

**Testimony of Jessica Lenahan
Inter-American Commission on Human Rights
October 22, 2008**

My name is Jessica Lenahan. My former married name was Jessica Gonzales. I am deeply grateful to the Inter-American Commission on Human Rights for hearing my case and giving me another opportunity to speak here today.

In March 2007, I appeared for the first time before this Commission. I told you how in 1999, Simon Gonzales violated a restraining order given to me by a Colorado court and kidnapped my three daughters. In that restraining order, a judge concluded that there was a risk to my own and my children's safety if its terms were not followed. The restraining order specifically directed the police to arrest Simon if he violated it. I also told you how the police basically ignored the restraining order. I called and met with the Castle Rock police NINE times over a ten hour period. I begged them to find my daughters, bring them to safety, and arrest Simon. I told you how my cries for help fell on deaf ears. As I spent the night in a total panic, the police went to dinner, looked for a lost dog, and had 3 officers tending to a routine traffic stop. The safety of my girls seemed to be the last thing on their minds.

I described to you the final horror of that night, when at 3:30 in the morning, I learned that my girls had been murdered and that Simon had been killed in a shootout with the police. My girls' bodies were found in Simon's pickup truck, which had been sprayed with police bullets. Afterward, I was detained in a room for 12 hours and interrogated by the police and other Colorado authorities, as if I had played a role in my babies' deaths.

The truck Simon was driving was destroyed just weeks after the tragedy. When I asked to identify my daughters' bodies several times before the funeral, the authorities refused. I was treated like a criminal rather than a mother living through her worst nightmare. I felt so deceived. I had grown up thinking that my government was bound by laws and that it was fair and just, but all of a sudden, Castle Rock was turning its back on me and my family.

As I told this Commission in March 2007, everyone – the media, the coroner, the District Attorney's office – officially concluded that Simon had killed the girls, but no one ever gave me proof of this. All I know is that their bodies contained multiple bullet wounds of different sizes, shot at different angles. Were those bullets from Simon's gun, or the police officers' guns, or both? There has been no accountability for the totally inadequate investigation into my daughters' deaths.

I turned to the U.S. courts to seek justice, to hold the police accountable for illegally ignoring and demeaning me and my children in our time of need. But in 2005, the U.S. Supreme Court threw out my case. The Court denied me a fair trial and the justice of revealing the truth of my tragedy. And in silencing me, the Court also sent a message to police officers all over this country that they can ignore their responsibilities to enforce restraining orders, and that they can get away with it. I fear that this means that women and children with restraining orders are now more vulnerable to violence. A restraining order isn't worth the paper it's printed on if the police won't enforce it.

The years after the tragedy have been hell.

After the girls' deaths, I was treated like a leper in my community. I went from being victimized by Simon to being victimized by Colorado and Castle Rock. Doors were slammed in my face when I sought to find out what happened that night. I still don't know the truth. It is totally paralyzing. Sometimes the pain overwhelms me, and I have to step away from my own life just to be able to cope.

But every day I face the reality that my daughters are truly gone. Forever.

Sometimes I wonder: what would Becca, Katheryn, and Leslie be doing if they were alive today? I am stuck with the thought that Katheryn would have graduated high school this year.

I lost three children that night, my son lost his three sisters, and my parents lost their three grandchildren. We have all had to live with that loss, as well as the pressures that the tragedy has placed on our own relationships and lives.

My brave mother Tina Rivera and son Jessie Rivera sit here with us today. Their strength and support have made these years bearable. Thank you, both of you, for being here for me when state was not.

The fact that I still do not know what happened is why I am here. I deserve answers, and I deserve to know the truth.

I want to know who killed my daughters. Where did they die? And when did they die? I want to know why the police ignored my calls for help. I've been asking these questions for 9 years. How long will it take me to discover the truth?

I know that I cannot go back and undo that night. Nothing will ever replace the emptiness that I feel when I remember my three girls and the great lives they might have lived. Nothing can bring my daughters back to life.

What I can do, however, is be a voice for the voiceless---for women who are promised protection in America, and then denied it the moment they are in danger.

As a Latina and Native woman, as a mother, and as a domestic violence survivor, I ask this Commission to hold the U.S. government, the State of Colorado, and the Town of Castle Rock accountable for violating my human rights.

I want the federal government to put more time and resources into ensuring that domestic violence victims receive the protection they need, by creating accountability mechanisms for law enforcement so that no other mother will be left asking the same questions I am. I want to see police departments improve their training programs on how to deal with domestic violence so that no other child will die so traumatically or elsewhere face the same tragic indifference from the police that I did. I want to see local and state governments improve their victim assistance programs so that domestic violence victims have the resources to become financially, emotionally, and physically independent.

Police must be required to enforce domestic violence restraining orders or else those orders are meaningless and give a false sense of security. When the police fail in their duties, and when the courts refuse to provide remedies, victims of domestic violence are the ones who pay the price.

If there is anything that the last nine years has taught me, it is this: The systems in this country that have been put in place to protect domestic violence victims aren't working. They need to be fixed. Our system is broken, and I have paid the price for its flaws. Domestic violence survivors deserve a voice and have a right to rely on the guarantees that government makes to protect them.

I brought this case with the hope that I could help change the system and make things safer for women and their children. This month – October – is Domestic Violence Awareness Month in the United States. I hope my presence here today raises awareness about the severity of domestic violence crimes and the fact that law enforcement all over the country – in my case, Colorado – is not protecting victims. I want to bring a message to women like myself that there is a better future, and that we can work together to create much-needed change.