

**STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
SOCIAL SERVICES DIVISION
CHILD WELFARE SERVICES BRANCH
REFERRAL TO FAMILY COURT**

Date: March 20, 2018

TO: Honorable Judge: B. Costa
ATTN: Court Officer: G. Enoki

Family Court, First Circuit
4675 Kapolei Parkway
587 Court Unit (aka Special Services Unit)
Kapolei, Hawaii 96707

FC-S No.: 17-00295
DOB: 07/12/2005

RE: Josiyah Willis
Azriel Willis
Zxavian Willis
Jeszale Willis
Aaniah Willis
Devraj Willis

11/28/2006
12/14/2007
02/10/2009
07/31/2010
02/28/2012

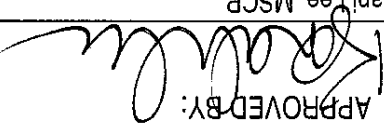
Indian Child: Yes No

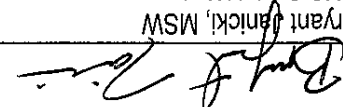
FROM: West Oahu Child Welfare Services Unit 4

Transmitted Herewith:

- | | | | | | | | |
|----|-------------------------------------|---|-----------------------------|---------------------------------|---|--------------------------------|--------------------------|
| 1. | <input type="checkbox"/> | Petition for: | <input type="checkbox"/> | Temporary Foster Custody | <input type="checkbox"/> | Legal Guardianship | <input type="checkbox"/> |
| 2. | <input type="checkbox"/> | Motion for: | <input type="checkbox"/> | Review | <input type="checkbox"/> | Legal Custody | <input type="checkbox"/> |
| 3. | <input type="checkbox"/> | Review hearing: | Date: <u>March 20, 2018</u> | Time: <u>0830</u> | Judge: <u>B. Costa</u> | Termination of Parental Rights | <input type="checkbox"/> |
| 4. | <input type="checkbox"/> | Review under PL 96-272: | <input type="checkbox"/> | 18 months | Review date: | Protective Supervision | <input type="checkbox"/> |
| 5. | <input type="checkbox"/> | Potential IV-E Child (AFDC-FC): | <input type="checkbox"/> | Safe Family Home Report, dated: | Service Plan dated: | Other, Specify: | <input type="checkbox"/> |
| 6. | <input type="checkbox"/> | Case Plan: | <input type="checkbox"/> | Permanent Plan dated: | Other: <u>Short Report to Court; Solano, California Court Order; Ms. Molinares' Facebook post; Ms. Molinares' print out of case law</u> | | <input type="checkbox"/> |
| 7. | <input type="checkbox"/> | A copy of the notice of hearing letter sent to the foster parents on: | | | | | <input type="checkbox"/> |
| 8. | <input checked="" type="checkbox"/> | Other: <u>Short Report to Court; Solano, California Court Order; Ms. Molinares' Facebook post; Ms. Molinares' print out of case law</u> | | | | | <input type="checkbox"/> |

APPROVED BY:


Kepuanani Lee, MSCP
WOCWSU4 Supervisor


Bryant Janicki, MSW
Phone Number: 692-7885
DHS Social Worker

For Deputy Attorney General's Use Only:

Signature of Deputy Attorney General _____
Date _____

Attachments: File Review

cc: DAG, Lianne Onishi; GAL, Nicole Cummings; Mother, Jessica Molinares; Mother's Atty. T.C. Kim; Father, Donzale Willis; Father's Atty. Tom Hala; SW

Child Protective Service is a specialized child welfare service that is time limited. It is not intended to address all of the family's problems, but rather to resolve the most critical problem(s) that will reduce the risk of further harm to the child.

Confidential Report of the
Department of Human Services

**IN THE FAMILY COURT OF THE FIRST CIRCUIT
 STATE OF HAWAII**

IN THE INTEREST OF:

- () Josiyah Willis
- () **Born on:** July 12, 2005
- () Azriel Willis
- () **Born on:** November 28, 2006
- () Zxavian Willis
- () **Born on:** December 12, 2007
- () Jeszale Willis
- () **Born on:** February 10, 2009
- () Aaniah Willis
- () **Born on:** July 31, 2010
- () Devraj Willis
- () **Born on:** February 28, 2012

FC-S No: 17-00295

SAFE FAMILY HOME REPORT

March 19, 2018

This is a status report to be read in conjunction with all other reports previously submitted in this case. This is in regards to HRS 583A-204 subsection D.

At approximately 1400 Hours on 03/15/18, the Willis children were returned to father, Donzale Willis' care at the Honolulu International Airport. The family's flight departed Hawaii for California at approximately 1455 Hours. Father reported he and the children arrived safely in California. Father stated the children are doing well and he is in the process of getting them enrolled into school. On 03/19/18, DHS Supervisor called Salinas County, California Child Protective Services to inform them about the case and Salinas County Law Enforcement to do a wellness check on the children.

Prior to returning children to father:

On 02/02/18, 02/09/18, 02/15/18, 03/02/18, 03/09/18, and 03/14/18 this DHS worker and Supervisor informed and updated mother, Jessica Molinaras and resource caregiver, Brandi Burgess with the travel plans for the children to return to California per the Court Orders. Mother and Ms. Burgess appeared to be cooperative with DHS, but at the same time were seeking legal counsel to stop the children from being sent to California.

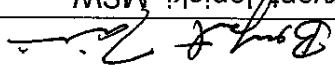
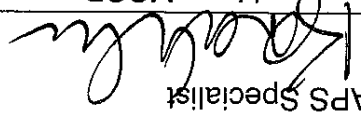
Throughout the phone conversations and an office visit, mother and Ms. Burgess were upset with the situation, but gave no indication that they would be uncooperative. On 03/14/18, this worker called mother with the final arrangements for the children. After some resistance on the phone, mother stated she would have the children ready for transport on 03/15/18.

At approximately 11:15 Hours on 03/15/18, this DHS worker and other DHS staff members went to the resource caregiver, Ms. Burgess' home (also mother's residence) to pick up the children and transport them to the airport. Ms. Burgess, mother, and children were not home; this worker called mother, and she stated the children were at school (Nanaikapono Elementary School and Nanaikul High/Intermediate School). Upon arriving at Nanaikapono Elementary School, mother, Ms. Burgess, and two other individuals began video recording the events that took place at the school; mother and Ms. Burgess became resistant to the transport of the children. Immediately, this worker called HPD for assistance and supplied the school administration with the Court Orders to transport the children. Nanaikapono Elementary and Nanaikul High/Intermediate Schools' personnel were very professional and helpful in getting the children into the DHS vehicles. After the HPD officers validated that DHS had the appropriate paperwork to take the children, DHS began to leave campus with the children. Mother and Ms. Burgess interfered with the transport of the children causing a scene at Nanaikapono Elementary School and then they posted the events on social media.

While the children were in the vehicles with DHS staff, the children became upset due to mother and Ms. Burgess' behavior. According to the DHS staff members who had a chance to interview the children in the vehicles while waiting to leave school grounds, reported that the children's statements appeared to be rehearsed as they continuously repeated the same lines over and over again. The children also reported that mother told them to run if HPD officers tried to take them away from her.

The DHS has executed the Court Orders and are withdrawing their Petition. Hawaii has no jurisdiction over this matter, as California has exclusive jurisdiction of this case. This is a custody dispute between the parents and the DHS does not need to be involved with this family.

Respectfully submitted by

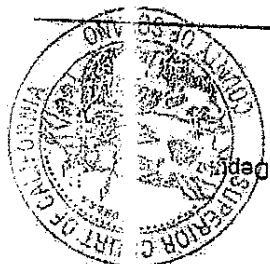
 Bryant Janicki, MSW C/APS Specialist	_____ Date 03/19/2018
 Kepuanani Lee, MSCP WOCWSU 4 Supervisor	_____ Date 3/19/18

FINDINGS AND ORDER AFTER HEARING
 (Family Law—Custody and Support—Uniform Parentage)

SIGNATURE OF ATTORNEY FOR PETITIONER/PLAINTIFF RESPONDENT/DEFENDANT OTHER PARTY

Date: June 12, 2017
 Approved as conforming to court order.

GARY T. ICHIKAWA
 JUDICIAL OFFICER



9. This matter is continued for further hearing on (date):
 on the following issues:
8. All other issues are reserved until further order of court.
7. Other orders: As attached Not applicable
6. Attorney's fees As attached on form FL-346 Other Not applicable
5. Property orders: As attached on form FL-344 Other Not applicable
4. Spousal or family support: As attached on form FL-343 Other Not applicable
3. Child support: As attached on form FL-342 Other Not applicable
2. Custody and visitation/parenting time: As attached on form FL-341 Other Not applicable

THE COURT ORDERS

** 2/7/17 FL-300 Petitioner; 3/13/17 FL-320 Respondent;
 3/16/2017 FL-300 Petitioner

- a. Petitioner/plaintiff present
 b. Respondent/defendant present
 c. Other party present
- On the order to show cause, notice of motion or request for order filed (date): **
 by (name):
 Attorney present (name):
 Attorney present (name):
 Attorney present (name):

1. This proceeding was heard on (date): 06/12/2017 by Judge (name): GARY T. ICHIKAWA at (time): 2:00 p.m. in Dept.: 14 Room: 201
 Temporary Judge

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SOLANO STREET ADDRESS: 600 Union Avenue MAILING ADDRESS: Hall of Justice CITY AND ZIP CODE: Fairfield, CA 94533 BRANCH NAME: Family Law Division ATTEND JUN 12 2017 Clerk of the Superior Court of the State of California is and for the County of Solano DEPT. CLERK FFL145636	
TELEPHONE NO.: 600 Union Avenue Fairfield, CA 94533	FAX NO. (optional): E-MAIL ADDRESS (optional): ATTORNEY FOR (Name): ATTY. COMMUNIS
FILED 2017 JUN 12 12:40:20	FOR COURT USE ONLY FL-340

1. For clarity and ease of writing, Petitioner and Requesting Party Jessica Molinares shall be referred to as "Mother," and Respondent and Responding Party Donzale Willis shall be referred to as "Father."

2. The court finds that Mother has abducted the children of parties by removing them from the State of California and relocating them to the State of Hawaii.

a. Mother violated restraining orders by removing them from the State of California and relocating them to the State of Hawaii. She violated orders of this court by failing to return the children to the custody of Father.

b. She obtained temporary custody of the children by misusing the judicial system when she alleged that Father committed domestic violence on her. The instant court has conducted two evidentiary hearings and denied both of her requests for domestic violence restraining orders. The court ordered that she surrender custody of the children to Father. She has not obeyed that order.

c. The criminal charge of felony assault alleged to have been committed by Father on Mother was dismissed by a different judge in case FCR327557 following an evidentiary hearing (preliminary hearing). The district attorney was invited to the misdemeanor charges but as of the date of this order, has not done so.

d. Mother removed the children from their schools and preschools and fled the state with them. Three of the children are special needs children and receive individualized

supportive services as a part of their educational plans. Mother is believed to be in the company of Brandy Burgess. Father has a restraining order against Ms. Burgess. The restraining order requires that she have no contact with the minor children of the parties. A copy of the order is attached to this order. Father has a certified copy that he can present upon demand.

3. THE COURT ORDERS:

1 a. This order is effective immediately, and must be read in conjunction with the judicial

2 council form orders to which it is attached.

3 b. Father is awarded sole legal and physical custody of all of the children. Mother is
4 awarded no visitation until she submits herself to the jurisdiction of this court and
5 requests orders.

6 c. Mother shall immediately surrender custody of the children to Father and any
7 governmental agency from any jurisdiction assisting Father to obtain custody of the

8 children.

9 d. The court directs Father to the Solano County District Attorney's Office for assistance
10 in serving this order on Mother, obtaining custody of the children, enforcing this order

11 in other states, and any other assistance reasonable under the circumstances.

12 e. The court directs any law enforcement agency contacted by Father to provide
13 reasonable assistance in serving this order on Mother, obtaining custody of the

14 children, and otherwise enforcing this order.

15 It is so ordered.

16 [Judge's Signature on Judicial Council Form]

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WE NEED YOUR HELP!

My name is Jessica Molinares and these are my six wonderful kids Josiyah, Azriel, Zxavian, Jesszale, Aa'Niah, De'Vraj.

On Wednesday March 21, 2018 I will hopefully be ending a challenging chapter of my life, as I fight for full custody of my children from their abusive and spiteful father. However, before we're allowed our court date, Child Protective Services thinks it's necessary to take my kids and deliver them to their abusive father. This is the man that caused them all to be diagnosed with PTSD due to his abuse and neglect.

Why is this necessary at all when we're just seven days away from our custody battle?

None of this should even be possible, because the

children's legal advocate did confirm the abuse he's inflicted, but because of jurisdiction issues the report was never properly made. Add onto this that we weren't given any proper notice of this retrieval and the fact they have dismissed every legal process I've put in place to prevent this. I've had restraining orders overturned and documents showing that I had the legal authority to bring my kids here to Hawaii. I hope you can understand why I am starting to lose faith with the system and am in need your help to protect my kids.

Tomorrow, on March 15th, 2018, at 11:00 AM four CPS workers intend to come to my home and collect my six special needs kids, and separate them into two cars, and taking them to the airport where their father will be waiting. Even if I was remotely okay with them taking my kids, this process will aggravate their disabilities and cause them much emotional trauma. I've repeated this to them over and over, but again I'm just being dismissed.

I refuse to trust my children's safety to a system that continues to outright ignore their cries and pleas, but I can't do this alone. We need your help!

I need people willing to stand peacefully with me in front of my children's schools and refuse these CPS workers access to my kids. I'm hoping with community support and some media attention that my children's voices will finally be heard!

I am asking for help to support me in my fight to ensure the safety of my children. Please help me to stop CPS's active support of the man who is an abuser and criminal, the man who has already caused them to be diagnosed with PTSD, the man who is not thinking about the children's best interest, but is instead trying to do all he can to spite & prevent me from securing their safety.

Please join us, your support would mean everything to us!!

When: 10:00AM

Where: Because the kids are split in two schools we'll be starting at NANAKULLI INTERMEDIATE & HIGH SCHOOL 89-980 Nanakuili Ave., Waianae, HI and then walking to NANAKAPONO ELEMENTARY SCHOOL 89-153 Mano Ave., Waianae, HI, where my other children will be.

Please contact me for any questions or more details
Jessica Molinares (808)-367-0848

What: All we're asking is for people to show up and show your support and to bring as many willing and able people. The support we've received since calling Hawaii home has filled our hearts with hope and we just all hope for just a bit more as we head into the final leg of the last 14 years of my life.

Thank you from the bottom of our hearts,

Jessica Molinares and the Willis6

