-rays and records, but they refused her. She asked for doctors to run blood work to see if there could be a medical condition. Child Abuse Specialist Dr. Stacy Briggs, now Stacy Thomas, assured her that blood work was run and came back negative. Holly says that she is supposed to have all of his medical records by now. However, Holly reports that she can find no record of any such tests being run.



Dr. Stacy Briggs, now Stacy Thomas. [Source](#).

Experts in radiology, neurology, orthopedics, and other specialties regularly assert that there are a myriad of medical conditions which mimic child abuse. However, numerous families have reported, and medical and court documents confirm, that once a Child Abuse Specialist labels a child as being abused, doctors frequently stop looking for other possible explanations for the child's condition. The children are then funneled into the Child Protective System, triggering the release of federal funding to the state.

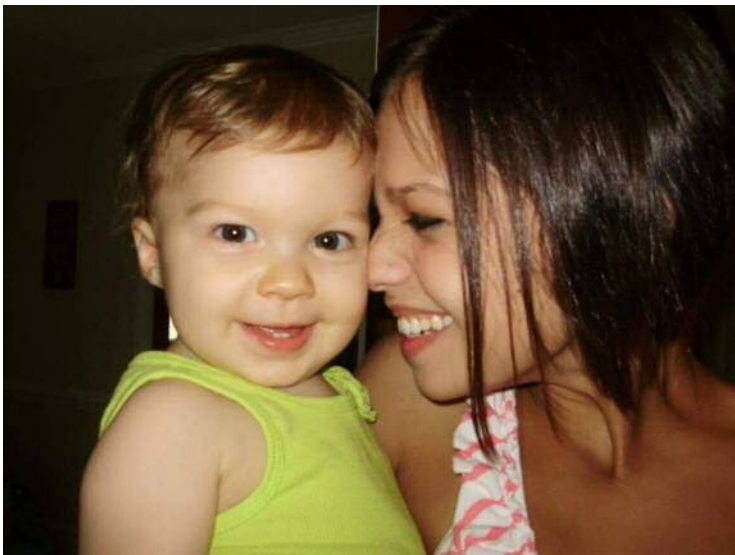
## **Child Protective Services Steps In**

On the 2nd day of Daylan's hospitalization, Child Protective Services told her that her children would not be allowed to go home with her. Daylan was released to his grandparents' care on March 3, and 4 year old Baylie was ordered to go home with them as well. Child Protective Service officially seized custody of both children on March 19, 2015. Holly says



that she and her fiancé were coerced into signing a safety plan agreement. Social workers told them that the children would go into foster care if they refused to sign. Even though they now live with their grandparents, CPS has all the control.

In the beginning, Holly and her fiancé were allowed visitation every evening to feed and bathe the children, and put them to bed. That was short-lived. By March 19, CPS cut off all visits. In court 6 days later, a judge ruled that Holly could have one hour long visit per week.



Baylie and Holly – long before CPS. Source: Atkins family.

## **Arrested, Without a Warrant or Miranda Rights Being Read**

In May, police came to arrest Holly at her home. She asked to

see a warrant, but says that the officer refused to show her a warrant for her arrest. Her Miranda rights were reportedly not read to her. Holly Atkins was charged with felony “negligent omission in the care of the child [which] showed a reckless disregard for human life, and that act resulted in serious physical injury to the child.” Her bond was set at \$30,000. Her parents were able to bail her out that day. Before this incident, Holly has never been in any trouble with the law before in her life.

## Searching for Answers

Since that time, although doctors have allegedly not looked for any other explanation besides abuse, Holly has been searching for answers. Vitamin C and D deficiencies can predispose to brittle bones, but if Daylan was ever tested for any vitamin deficiencies, she has not seen any records of such. She knows that he was anemic, and she suspects that the ranitidine may have reduced his calcium absorption.

She has learned about Ehlers–Danlos Syndrome (EDS), a medical condition that is often confused with child abuse. Holly has spoken with a world–renowned expert on EDS who believes that she has many signs of having EDS. She was born with a dislocated hip and has always been “double–jointed.” She reports that her children are hypermobile as well. Hypermobility is a classic symptom of EDS. The expert wants to test both Holly and Daylan; however, the courts are refusing to allow either of them to travel out of state to be tested.

Although Holly has asked for testing for other medical conditions which are often mistaken for child abuse, such as osteogenesis imperfecta and infantile rickets, her requests have fallen on deaf ears. She still does not know what his

Vitamin D levels were.

All along, Daylan has shown numerous signs of some kind of brittle bone disorder, but no one made the connections. She had previously asked her pediatrician about her son's bones cracking and popping, and the fact that he was bow-legged. Now she realizes that these are signs of brittle bone conditions, but recalls that when she questioned these signs before, she was told that the symptoms were normal. He is still very short for his age.



Daylan – just born. Source: Atkins family.

## **Conflicting Stories from Holly's Accusers**

In the beginning, Dr. Stacy Briggs, who is now known as Dr. Thomas, allegedly asserted that the injuries were from blunt force trauma. Later, the court was told that the breaks were caused by compression. Her report of how the injuries

happened in the police report is allegedly “completely different” than her version of events in the adjudication hearing, according to Holly.

To date, the hospital has not released the x-rays that were taken when Daylan was sedated for the spica cast and subsequently coded. Holly has x-rays from the follow up skeletal survey from 2 weeks later. She notes that there was no sign of Daylan’s shoulder swelling when she took him to the hospital. Holly questions when the breaks occurred of his clavicle and the right posterior ribs, wondering if they could have happened while her son was being resuscitated.

When Holly’s mother questioned Dr. Briggs during a doctor visit a month later, Dr. Briggs reportedly told her mother that she was not a radiologist and does not know how to read x-rays.

While early medical reports cite “multiple bilateral healing rib fractures” involving a dozen ribs, as well as of the tibia, clavicle, and femur, a later report from a radiologist says that there are 3 broken bones, with no rib fractures at all.

The petition for removal states that the injuries occurred in a “non-ambulatory child.” However, at the time, 11 month old Daylan was very mobile – crawling, pulling up, walking with someone holding his hand, and trying to walk. His bowed legs gave him trouble, but he was quite ambulatory, and loved to follow his mother around the house.

A social worker used his mobility to accuse Holly of neglect, saying that, because she allowed her son to “free crawl” without a playpen, that meant he free crawled without supervision. Holly was incredulous:

*I lived in a 700 square foot house! He was my velcro baby!  
[always by her side]*



Daylan – happy to follow mommy around. Source: Atkins family.

## **Mother Refuses to Throw Fiance Under the Bus**

While Holly maintains that she did not hurt her baby, and there has to be a medical explanation, she also does not believe that her fiance hurt him. However, the Child Protective Services attorney reportedly told her that the only way that she would get her children back was by accusing her fiance of abuse. Another attorney reportedly said, “It’s

either you or him.”

Holly told Health Impact News that she refuses to perjure herself by accusing her fiance, nor does she have any intention of throwing someone she believes to be innocent under the bus. There is no evidence that either she or her fiance harmed Daylan, and to this day, she still does not know how it happened. That is why she wants to take her son to some medical experts.

## Court Proceedings

On January 26, family court held the pre-adjudication, adjudication, and disposition hearing all on the same day, even though those are theoretically supposed to be held on 3 different occasions. By this point, Holly was representing herself pro se. The court has reportedly declined to entertain the possibility of other explanations for Daylan’s condition, ignoring Holly’s evidence. Once, when she stated that she has not harmed her children, the JCITI Coordinator, a representative who is supposed to advocate for the child, reportedly exclaimed:

*I don’t give a damn what you say, and nobody else in here gives a damn what you say.*

Her fiance was not permitted to be a witness for her and was thrown out of court, because at one point during the proceedings, he stood up and addressed the accusations against Holly:

*These are all lies!*

He and Holly are now both on the child abuse registry, even though he was never questioned or given any semblance of due process.

When Holly's family stood on the Constitution, the GAL attorney advocate Donna Michelle Wright reportedly told the family:

*Amendment rights are for criminal court, not family court.  
This is not criminal court; it's family court.*

As it stands now, the criminal charges she faces are neglect and failure to protect her son from injury. She is not actually being charged with harming him. However, Holly could be facing 8 1/2 to 10 years in prison for injuries that appear most likely to have been caused from a kind of brittle bone condition. Holly tells Health Impact News:

*I'm not the one abusing my kids; the system is.*

## How You Can Help

There is another hearing in criminal court at 10 am on Monday, April 4, at the Guilford County Courthouse in Greensboro, NC, at 201 S Eugene Street, in courtroom 3C. The purpose of this hearing is to determine whether or not the state has enough evidence to take this to Jury Trial or not. Supporters are welcome to attend.

Because of GAL attorney advocate Donna Michelle Wright's no contact order between Holly and her parents, her own parents will not be permitted to go to support their oldest

child as she faces criminal court. Wright has reportedly told Holly that:

*Your children would be better off knowing that you never existed in their life.*

Another family court hearing will take place at the same address on May 20 at 9 am in courtroom 2D. The child protective services plan for adoption has been appealed.

The family is asking for prayer for justice and for their family to be reunited.

A Facebook page called [Let My Babies Go](#) has been set up for the family by supporters so that the public can follow their story.



The Governor of North Carolina is Pat McCrory. He may be reached at 919 814 2000, or contacted [here](#). He is also on [Facebook](#) and [Twitter](#).

The Senator for Holly Atkins' district is Gladys Robinson. She may be reached at 919 715 3042, or contacted [here](#).



Representative Cecil Brockman represents Holly's district. He may be reached at 919 733 5825, or contacted [here](#).

Donna Michelle Wright is the GAL attorney advocate who is determined to sever not only Holly's contact and relationship with her children, but also every tie and contact between Holly and her parents and sister. She may be reached at 336 415 7595, or 336 324 7965, or contacted at Donna.M.Wright@nccourt.org.

Holly says that "my whole life has been destroyed," and she is adamant that she will keep fighting for her children:

*I'm not giving up on my kids, and I'm not going to back down like they think I will!*

# North Carolina Kidnaps Children from Grandparents because of Medical Kidnap Article



Holly with Baylie and Daylan. Source: [Let My Babies Go](#) Facebook page.

by **Health Impact News/MedicalKidnap.com Staff**

Two children in Greensboro, North Carolina, were seized from their family on Thursday, April 28, and placed into foster care. The only reason given to their guardian grandparents and to their mother Holly Atkins was that Holly told their story to Health Impact News and it was published on their Medical Kidnap website. The family was horrified, and plans to drive to Raleigh to see Governor Pat McCrory about what they say is an illegal and unconstitutional act by Guilford County Child Protective Services.

The alarming news was posted on the family's Facebook page, [Let My Babies Go](#):

*DSS came after visitation and kidnapped Holly's children yet again! Their excuse?? The medical kidnap article. Hollys children are now in a home with complete strangers because of the medical kidnap article!! No safety issues being with the maternal grandparents, nothing! Made the children leave with the clothes on their back. Holly's school aged daughter without her bookbag. No clothes, no diapers, no clean clothes or underwear. The daughter has diagnosed PTSD from the PATERNAL grandfather molesting her!! How is this protecting the children????*

See the article which was published on April 3:

**[North Carolina Mother has Children Medically Kidnapped Based on "Child Abuse Specialist" Testimony](#)**

**Children Seized Because of Medical Kidnap Article**



Social Worker Cheyenne Paylor. [Image source.](#)

A tearful Holly Atkins contacted Health Impact News shortly after her children were taken. After school on Thursday, the children's grandmother drove them to the Department of Social Services (DSS) office for their one hour per week visit with Holly. When the time for the visit was over, social worker Cheyenne Paylor called Holly and her mother into a room, reportedly telling them that:

*This is only going to take 5 minutes.*

As the children were led away upset, Cheyenne Paylor and

her supervisor sat down at a table with Holly and her mother. Holly says she couldn't believe the words she was hearing Cheyenne say:

*We've seen the article on Medical Kidnap, and we are now removing the children [from the grandparents' care] and putting them into a foster home.*

As her mother began weeping, Holly questioned the social worker:

*So, basically, you're removing my children because I am exercising my right to freedom of speech?*

Cheyenne Paylor reportedly told her, "Yes," and she made it clear that there was nothing that the family could do about it, and she would listen to no arguments.

## **Is This Retaliation for Exercising First Amendment?**

There were no concerns for the children's safety cited at all, which is consistent with numerous court documents. The state has never before, or now, claimed that there were concerns for the children's well-being in the guardianship of their grandparents. The children were placed with their maternal grandparents after a Child Abuse Specialist accused Holly of child abuse. Though her child had "multiple unexplained fractures," there are multiple indications that his condition is likely a result of a metabolic bone disorder.

The family sees this as nothing but retaliation for the fact that Holly went to the media to publicize the story of her children's medical kidnapping. There was no indication allegedly given during the meeting that there was anything else besides retaliation.



Baylie loved becoming a big sister. Source: Atkins family.

Previously, Holly says that she had been under a gag order under the case plan. However, that case plan has ended. During the last DSS court hearing, the GAL and social worker reportedly told the judge that Holly had completed the case plan. Holly says that she clarified that she was no longer under the case plan before she contacted Health Impact News about telling her story. She did not want to risk violating any gag order and possibly jeopardizing her children.

Health Impact News notes that none of the information or

documentation provided for the article came from Holly's parents. They have done everything they can to appease the social workers.

## **Children Seized from Grandparents Without Any Documents**

Holly says that her mother asked about the motion that the grandparents had recently filed for custody of the children, a motion that is set to be heard at the next Family Court hearing on May 20. She was shut down by the social worker, who reportedly replied:

*You are not going to get custody because we have custody.*

She allegedly told the family that the children were going to be taken to a foster home where there are 2 other children Baylie's age.

During the entire course of the dreadful ordeal, there was never a court order produced. In fact, Holly says that the social worker and her supervisor never gave them any kind of paperwork or documents as they seized the children.

## **"Emergency" Donations Taken for Children Who Already Have Plenty of Clothes**

The social worker refused to let the children's grandmother get 5 year old Baylie's school backpack out of the car for her, which contained her schoolwork. They refused Daylan's diaper bag as well.

The family offered to go home and pack up some clothes and

toys for the children, but Holly reports that they were not interested. She later learned that her mother overheard a fascinating conversation while Holly was visiting with her children. What she overheard may explain why the social worker saw no need to get any of Baylie or Daylan's clothes.

The children were sent out of DSS with garbage bags of clothes that were not theirs. Holly's mother reportedly heard the social worker and supervisor discussing that the clothes were donated after the supervisor sent out an emergency call for clothes and money for some children who were coming into foster care. The message allegedly went out to social workers, judges, and even city council members in the city of Greensboro, and one city councilman donated \$100 to the cause.

The Atkins children don't need any of this. They have plenty of good, quality clothes at home, including new clothes that still have the tags on them. Baylie has a brand new pair of tennis shoes that Holly purchased for her the day before DSS social workers seized them. They are at the grandparents' house.

Yet, these children are allegedly going to a stranger's home, with strange clothes, and none of their own personal toys, clothes, or blankets.

## **Were Foster Parents Told about Food Allergies?**

Holly is very afraid for her children. Baylie has been previously diagnosed with Post Traumatic Stress Disorder after a paternal relative allegedly molested her. The children have always been on a good organic, non-GMO diet, and they have food sensitivities. Do the foster parents know this? Are



they equipped to feed them food that they will not react to?

Daylan is lactose intolerant, and suffered for many months before his mother and doctors were able to figure this out. Baylie is allergic to artificial food dyes. She cannot eat anything with the dyes, or else she has a reaction. She goes into a rage, bangs her head, and cries uncontrollably if she consumes any artificial food dyes.

Holly reports that Baylie had a severe reaction to the common childhood antibiotic Amoxicillin when she was 2 1/2. Her doctor figured out that she was allergic to the artificial dye in the Amoxicillin.

Will anyone tell the foster parents this important information?

Holly says that she and her mother never even got to say goodbye to the children. Instead, they were escorted off of the premises by a security guard who threatened to call the police if they did not leave. They left, and they left a big chunk of their heart behind as well.

## How You Can Help

Holly and her parents plan to drive to Raleigh on Friday in the hopes of meeting with Governor Pat McCrory. They want him to know about the illegal and unconstitutional actions being taken by the Guilford County Child Protective Services. They don't believe that a retaliatory removal of the children to place them in foster care with strangers is in the best interest of the children.

The Governor of North Carolina is Pat McCrory. He may be reached at 919-814-2000, or contacted [here](#). He is also on

[Facebook](#) and [Twitter](#).

The Senator for Holly Atkins' district is Gladys Robinson. She may be reached at 919-715-3042, or contacted [here](#).

Representative Cecil Brockman represents Holly's district. He may be reached at 919-733-5825, or contacted [here](#).

There is a Facebook page called [Let My Babies Go](#) that has been set up so that supporters can follow the story of the Atkins children and get involved.



## **Other Medical Kidnap Stories from North Carolina:**

**[Dr. Phil Exposes Medical Kidnapping and Shaken Baby Syndrome False Diagnosis with North Carolina Family](#)**

**[North Carolina Whistle-blower Imprisoned, Daughter Kidnapped by CPS – Are Their Lives Now in Danger?](#)**

[North Carolina Child Medically Kidnapped  
Starving to Death in Foster Care](#)

[Infant with Brittle Bones Medically Kidnapped in  
North Carolina as Mother is Arrested](#)

[A Year After Emergency Room Visit, North  
Carolina Couple Still Fighting for Medically  
Kidnapped Newborn](#)

[Report Exposes Why Corrupt CPS Agencies  
Seldom Place Foster Children with Family  
Members](#)

[North Carolina Mother Flees State to Protect  
Children from State-sponsored Kidnapping](#)

# Grandmother Fights Against Government Child Trafficking in North Carolina

## Help Save Malakai

on facebook

CPS

Kids for Cash

FosterStarve

FosterPrison

Trafficking

Drugging

**Division of Family Services**

**Fuquay-Varina**

**North Carolina**

Grandmother fights for grandson  
social worker calls this a growth spurt  
Malakai is being starved in Foster Prison

Photo Source: Help Save Malakai Facebook Page.

by **Health Impact News**

A North Carolina grandmother writes:

*“I never thought in my life that child trafficking would be legal in our own government.”*

Yet, her grandson has been forcibly taken from his family and currently lives with strangers, through the Child Protective System. His grandmother, Kimberly Deese, is one of thousands of parents and grandparents who view the actions of Child Protective Services as literally being a form of legalized child trafficking. It has been one year since *Health Impact News* first reported the heartbreaking story of Malakai, a little boy who was medically kidnapped from his family and has suffered abuse and malnutrition since being in state custody.

Since that time, there has been little change. Several times, the family was told that there would be an investigation into the reports of abuse and photographs showing his dramatic weight loss, but nothing has reportedly materialized. Malakai is still in state custody, and the last window of opportunity to get him back home is rapidly closing.

Kimberly Deese says that a new attorney has assured them that he can get him back home, but they have less than 60 days to come up with attorney's fees and to get the legal process rolling before the January 6th deadline. ([Contribute to these legal fees here.](#)) His mother Heather has lost her parental rights, and the new attorney plans to file for an

appeal. They are still working to get Malakai placed with his grandmother, but CPS in Wake County has fought them at every turn. The family believes that Malakai never should have been taken from his home.

See original story:

## **North Carolina Child Medically Kidnapped Starving to Death in Foster Care**

In September, Malakai's godmother ran into him with the foster family in a clothing store. The friend was shocked to see how skinny Malakai has become. She was able to get a picture, but the photo quality is very grainy.



Malakai in a store in September. Photo source: [Help Save Malakai Facebook page](#).

Kimberly is very fearful for him:

*I feel like my grandson's been forgotten and it hurts bad. My daughter did nothing wrong but loved her children.*

*Why does CPS have to put a price tag on children's heads? I never thought in my life that child trafficking would be legal in our own government.*

*I don't have much hope anymore and my pain is ongoing since the day they took him.*

*We are just another family that's lost in this corrupted government kidnapping our children.*

*This pain will live in me till the day the good Lord takes me.*

*I still have Tony, my Heather's youngest, because I fear in my heart should I give him back to his innocent mother they would take him too. Blessings.*

They are very hopeful that the new attorney will help them to set things right. The family says that they have done everything in their power to get him out of foster care, "where he is being malnourished and neglected."

However, as most families dealing with the system have reported to *Health Impact News*, the fight has been "mentally and financially draining." Kimberly writes:

*We NEED your help! Wake County CPS refuses to let him come home due to the large amounts of federal funding they receive on his behalf!*

*For over 2 years Wake County CPS has denied Malakai his mother, whose rights have been terminated, his grandmother, who has custody of his 2 siblings and has been approved as a suitable home for his 2 siblings with no criminal history and other family members who have tried to gain kinship or custody of him to keep him with biological family.*



*Family SHOULD always be first choice!*

Before Malakai was taken from his family, he was a happy and healthy little boy with a ready smile and chubby cheeks.



Malakai was happy and healthy before CPS. Photo source: [Help Save Malakai Facebook page](#).

He and his brother were taken from his family in April of 2014 after his younger brother Zechariah sustained a small burn on his leg. Their grandmother later figured out that the burn must have come from a hot buckle on a wagon, after she was able to match his injury to the buckle.

Heather's boyfriend had placed him in the wagon. He misinterpreted Zechariah's cries as fear, and pulled him around on the wagon for a couple of minutes in the hope that he would settle down before taking him out of the wagon. It was an accidental injury, and the boys' mother was not even involved.

Someone who reportedly didn't like Heather called CPS and told them that she had purposefully caused the burn. Social workers placed Zechariah with his other grandmother, but placed Malakai in a foster home with strangers.

Since he went into foster care, his condition allegedly has rapidly deteriorated. By November of 2014, the once-healthy boy was considered special needs. His grandmother reports that he showed evidence of being:

*starved, neglected and abused ... and eventually needed leg braces to help him walk. His ribs and shoulder blades began to protrude from his small frail body so now Wake County can claim Special Care funding while holding him hostage from us.*



Kimberly Deese: “I could see all my grandson’s bones, it was so horrible, reminded me of a child from a third world nation. I just wanted to cry. This is America – this thing should NOT BE HAPPENING.” Source: [Help Save Malakai Facebook page](#).

## Malakai Suffering in Foster Care

The family has not had any visitation with Malakai since that November. Though there have been many phone calls and reports made to CPS by the family, nothing has been done. Kimberly reports that she has been told that social workers have investigated but have not found any of the allegations to be substantiated. She does not believe that the authorities are listening or that they care about her grandson.

In July of 2016, the family learned that Malakai had been hit by a car while in foster care. Though he was allegedly hospitalized for cuts, scrapes, and bruises, his family was not permitted to see him. Even after the car accident, nothing has changed. The family has learned that he remains in foster care, in the same foster home he was in when he was

hit by a car. All phone calls from concerned friends and family have reportedly been ignored.

## **How You Can Help**

The family has very limited finances and no means to hire the attorney who believes that he can help them to bring Malakai home. Former court-appointed attorneys have not been helpful in getting Malakai returned to his family.

They need support and prayer as well as financial assistance to raise the retainer fee. They have less than 60 days to come up with the retainer fee for the private attorney. Kimberly Deese believes that this is their last, best hope to get Malakai home and out of the risks that he is facing in foster care.

Health Impact News has set up a special fund to help families in our stories who need financial help. Donations may be made to Malakai's legal defense fund through this page:

## **Fundraiser: Help Bring Malakai Home**

All of our current campaigns may be found here:

## **Family Defense Resources**

A Facebook page called [Help Save Malakai](#) has been set up for supporters to follow their story and join them in fighting back.



The Governor of North Carolina is Pat McCrory. He may be reached at 919 814 2000, or contacted [here](#). He is also on Facebook and Twitter.

Representative Duane Hall represents the district in Wake County. He may be reached at 919 733 5755, or contacted [here](#).

Chad Barefoot is the Senator for that district. He may be reached at 919 715 3036, or contacted [here](#).

# Child Protective Services in North Carolina using Blackmail to Illegally Seize Children from Families



Fox 8 in North Carolina did a story on [corruption in North Carolina Child Protection Services](#) in 2015. Image from [Fox 8 North Carolina](#)

by Terri LaPoint  
Health Impact News

Associated Press reporters recently exposed a story of illegal practices by Child Protective Services social workers in one North Carolina county.

Social workers in Cherokee County have been reportedly

coercing parents and taking their children illegally, bypassing the court system by threatening to adopt out their children or throw the parents in jail if they refused to sign paperwork known in NC as a CVA – Custody and Visitation Agreement. ([Source](#))

The same paperwork is known in other states as a “safety plan” or other such name.

Richard Wexler of the [National Coalition for Child Protection Reform](#) (NCCPR) has another name for it – blackmail.

Wexler authored an article in response to the AP expose’ entitled, “Child welfare, foster care and civil liberties: When CPS resorts to blackmail.” ([Source](#).)

Where the AP article leaves room to believe that the actions in Cherokee County are a problem of corruption unique to one area, Wexler’s opening salvo leaves no room for that impression:

*Reporters in North Carolina exposed the practice of child welfare agencies blackmailing families into giving up all their rights and letting them take away children with no court review at all.*

*The only thing unusual about this is that, in North Carolina, it’s illegal. Elsewhere it’s standard operating procedure.*

In his piece, he describes precisely a practice that many parents have reported to *Health Impact News*:

*Here’s how it works: The child protective services worker says*



*to a parent: Sign this document allowing us to place the child with an extended family member or we'll take the child on the spot and place the child with total strangers. (If that's not enough, they might ratchet up the threat, saying they will proceed immediately to termination of parental rights.)*

*CPS then argues, with a straight face, that the placement was voluntary – the family chose to give up any rights they may have to a lawyer and court review.*

*In fact, these placements are about as voluntary as a mugger sticking a gun in your face, saying “give me your money” and then telling the judge “I didn’t mug the guy, he gave me the money.”*

The signing of some sort of agreement under threat of more drastic measures appears to be commonplace all across the United States.

Here is what happened in Cherokee, North Carolina, according to [the AP report](#):

*When Brian Hogan got a call that his wife had suffered a massive heart attack, he knew he had to get to the hospital fast. So Hogan asked his neighbor to take care of his 10-year-old daughter, then headed 60 miles east to the intensive care unit in Asheville, North Carolina....*

*Hogan said the Cherokee County Department of Social Services threatened to throw him in jail, place his child in foster care or give his daughter to another family for adoption if he didn’t sign a “custody and visitation agreement,” known as a CVA.*

*“They gave me no choice,” said Hogan, 38, who told AP that child-welfare workers wanted to remove his daughter because they believed he placed the girl in an “unclean” home while he was caring for his hospitalized wife.*



Brian Hogan. Photo source – [AP Photo/Kathy Kmonicek](#).

AP reporters Mitch Weiss and Holbrook Mohr spoke with Sara DePasquale, assistant professor of public law and government at the University of North Carolina. She told them that:

*In order to remove a child from a biological parent, social workers must get a court order from a judge.*

## 4th Amendment Routinely Violated Across the U.S. in Seizure of Children by Social Workers



Alabama DHR Supervisor explains to a mother whose newborn she was about to take that “there are 2 people who don’t need a court order or a warrant to take a baby – the Department of Human Resources and law enforcement.” That is not what the 4th Amendment says. Photo by Health Impact News.

This is consistent with the 4th Amendment of the Constitution, which states:

*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and*

*seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

According to the AP article:

*Not only did Cherokee County child-welfare workers bypass that critical legal step with Hogan, they did the same thing with dozens, possibly hundreds, of other parents, according to interviews, court documents and copies of the agreements obtained by the AP.*

This behavior is certainly not isolated to one rural county in the Smoky Mountains. As our readers are well aware, it is common for social workers to seize children without a court order, warrant, or emergency circumstances.

This policy stands in clear violation of the Bill of Rights.

In 2015, California [attorney Shawn McMillan](#) deposed Dr. Charles Sophy, the Medical Director for Los Angeles County Department of Children and Family Services (DCFS), for a [civil rights lawsuit against Los Angeles County](#), and uploaded a video of the stunning display of disregard the doctor shows for the Constitutional rights of the parents whose children his agency, the largest child social services agency in the country, seizes from families without a court order.

*McMillan: "When we're talking about the Constitutional rights of parents and children, one of those rights... well, maybe you don't know. Do you know whether or not one of*

*those rights includes the right not to be seized from the child's home... unless there is a warrant, or some other circumstance that justifies it?"*

*Sophy: "I don't know."*

*McMillan: "You don't know? And you never ascertained that knowledge in your 12 years as the medical director of the agency?"*

*Sophy: "Not to my knowledge."*



Dr. Charles Sophy, the Medical Director for Los Angeles County Department of Children and Family Services. Image from YouTube.

See the full video, which Los Angeles County tried to force *Health Impact News* to remove, here:

## **Medical Director of LA Child Welfare Testifies Under Oath That He Does Not Know the Law Regarding Seizure of Children**

Attorney McMillan won this case against Los Angeles County, as a jury awarded his client \$3.1 million for taking her child illegally. (See: [CA Jury Awards \\$3.1 Million in Damages to Mother Whose Baby Was Seized Without a Warrant, Accused of Munchausen Syndrome by Proxy](#))

In another case in Arizona, social worker supervisor Caryn Wagner told Shawn McMillan in a 2016 deposition that their department never obtains warrants. (See [video](#). At around the 1:05:00 point, Wagner admits this.)

Child Protective Service workers and law enforcement in other states have shown similar disdain to the 4th Amendment.

Police in Clark County, Washington, insisted that they did not need a warrant when they seized children from a family in February 2016. See:

### **“We Don’t Need a Warrant” – Police Enter Home Through Window, Rip Infant From Mother’s Arms**

When Alabama DHR seized Baby Braelon from his mother’s arms in a Shelby County hospital room, [Alabaster Police Officer Edmunson](#) told the mother’s grandfather Rodney Prince:

*DHR does not need a court order or a warrant to take a child.*



Alabama DHR Ahzshaka Evans with Officer Edmunson.  
Photo by Health Impact News.

See:

**[Alabama Child Protective Services Steals New-born Breast-feeding Baby from Rape Victim While Still at the Hospital](#)**

Another Alabama baby was recently taken from his parents at a Birmingham hospital:

## Alabama Newborn Baby Kidnapped at Hospital with No Warrant, No Court Order, No Emergency Circumstances

According to lawmakers in Alabama, the justification for circumventing the 4th Amendment is that state law mandates that a court hearing be held within 72 hours of the seizure of the child or children. Oftentimes, parents don't even know why their child was taken until that hearing.

Meanwhile, the children suffer trauma from being separated from their family.

Richard Wexler addresses this in his [recent NCCPR article](#):

*I have often written about the lack of due process in proceedings involving child protective services. CPS agencies can and often do take away children entirely on their own authority. Parents then have to go to court days later to try to get their children back.*

*At that point, while the CPS agency has had days to make its case, an impoverished parent – and it's almost always an impoverished parent – if she has a lawyer at all probably met her overwhelmed public defender for the first time five minutes before the hearing.*

*The standard of proof is not beyond a reasonable doubt as in a criminal proceeding, or even the middle standard, “clear and convincing.” Instead, CPS need merely persuade the judge that it is slightly more likely than not that the child needs to remain in foster care – the same standard used to determine which insurance company pays for a fender-bender.*



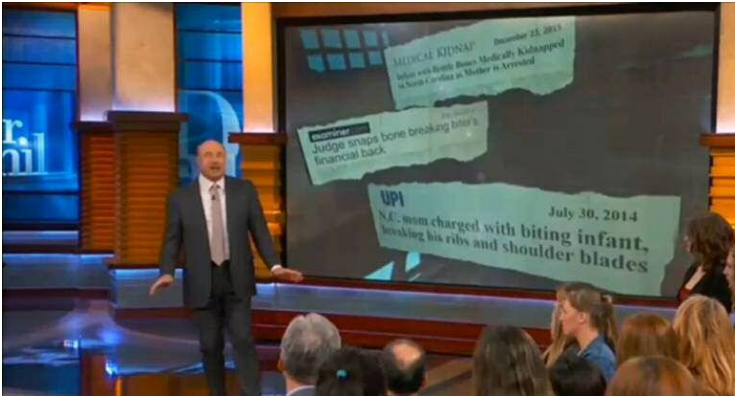
*The judge usually is easy to convince. That's because the judge knows that he can hold hundreds of children in foster care needlessly and while this will do enormous harm to the children, the judge is safe. Return one child to a home and have something go wrong and the judge's career could be over.*

## ***Resorting to blackmail***

*But in many cases across the country, even this doesn't stack the deck enough to suit CPS agencies. So they've resorted to something else: blackmail, typically using a parent's own extended family as bait.*

*They don't call it that, of course. Usually it goes by a term such as "safety plan" or "parental child safety placement" or "custody and visitation agreements."*

## **"Blackmail" Placements Happen on a Huge Scale**



In July of 2014 mainstream media only reported on the allegations against parents of baby Micah in North Carolina, who were accused of child abuse. The parents contacted *Health Impact News*, and we [reported their side of the story](#) in December of 2015, giving the story national exposure before they appeared on the Dr. Phil show in March 2016. [Image from Dr. Phil.](#)

Wexler says that the illegal seizures of Cherokee County, North Carolina, children are “just the tip of a very large iceberg.” [He continues:](#)

*In North Carolina, individual counties run child welfare with supervision by the state. To its great credit, the state Department of Health and Human Services says what Cherokee County did was illegal and ordered counties not to do it. A judge also ruled the practice illegal. And, [in a follow-up story](#), AP reports that the state is going to take over the entire Cherokee County child welfare system.*

*But it’s a different story in much of the rest of the country. One reason we don’t know how many blackmail placements*

exist is because states often don't report them to the federal government as entries into foster care – even though federal regulations make clear they should be counted.

But by one estimate, on any given day, there probably are 300,000 children trapped in a foster-care Twilight Zone because of blackmail placements across the country – that's over and above the more than 400,000 children states admit to holding in foster care.

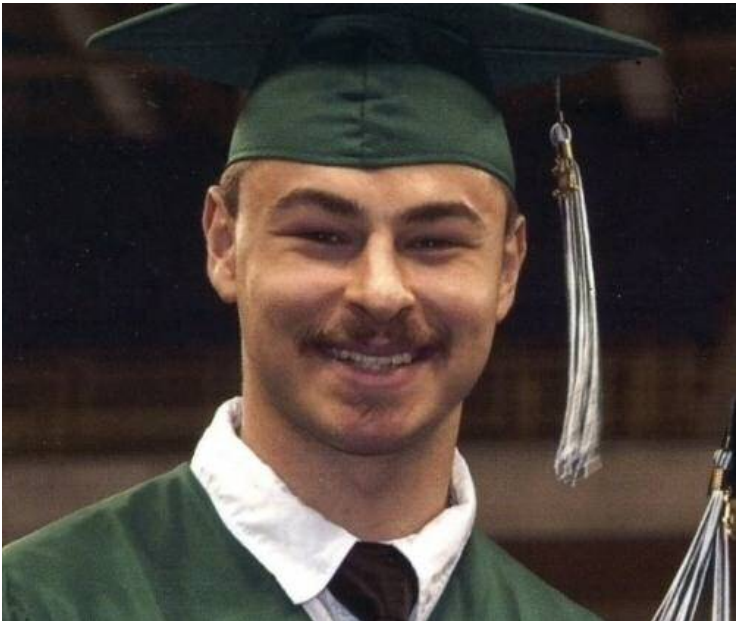
In Texas nearly two-thirds of entries into foster care probably are blackmail placements.

In Illinois, blackmail placements have been the subject of repeated lawsuits that lead to settlements. Then the child welfare agency violates the settlements.

So to really understand the harm done to children by blackmail placements, take the pain inflicted on Brian Hogan's daughter and multiply it – hundreds of thousands of times.

Read the full article at the NCCPR Child Welfare Blog [here](#).

# Parents Lose Custody of Disabled Adult Son for Questioning Psych Drugs



Ian Bankert at his high school graduation. Photo [source](#).

**Commentary by Terri LaPoint**  
**Health Impact News**

Medical kidnapping can happen to adults as well as children. *Health Impact News* has reported a number of adult kidnapping stories over the years.

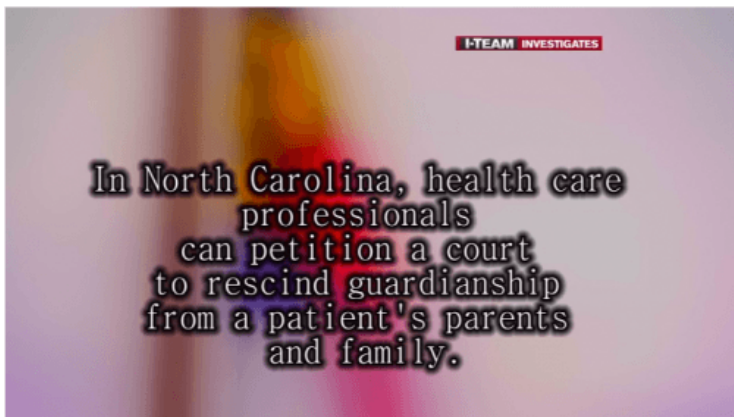
Some involve senior citizens. Others, like [this one reported](#)

by [ABC News](#) in Raleigh, North Carolina, involve the seizure of adult children with mental illness or disability from their parents who have loved, raised, and cared for their children their entire lives.

Doctors (mostly psychiatrists) and courts have the power to step in and take over the entire lives of such individuals, isolating them from their families and ultimately deciding every aspect of their care.

Reporter [Jonah Kaplan](#) writes:

*This may be the most painful symptom of mental illness and its impact on North Carolina families.*



The investigative team from ABC11, the I-team, found that more than 5,000 adults in North Carolina are under state guardianship care. Most of these adults have mental or developmental disabilities or have mental illness.

The cost to taxpayers is staggering. ABC11 found that the

North Carolina Department of Health and Human Services (DHHS) reports that the state pays an average of \$1,200 per person, per day, for each of the patients under public guardianship care.

## Doctors Override Parental Decisions, Lock Up Their Son

David Bankert and Joanne Luterman are the parents of 24-year-old, Ian Bankert. They told reporters that their son was very athletic in school, on the swim team and track team. He was well-liked and did well academically. His parents noticed signs of his descent into mental illness during his high school years.

Ian graduated, then spent the next few years going in and out of the hospital. He was diagnosed with schizophrenia.

His parents became concerned about the doctors “overprescribing him with medication,” a concern which is shared by many parents and patients, and watchdog groups.

Doctors recommended “more medication and long-term care,” but his parents, according to ABC11, “instead insisted that a good diet, exercise and faith could restore Ian’s sense of self.”

More than that, according to a funding page set up by the parents, David Bankert and Joanne Luterman want:

*to try to help our son get out of the state operated mental health system and get him on the road to recovery by way of a private doctor and team.*

They are also “seeking out all other forms of help for him.” (See [link](#).)

Dr. Stephen Ford and psychiatrist Dr. Gary B Pohl did not agree with the parents. Instead, Dr. Ford petitioned the court to take Ian away from the care of his parents.

*“We were shocked and blown away,” Luterman told ABC11. “We want Ian to have some joy, to come home, lead a life with his family and have some sense of normalcy.”*

Instead, their son is locked away long-term in Central Regional Hospital in Butner, North Carolina. His parents have to get permission from the guardians to visit their son.



Ian is locked away in a psychiatric hospital, long-term, against his families wishes. Photo [source](#).

According to the [website](#) for Central Regional Hospital:

*Central Regional Hospital (CRH) is one of three State psychiatric hospitals in North Carolina. It is operated by the Division of State-Operated Healthcare Facilities (DSOHF) within the North Carolina Department of Health & Human Services.*

It is also a “psychiatry residency training site.”

Ian’s story is another in a long list of cases where the financial and academic interests of one group – psychiatrists and public guardians – are pitted against the civil rights and familial interests of individuals and their families.

The long arm of the state again overrides the decisions of parents who know and love their son and want what is best for him. They do not believe that locking him away from his life and loved ones and drugging him are the answer. The state does.



Ian Bankert’s parents spoke with ABC11’s I-Team about the medical kidnapping of their son. Photo [source](#).



## Parents' Concerns over "Overmedicalization" Well-Founded

In 2016 *Health Impact News* published an article by Gary G. Kohls, M.D., a doctor whose words stand in stark contrast to those of the psychiatrists who have robbed Ian Bankert of his freedom and his family.

*Psychiatrists have long admitted that none of their drugs ever cure anything or anyone. They also admit that there are no medical, laboratory, radiological or biopsy tests to confirm that any given psychiatric diagnosis is an actual medical condition.*

*There are, however, thousands of lab, radiology and biopsy tests that confirm the existence of the long-term neurotoxic effects of the multitude of synthetic psychoactive drugs that continue to be given out in combinations that have never been adequately tested for efficacy or safety – even in the animal labs.*

*Therefore what the courts have erroneously criminalized as parental neglect must be re-assessed by the legal system. The parent that refuses potentially hazardous psychiatric drugs for their child because they happen to know more about the drug's dangers than their prescriber, should be supported rather than punished by the courts. And lawyers and judges interested in understanding the nature of the best neuroscience need to be increasingly mistrustful of psychiatrist "experts" who frequently have serious conflicts of interest when it comes to maintaining the prestige and/or economics of the big business of pharmaceuticals, medicine and psychiatry.*

*There have been more than 200 international drug regulatory agency warnings about the fact that psychiatric drugs can cause dangerous and potentially life-threatening effects (check them out [here](#)). When I was in medical practice, I was totally unaware of the existence of these warnings, so I suspect that most over-worked physicians and psychiatrists today are equally unaware. Undoubtedly, lawyers and judges are in the same boat.*

See:

### **Does Prescribing Anti-psychotic Drugs to Infants, Toddlers and Young Children Meet the Definition of Reckless Endangerment?**

Doctors do not agree even among themselves in regards to many medical conditions that are more easily quantified than psychological disorders. The philosophy of conventional medicine has challengers among many different fields, such as homeopathy, chiropractic, faith healing, Eastern medicine, herbal medicine, nutritional healing, and countless other health modalities.

*Health Impact News* has published hundreds of articles chronicling the stories of people who have suffered abuse at the hands of psychiatrists and other doctors with whom they or their parents disagree. See [here](#) and [here](#).

The advocacy group, *Citizens Commission on Human Rights*, has reported that professional psychiatrists are among the top white collar criminal groups in the United States, committing 40% of all Healthcare Fraud, and incarcerating over 700,00 people against their will every year.

6 to 10 percent of psychiatrists and psychologists sexually abuse their patients, including children as young as three, and the sexual crimes committed by psychiatrists are estimated at 37 times greater than rapes occurring in the general community, according to one U.S. law firm. ([Source](#).)

<https://youtu.be/RHrNrAjKl6g>

North Carolina is not alone in its policy of allowing doctors and guardians to kidnap family members and lock them away, isolating citizens from everyone they know and love, based on the testimony of a doctor who doesn't like parental decisions.

## **'We were shocked:' I-Team investigates how doctors can take parents to court over guardianship**

By [Jonah Kaplan](#)  
[ABC11](#)

Excerpts:

According to North Carolina law, health care professionals can petition a court to revoke guardianship from a patient's parents or legal guardian, and instead assign a public guardian to manage the patients' medical care.

### **'Our thoughts were, no way'**

David Bankert and Joanne Luterman are two such parents who approached the I-Team about their experience losing guardianship for their son, [Ian](#).

*“He never did drugs, he never smoked, he never drank alcohol,” Luterman said of Ian’s high school years.*

*“He was such a good kid. Then what happened was when he went in the hospital the first time, they forced him to have these medications. In his mind, it was a very adverse event for him. Very traumatizing.”*

Dr. Ford cites several reasons for petitioning the court to revoke guardianship, including missed appointments and what the doctor calls “aggressive behavior,” including an instance where he describes Ian punched his father, David.

Both parties met before a judge in Wake County Court for Special Proceedings in December; the hearing lasted three days and included more than 12 hours of testimony.

The judge, while acknowledging the parents’ love and attention for their son, ultimately ruled that Bankert and Luterman were “unsuitable” to continue as Ian’s guardians, citing Ian’s frequent hospital visits and “the inability of the doctors and staff at the hospital to provide necessary treatment” for Ian.

Now 18 months later, Bankert and Luterman remain steadfast in their opposition to the ruling.

*“They took parents and guardian who know their son very well, who know the medications very well and know how the medications affect him very well, and care about him more than anyone else in the world.”*

Read the full article at [ABC11](#).

Read more of the [family's story in their own words here](#).

See our other coverage of young adults seized by the state and placed under guardianship:

[\*\*“Mental Illness” Label Used to Medically Kidnap Mother and Try to Adopt Out Her Children\*\*](#)

[\*\*Medical Kidnapping in Missouri: 25 Year Old Daughter Forced onto Drugs and Committed to Mental Facility\*\*](#)

[\*\*Parents Denied Access to Son in Forced Medical Detention and Forced Medication Case in Alaska\*\*](#)

[\*\*Nonverbal Woman Taken Hostage in Colorado – Who Will Speak Up?\*\*](#)

[\*\*Medically Kidnapped Disabled Man Held Against his Will in Orange County California\*\*](#)

[\*\*20 Year Old Autistic Girl in Michigan Medically Kidnapped Over Treatment Disagreement\*\*](#)

[\*\*Medical Kidnap: It Happens to Adults Too\*\*](#)

[\*\*Adult with Multiple Chemical Sensitivities Medically Kidnapped in Minnesota\*\*](#)

## California Holds Medically Kidnapped Adult Daughter for 14 Years

See our coverage of elder citizens seized by the state and placed under guardianship:

## Attorney: Elder “Protective Services” is a Racketeering Enterprise Medically Kidnapping Seniors

## Medical Kidnapping of Baby Boomer Seniors Not Rare – Now the Norm

## Massachusetts Senior Citizen and Attorney Medically Kidnapped – Estate Plundered – Represents National Epidemic

## Husband of Retired Missouri Couple Medically Kidnapped – Estate Plundered to Pay for Unwanted Medical Confinement

## Medical Murder? Massachusetts Woman Medically Kidnapped from Her Home Dies After Being Denied Medical Intervention

## Healthy Boston Woman is Medically Kidnapped and Forced onto Psych Drugs Resulting in her Death

## Public Warning: Boston is a Cesspool of Adult Medical Kidnappings

[Adults Medically Kidnapped: 3X More than Children in Foster Care - \\$50 BILLION in Assets Seized](#)

[Elder Medical Kidnapping in Texas Results in Abuse and Death of Elderly Mother](#)

[Adult Medical Kidnapping in New York: 1950s Air Force Veteran Held Hostage in Hospital](#)

[Medical Kidnapping of Seniors: A \\$273 BILLION Industry](#)

[California Kidnaps Elderly Brother of Medical Malpractice Attorney](#)

# Investigation Reveals North Carolina CPS Took HUNDREDS of Children Away from Parents Illegally



Brian Hogan is one of many parents who lost his daughter to Cherokee County Dept. of Social Services and is now involved in a federal lawsuit against Cherokee County. [Image source.](#)

by **Brian Shilhavy**  
**Editor, Health Impact News**

*“I’m sort of flabbergasted by it. It’s one of those situations where – very rarely am I speechless – I am absolutely speechless over it.”*



These were the words spoken by North Carolina District Attorney Ashley Welch, when reporter Kate Martin, writing for the [Carolina Public Press](#), asked her to respond last week (August 2019) to news that an internal memo revealed that state officials knew that Cherokee County Department of Social Services was illegally removing children from their homes, before a civil lawsuit was filed in 2018 and before a request was made for a State Bureau of Investigation probe into the matter.

In 2018, Associated Press reporters Mitch Weiss and Holbrook Mohr published an investigative report showing that Cherokee County Department of Social Services removed many children from their homes illegally, perhaps “hundreds.”

From the [2018 story](#):

*When Brian Hogan got a call that his wife had suffered a massive heart attack, he knew he had to get to the hospital fast. So Hogan asked his neighbor to take care of his 10-year-old daughter, then headed 60 miles east to the intensive care unit in Asheville, North Carolina.*

*What happened next would eventually expose a practice by a child welfare agency that illegally removed potentially hundreds of children from their homes in this poverty-stricken mountain community.*

*Hogan said the Cherokee County Department of Social Services threatened to throw him in jail, place his child in foster care or give his daughter to another family for adoption if he didn't sign a “custody and visitation agreement,” known as a CVA.*

*“They gave me no choice,” said Hogan, 38, who told AP that child-welfare workers wanted to remove his daughter because they believed he placed the girl in an “unclean” home while he was caring for his hospitalized wife.*

*Hogan said the Cherokee County Department of Social Services threatened to throw him in jail, place his child in foster care or give his daughter to another family for adoption if he didn’t sign a “custody and visitation agreement,” known as a CVA.*

*In order to remove a child from a biological parent, social workers must get a court order from a judge, said Sara DePasquale, assistant professor of public law and government at the University of North Carolina.*

*Not only did Cherokee County child-welfare workers bypass that critical legal step with Hogan, they did the same thing with dozens, possibly hundreds, of other parents, according to interviews, court documents and copies of the agreements obtained by the AP.*

*“What they did had nothing to do with protecting children,” said Melissa Jackson, the attorney who discovered the practice while trying to help Hogan get his child back. She said all the agreements are illegal because they did not take place with court oversight, as required by law. ([Full Story](#).)*

Soon after the AP story broke, North Carolina officials took over the Cherokee County Department of Social Services to stop the corruption. As the [AP reported back in 2018](#):

*North Carolina officials said Friday they will take over a county child welfare agency that illegally removed children*

— potentially hundreds of them — from their homes.

*The North Carolina Department of Health and Human Services said it will temporarily take over the Cherokee County Department of Social Services starting Monday.*

*The move comes after an Associated Press investigation revealed Cherokee County child welfare workers were not following state law and getting a judge’s approval to remove some children from their biological parents. ([Full Story.](#))*

The CPS agency reopened 6 months later, but recent new evidence has been uncovered showing that CPS officials knew about the corruption before any investigations had even started, and did nothing about it.

From the [Carolina Public Press](#):

*A Western North Carolina district attorney told Carolina Public Press on Wednesday that she was “flabbergasted” over state officials’ failure to advise her when they suspected the Cherokee County Department of Social Services staff of involvement in potentially criminal activity months before civil litigation exposed the problems and led her to request for a State Bureau of Investigation probe.*

*A judge called out Cherokee County’s removal of children without court oversight as unlawful and unconstitutional in February 2018. But a memo, recently obtained by CPP through an extensive request for DHHS public records, shows that state officials had caught on to the improper practices at the county’s child welfare office at least four months earlier.*

*Details in the October 2017 memo by a DHHS staffer describe*

*potential felonies, District Attorney Ashley Welch told Carolina Public Press on Wednesday. Yet nobody at DHHS contacted her office.*

*Until shown the memo this week, the DA had no idea that DHHS knew in advance about the improper practices in Cherokee County, Welch said.*

*Welch said she first found out about Cherokee County's unlawful custody and visitation agreements, not from state officials, but when she read the March 2018 Associated Press story in USA Today.*

*"You would hope (DHHS) would bring it to someone's attention," Welch said Wednesday. "I was a little troubled that this is stuff that they were dealing with internally, with no notification either to law enforcement or my office."*

*"If you turn a blind eye and continue to let it happen, you are talking about aiding in the commission of a crime," Welch said. ([Source](#).)*

## **Attorneys "Traumatized" Over Legal Kidnapping of Their Clients' Children**

The [Carolina Public Press](#) goes on to report:

*David Wijewickrama, one of the attorneys representing parents in a federal lawsuit against Cherokee County and several of the county's current and former employees, was shocked by DHHS' prolonged inaction when he read the memo.*

*“I was traumatized and devastated on behalf of the affected families and children that the state of North Carolina knew this, came in and took over Cherokee County DSS and to my knowledge did nothing to audit every single file that had been touched by that office in 20 years,” Wijewickrama said.*

*“It seems to me like DHHS did the absolute minimum.”*

*Wijewickrama and his fellow attorneys are seeking class-action status for what he says could be hundreds of children and parents who may have been coerced to sign the unlawful custody and visitation agreements. The lawsuit is now winding its way through a federal court.*

*If Cherokee County was caught falsifying contact records, it “could jeopardize their federal funding and reimbursement,” Peel told CPP.*

Read the [full story](#) at the [Carolina Public Press](#).

# North Carolina Military Family's Breastfed Infant Daughter Medically Kidnapped for 305 Days



Photo supplied by family

by Allie Parker  
Health Impact News

When a family welcomes their firstborn, no matter how difficult the labor, how long the labor, whether instrumentation had to be used to get the baby out, or whether an emergency cesarean is done to finally welcome their new bundle of joy, all of this is a distant past with the arrival a new baby.

With ten fingers and ten toes, doctors and nurses unconcerned about the events that took place during birth, you assume you are blessed and have happy, healthy baby.

Families are starting to realize these events that occur during labor can result in underlying conditions that can lead to false allegations of child abuse and tear families apart.

A military family from North Carolina tells us about their almost one-year long ordeal that threatened to take their daughter away from them forever.

On December 7th, 2018, stay-at-home mother, Mrs. Stenberg, was home with her 8-week-old daughter Charlotte. Charlotte was acting her normal self throughout the day until it was time for her feeding. This is when the Stenberg's lives would be forever changed.

Evan Stenberg recalls his daughter Charlotte was born October 2018 after a difficult labor. After 15 hours of labor, his wife wasn't dilating, and their baby girl was stuck in the birth canal. Pitocin, a drug used to induce labor, was administered, which also failed, and after 18 hours of labor, an emergency c-section was done.

One of the most commonly used drugs in childbirth, Pitocin, isn't without its risks to both mother and fetus. Here is a list of known side effects:

- Retinal hemorrhage
- Cerebral hemorrhage (bleeding within the brain tissue or ventricles)
- Neonatal jaundice
- Brain damage, including Hypoxic Ischemic Encephalopathy
- Lower APGAR scores at 5 minutes
- Neonatal seizures
- Death

Most of the time, if ever, these side effects are never told to the family before being administered.

See:

### **Common Childbirth Practice Could Lead to Later False Diagnosis of Shaken Baby Syndrome**

The Stenbergs' lives went on like all first-time parents with a newborn often do, until the afternoon of December 7th. Mrs. Stenberg, who was born and raised in Germany, had only been in the U.S. a short time. She and Mr. Stenberg met while he was stationed in Germany. They became engaged, and she moved to the U.S. when the pair wed in 2017.

While feeding her 8-week-old daughter, the little girl began to choke and was unable to breath. Terrified for her new baby, and having never called the police or "911" since moving to the U.S., she ran to the neighbors, whose front door is literally right next to theirs, for help with both Charlotte, and to call emergency services.



By the time EMS had arrived, Charlotte seemed to be back to normal, but was taken to the local emergency room to be evaluated. According to Evan Stenberg, the father, Charlotte was visually normal from the exterior, no bruises, scratches, and no other abnormal deformities.

Evan told us the hospital, Cape Fear Valley Hospital, decided to do an MRI, where a radiologist noted a chronic subdural hematoma (brain bleed), with a dark mixed density of fluid collection in the frontal lobe.

A subdural hematoma is a type of bleeding in which a collection of blood gathers between the inner layer of the dura mater and the arachnoid mater of the meninges surrounding the brain. It usually results from tears in bridging veins that cross the subdural space.

For years, child abuse pediatricians have claimed “the only way” a child would get a subdural hematoma was by some sort of blunt force trauma, or shaking.

Several studies have been done countering this claim, including one [study](#) done by Dr. Steven Gabaeff, that concluded:

*“Failure to consider the role of Subdural Hematoma in accidents or medical problems as a cause of prior bleeding, increased ICP, hygroma, acute bleeding and RH, can result in a misdiagnose of abuse by amalgamating nonspecific findings that are individually and collectively scientifically unreliable indicators of abuse; the so called “constellation” of findings.” [1]*

Because subdural hematoma is just one of the “constellation

of findings” to diagnose shaken baby syndrome, now known as abusive head trauma, the ER doctor concluded this brain bleed was “non-accidental.”

Because they were not able to provide an explanation to explain “how a minuscule amount of fluid collected on the inside of our child’s head, the nurse on duty called Child Protection Services and our lives changed forever,” recalls Evan.

## **University of North Carolina, Chapel Hill Children’s Hospital Beacon Team**

Cape Fear Valley does not have a “child protection team” on staff, therefore the Stenbergs were told their daughter would need to be transferred to the University of North Carolina, Chapel Hill Children’s Hospital, for further workup by [the Beacon Team](#).

Evan describes this is where his daughter was “treated for her non-accidental injuries.” This treatment, according to Mr. Stenberg, was conducted on the little girl for 4 to 5 days and included a CT scan, another MRI, eye exams and blood work. Multiple specialists were consulted to determine what happened to their daughter.

Evan states,

*“After all of this, the only thing we knew was that Charlotte had some type of ‘fluid’ inside her head, and she had retinal hemorrhages.”*

Mr. Stenberg claims Charlotte did not require any surgical

intervention, and she was set for release on or about December 11th, but she was not going home with her parents. According to Evan,

*“a social worker supervisor called him and said, ‘you either find a friend or family member to take this baby, or she’s going to foster care.’”*

Their neighbors agreed to help the family and signed Charlotte out of the hospital.

Within a week to ten days, Charlotte’s father recalls the neighbors running next door in a panic stating Charlotte was choking again. They called 911 and Charlotte was again taken to the local ER, where they again concluded she had a progressing chronic subdural hematoma, and was again transferred to the Beacon Team at Chapel Hill Children’s Hospital.

Despite concluding, yet again, their little girl had a chronic subdural hematoma, UNC Chapel Hill subjected Charlotte to several more days of testing. Evan says the only thing that changed was this time the hospital consulted with a speech therapist who concluded both hospitalizations were due to feedings, and recommended Charlotte be fed sitting up.

Charlotte was set for release from her second hospitalization in less than a month, December 21st, but again, not to her parents to celebrate her first Christmas, and now she was also not allowed to go with the neighbors who were caring for Charlotte since the first hospital visit. By this time, CPS acquired a removal order from a judge, which would remove the child from both family and friends, placing her into foster care.

## First Christmas – Separated from Breastfed Child

With their first court hearing set for December 27th, the Stenbergs were unable to celebrate the holidays together. The first Christmas as a family was spent apart, mom and dad alone at their home, while their daughter was with strangers, somewhere in foster care.

At their first hearing, December 27th, 2018, only days after the holiday, the parents had not yet obtained an attorney, so, according to Mr. Stenberg, they were represented by a stand-in attorney, who was court appointed. According to Evan, the attorney, “stood in to allow the hearing to happen.” No visitation was granted to them for the remainder of the holidays, forcing them to wait for another hearing set for January 2, 2019.

After three weeks of no contact with their daughter, who was breastfed prior to the removal, they were still not allowed to see Charlotte and had to wait, yet again, for another hearing to be held mid-January.

By mid-January, they were finally granted visitation. Despite knowing Charlotte was being breastfed, the Stenbergs were only granted 1 hour per week visitation. This visitation was to be supervised at the CPS department building.

Also in mid-January, around January 10th, Evan recalls, he and his wife learned of what is called a “Child Medical Evaluation.” This evaluation was conducted by the Beacon Team’s child abuse pediatrician, Molly Curtin Berkoff, at UNC Chapel Hill. Evan claims they never consented to this evaluation, and in fact were not even made aware of the evaluation until it was already completed.

The [consent](#) obtained from UNC Medical's website, clearly shows either a parent, legal guardian, DSS Director, or a judge, can authorize the exam. Medical records provided by the family show this exam was done with "DSS consent not signed".

The [consent](#) also has a section for the provider to claim reimbursement in accordance with the "Purchase of Services Contract" for services provided. The consent is form DSS-5143, thus confirming UNC and DSS have a contract, a contract in which the child abuse pediatric team bills the state for any and all services they provide to children being investigated for abuse.

This evaluation, according to the father, concluded Charlotte had "non-accidental injuries due to repetitive shaking or shaking with impact and otherwise known as abusive head trauma." Evan states this conclusion was made by a child abuse pediatrician who has no neurological expertise, and confirmed by the [North Carolina Medical Board](#).

No sexual abuse was ever alleged, but Evan says,

*"Also at this exam, that wasn't consented for, a pelvic exam was done on Charlotte, then a 12-week-old baby."*

Nothing was found at this exam.

Months had gone by with the family doing classes, courses, and participating in psychological exams, thus completing the case plan.

## Soliciting Help from Other Doctors

Evan says during this time he started researching the theory of shaken baby syndrome, now known as abusive head trauma, and was connected with a “laundry list” of doctors, with different areas of expertise, who wanted to help him and his wife figure out the true cause for Charlotte’s injuries.

The first doctor who offered to help was a pathologist from Michigan. Evan said the doctor wanted all the medical records sent to him as soon as possible, and the family immediately complied. Evan recalls he, “sent him as many records as possible.”

The pathologist provided a preliminary report, provided to us by the family, which concluded:

*“At 8 weeks of age, Charlotte had a chronic subdural hematoma. This bleeding started at least 2 weeks prior to admission but was most likely older.”*

*The ‘rim’ of more recent blood does not represent a more recent injury but is rather part of the natural evolution of a chronic SDH.*

*The origin of this subdural bleeding is most likely birth but could also be a cerebral sinus venous thrombosis, BESS, or spontaneous SDH of unknown cause. There are other rarer possibilities.*

*Some of the retinal hemorrhages could have persisted since birth (particularly pre-retinal hemorrhages) but it is likely that some are more recent and related to increases in intracranial pressure cause by the chronic SDH. She probably had a seizure prior to admission, since this is*

*the most common way that chronic SDH come to medical attention.”*

The family’s attorney also contacted a Child Neurologist and expert in Neuro-imaging, based in Maryland. He too submitted a report, provided by the family, and concluded:

*“Infants who are victim of abusive head trauma are often found to have brain injury, external injury, internal injury, broken ribs, broken bones, skull fractures, and neck injury. Charlotte had none of these.*

*Charlotte did have a complicated birth that caused an excess of fluid to collect between her brain and inner skull. This fluid caused her head circumference to jump from the 21st percentile at age 2 days, to the 54th percentile by age 1 month. The descriptive name for this chronic fluid collection is subdural hygroma. Subdural describes the location, and hygroma describes the thick fluid nature of the collection. Pediatric neurologist and neurosurgeons encounter these in practice when infants are referred for larger than expected head circumferences. Many develop due to excessive squeezing of the head at birth, others for no known reasons. Most subdural hygromas in infants are not related to accidental or abusive trauma. Subdural hygromas can cause small subdural or subarachnoid hemorrhages for two reasons. First, small vessels that course from the inner skull to the brains surface are stretched by the accumulated fluid can tear and lead blood. Second, the body attempts to wall off the fluid collection by building a membrane to contain it. This membrane is vascular and fragile and can bleed blood as well. This membrane is visible on her head CT scan of 12/7/18.*

***I am surprised that a head circumference was not recorded by the child abuse specialists on 12/8, 12/11 and 12/18. This would have alerted them to Charlotte's chronic condition of subdural fluid accumulation."***

The neurologist goes on to describe everything going on with little Charlotte, but summarized she:

*"Had both a chronic and an acute medical condition that led to her illness of December 2018. Fortunately, she suffered no brain compromise. Thus, she is expected to have normal childhood development. "*

This came as a relief to the family due to a CPS social worker, having no medical training, telling the Stenbergs Charlotte would "have a droopy eye due to the trauma she sustained," recalls Evan.





Photo supplied by family.

Evan claims under North Carolina law, an adjudication hearing should happen within 60 days of the removal of the child, but their hearing didn't take place until October 7, 2019. This is over 9 months from the removal of Charlotte from her parents.

According to Mr. Stenberg, having found out a hearing

should have taken place within 60 days of removal he started to pressure his attorney to hold an adjudication hearing as soon as possible.

Unfortunately, the State's failure to follow protocol and procedure only led to another violation of the family's right to due process a fair trial.

Evan says the County CPS attorney then requested a "special setting date," but they continued to have multiple hearings, once a month, "on hearsay and non-factual information to paint myself and my wife as terrible people."

Finally a hearing date was set to review the evidence, but this date was never collaborated with the defense attorney who needed to contact the family's expert witnesses for availability. Despite being unable to have experts present to testify in their defense, the date remained leaving the family with no defense.

According to court documents provided by the family, the state admitted 7 pieces of evidence against the family. Three of which were reports from doctors at UNC. A radiologist, who never met the Stenbergs, and never examined Charlotte, but testified against them in court, the child abuse pediatrician's report, who also testified against them, and a report prepared by UNC Beacon's team Nurse Practitioner, who was not present at the hearing and did not testify.

The State was allowed to enter reports into evidence without the author present to testify, but the defense was not allowed to admit ANY expert reports because they were unable to get their experts to the court to testify. This is just another way families' rights and due process are continuously violated when a child abuse pediatrician makes

a claim of child abuse. The unquestionable power these physicians have over the CPS agencies and the courts is overwhelming.

With no defense, the court found Charlotte “an abused juvenile within the meaning of [N.C. Gen. Stat. § 7B-101](#).” With no perpetrator, other than the parents who were with Charlotte on a daily basis for her first 8 weeks of life, the court concluded the parents were responsible for Charlotte’s injuries.

A disposition hearing was held immediately following the adjudication hearing. At this hearing the judge continued to find Charlotte “abused,” but dismissed both the neglect and dependency claims CPS had filed in their petition.

## **Custody Regained after 305 Days**

On October 7, 2019, 305 days since Charlotte’s initial choking episode that sent a frightened concerned mother to the neighbors, pleading for help, the Stenbergs finally regained custody of their daughter, now one year old.



Photo supplied by family.

It is unclear why the judge found little Charlotte “abused” under [N.C. Gen. Stat. § 7B-101](#), but immediately returned custody to the parents. Evan equates the decision to the information provided by the child abuse pediatrician, and the fact he and his wife were unable to provide medical

expert testimony to dispute the child abuse pediatrician, due to their experts not being available to testify for the October 7th hearing date. He explains further

*“if the judge had heard from their experts, she wouldn’t have found abuse.”*

Mr. Stenberg also noted, the NC Statute used by the judge wasn’t to find the parent’s guilty, it was to find that the child may have been abused, but they (the parents), allowed it to happen.

This is all too common in these types of cases, which is why I have to agree with Mr. Stenberg. The judge made her decision based on the evidence provided, which is understandable. That being said, according to [uscourts.gov](https://uscourts.gov), one of the duties of a judge:

*“A judge should accord to every person who has a legal interest in a proceeding, and that person’s lawyer, the full right to be heard according to law.”*

Based on this duty alone, it seems fair to say the judge presiding over this case should have done anything and everything in her power to assure the Stenbergs were heard, and also to allow them their right to defend themselves with the use of expert testimony that rebuked the prosecution’s evidence that was allowed to be heard.

Despite the final judgment, Mr. Stenberg credits their ability to overcome this accusation due to their resistance to CPS and their constant fight against the system. The agency told

them they needed to consent to a psychological evaluation; they complied, but they sought out their own psychologist to do the evaluation, and not the doctor paid by CPS.

Mr. Stenberg would like others to know this is an extremely serious situation. When a child abuse pediatrician introduces themselves, you need to take it seriously.

The amount of “firsts” a child has in the first year of life is priceless. “Firsts” a loving family should be photographing and videoing. All of these firsts, including a first birthday, were all taken away from a family due to a theory that continues to be questioned in the medical field and in the courts.

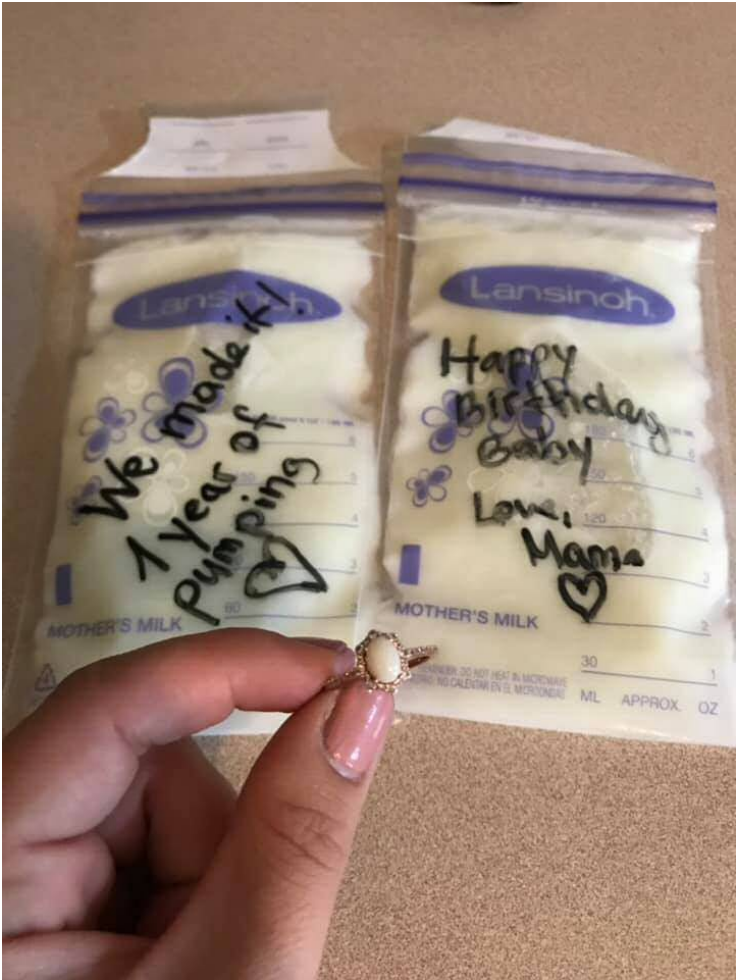


Photo supplied by family.

Birth trauma has been proven to cause the “constellation of findings” used to diagnose abuse, but child abuse pediatricians continue to disregard the birth history, current medical laboratory tests and imaging to find only abuse.

When physicians have a contract with the State that allows them to bill the State for services provided to children being investigated for abuse, on top of the already billed services to the family's insurance company, the ability to be unbiased is lost.

According to the Innocence Project,

*“Shaken baby syndrome (SBS), now more frequently known as abusive head trauma (AHT), is a medico-legal diagnosis that has served as the basis for thousands of cases in which children have been separated from their parents, and parents and caretakers have been sent to prison or even sentenced to death. Until recently, no independent scientific agency had reviewed the evidence base for the diagnosis. The first to do so published its results in 2016. It found the evidence for SBS “insufficient” and unreliable.” [2]*

The Innocence Project continues their statement by pointing out the many problems with the evidence base of SBS/AHT, and concluded with a [list of recommendations](#) made

*“In order to identify and correct wrongful convictions, prevent the future conviction of innocent parents and caretakers and wrongful separation of families, and to improve the reliability of the legal process in these cases”. [1]*

The Stenbergs fought for their daughter. They drove six hours a day to see their daughter for two hours. These are the actions that allowed them to get their daughter back in less than a year, according to Mr. Stenberg.



“The system will ride you [the innocent family] harder than a guilty person”. – Evan Stenberg

## About the Author



Allie Parker is a Family Advocate and mother. She is a surviving victim of a false Child Abuse Pediatrician’s accusation. Read [her story here](#).

## References

2. Gabaeff, Steven C., MD, “Investigating the possibility and probability of perinatal subdural hematoma progressing to chronic subdural hematoma, with and without complications, in neonates, and its potential relationship to the misdiagnosis of abusive head trauma”, *Journal of Legal Medicine* 15 (2013): 117-192
3. The Innocence Network, (June 2019), *Statement of the Innocence Network on Shaken Baby Syndrome/Abusive Head Trauma*, accessed November 2019, <https://innocencenetwork.org/statementoftheinnocencenetworkonshakenbabysyndrome/>

# North Carolina CPS Leaders Indicted on Criminal Charges for Taking Children Away from Parents without Approval from a Judge



Top Left: Scott Lindsay, former attorney for the Cherokee County Department of Social Services, Top Right: Cindy Palmer, former DSS director and wife of Cherokee County Sheriff and Baptist Pastor Derrick Palmer, Bottom: David Hughes, former Cherokee County Department of Social Services supervisor. [Image source](#).

by **Brian Shilhavy**  
**Editor, Health Impact News**

The [Carolina Public Press](#) reported this week (May, 2020) that three current and former Cherokee County Department of Social Services leaders have been arrested on dozens of

criminal charges for separating children from their parents without the oversight of a judge, a practice that is alleged to have been going on for years.

The three are: Cindy Palmer, former DSS director and the wife of Cherokee County Sheriff and Baptist Pastor Derrick Palmer, former Child Protective Unit supervisor David Hughes, and former DSS attorney Scott Lindsay.

Kate Martin and Frank Taylor wrote the article in the [Carolina Public Press](#).

This is not the first time that *Health Impact News* has reported news about corruption in Cherokee County, North Carolina, over illegally kidnapping children through Social Services.

In 2018, [Associated Press reporters Mitch Weiss and Holbrook Mohr](#) broke the story of how social workers in Cherokee County had been reportedly coercing parents and taking their children illegally, bypassing the court system by threatening to adopt out their children or throw the parents in jail if they refused to sign paperwork known in NC as a CVA – Custody and Visitation Agreement. See:

### **[Child Protective Services in North Carolina using Blackmail to Illegally Seize Children from Families](#)**

In 2019, Kate Martin, reporting again for the [Carolina Public Press](#), reported that an internal memo revealed that state officials knew that Cherokee County Department of Social Services was illegally removing children from their homes, allegedly HUNDREDS of them, before a civil lawsuit was filed in 2018 and before a request was made for a State Bureau of Investigation probe into the matter. See:

## Investigation Reveals North Carolina CPS Took HUNDREDS of Children Away from Parents Illegally

In the report published yesterday (May 19, 2020), Kate Martin writes:

*Grand jurors had agreed to indict three current and former employees of the Cherokee County Department of Social Services on all 41 charges. The N.C. attorney general's office is handling the prosecution of the three defendants. The indictments come after more than two years of investigations by state and potentially federal authorities. They also do not cover all of the allegations of misconduct, meaning more charges could surface in the future.*

*But they stand to shake up Cherokee County because of who was indicted and why, as well as who had backed them despite ongoing criminal investigations.*

*The indictments may also have important implications for the accountability of social services agencies across North Carolina, as well as the N.C. Department of Health and Human Services, which intervened in Cherokee County while the investigation was underway.*

Health Impact News has published many stories of corruption in the State of North Carolina over the years on our MedicalKidnap.com website, suggesting that Cherokee County is not the only place where children are being illegally removed from their parents in the State of North Carolina. See:

[Native American CPS Whistleblower Goes Missing in North Carolina – Daughter on the Run](#)

[North Carolina Child Medically Kidnapped Starving to Death in Foster Care](#)

[Infant with Brittle Bones Medically Kidnapped in North Carolina as Mother is Arrested \(Also featured on the Dr. Phil TV Show\)](#)

[North Carolina Kidnaps Children from Grandparents because of Medical Kidnap Article](#)

[North Carolina Military Family’s Breastfed Infant Daughter Medically Kidnapped for 305 Days](#)

[North Carolina Mother Flees State to Protect Children from State-sponsored Kidnapping](#)

[North Carolina Man Records Call with Social Worker Asking Him to Date Her to Get His Kids Back](#)

If you are new to the topic of “medical kidnapping” or kidnapping of any kind by State funded social workers, you might be tempted to wonder why North Carolina has such a horrible problem of corruption and of kidnapping children based on these reports.

However, this goes on in all 50 states within the U.S., and since we have been reporting on these horrible stories since 2014, North Carolina might not even make our top 5 in States that have the worst record of abusing children and kidnapping them.

And now with the current COVID-19 government response, this problem could get a lot worse, as states have even more reasons to take children away from their parents and [traffick them through the foster care system](#). See:

**[If Your Child Tests Positive for COVID will They be Removed from your Home? Washington Hires More CPS Workers to Prepare](#)**