

**Statement of Jessica Lenahan for Inter-American Commission on Human Rights (total 15 min, reading), March 2, 2007**

Hello, my name is Jessica Lenahan. My former married name was Jessica Gonzales. I am grateful to the Inter-American Commission on Human Rights for allowing me this opportunity to tell my story. It is a courtesy I was not granted by the judicial system of my home country, the United States. I brought this petition because I want to prevent the kind of tragedy my little girls and my entire family suffered from happening to other families.

Let me start from the beginning. I am a Latina and Native American woman from Pueblo, Colorado. I met my previous husband, Simon Gonzales, while still in high school. I married Simon in 1990 and we moved to Castle Rock, Colorado in 1998. We lived together with our three children – Rebecca, Katheryn, and Leslie – and my son Jessie, from a previous relationship.

Throughout our relationship, Simon was erratic and abusive toward me and our children. By 1994, he was distancing himself from us and becoming more and more controlling, unpredictable, and violent. He would break the children's toys and other belongings, harshly discipline the children, threaten to kidnap them, drive recklessly, exhibit suicidal behavior, and verbally, physically, and sexually abuse me. He was heavily involved with drugs.

Simon's frightening and destructive behavior got worse and worse as the years went by. One time I walked into the garage, and he was hanging there with a noose around his neck, with the children watching. I had to hold the rope away from his neck while my daughter Leslie called the police.

Simon and I separated in 1999 when my daughters were 9, 8, and 6. But he continued scaring us. He would stalk me inside and outside my house, at my job, and on the phone at all hours of the day and night.

On May 21, 1999, a Colorado court granted me a temporary restraining order that required Simon to stay at least 100 yards away from me, my home, and the children. The judge told me to keep the order with me at all times, and that the order and Colorado law required the police to arrest Simon if he violated the order. Having this court order relieved some of my anxiety.

But Simon continued to terrorize me and the children even after I got the restraining order. He broke into my house, stole my jewelry, changed the locks on my doors, and loosened my house's water valves, flooding the entire street. I called the Castle Rock Police Department to report these and other violations of the restraining order. The police ignored most of my calls. And when they did respond, they were dismissive of me, and even scolded me for calling them. This concerned me and made me wonder how the police might respond if I had an emergency in the future.

Simon had at least seven run-ins with the police between March and June of 1999. He was ticketed for "road rage" while the girls were in the truck and for trespassing in a private section of the Castle Rock police station and then trying to flee after officers served him with the restraining order.

On June 4, Simon and I appeared in court, and the judge made the restraining order permanent. The new order granted me full custody of Rebecca, Katheryn, and Leslie, and said that Simon could only be with our daughters on alternate weekends and one prearranged dinner visit during the week.

Less than 3 weeks later, Simon violated the restraining order by kidnapping my three daughters from our yard on a day that he wasn't supposed to see the girls. When I discovered they were missing, I immediately called the police, told them that the girls were missing and that I thought Simon had abducted them in violation of a restraining order, and asked them to find my daughters. The dispatcher told me she would send an officer to my house, but no one came.

I waited almost two hours for the police, and then called the station again. Finally two officers came to my house. I showed them the restraining order and explained that it was not Simon's night to see the girls, but that I suspected he had taken them. The officers said, "Well he's their father, it's okay for them to be with him." And I said, "No, it's not okay. There was no prearranged visit for him to have the children tonight." The officers said there was nothing they could do, and told me to call back at 10pm if the children were still not home. I was flustered and scared. Unsure of what else I could say or do to make the officers take me seriously, I agreed to do what they suggested.

Soon afterwards, Simon's girlfriend called me and told me that Simon called her and was threatening to drive off a cliff. She asked me if he had a gun and whether or not he would hurt the children. I began to panic.

I finally reached Simon on his cell phone around 8:30 pm. He told me he was with the girls at an amusement park in Denver, 40 minutes from Castle Rock. I immediately communicated this information to the police. I was shocked when they responded that there was nothing they could do, because Denver was outside of their jurisdiction. I called back and begged them to put out a missing child alert or contact the Denver police, but they refused. The officer told me I needed to take this matter to divorce court, and told me to call back if the children were not home in a few hours. The officer said to me, "At least you know the children are with their father." I felt totally confused and humiliated.

I called the police again and again that night. When I called at 10pm, the dispatcher said to me that I was being "a little ridiculous making us freak out and thinking the kids are gone." Even at that late hour, the police were still scolding me and not acknowledging that three children were missing, not recognizing my repeated descriptions of the girls and the truck.

By midnight, I decided to take things into my own hands. I went to Simon's apartment. He wasn't there, so I called the police again. I could hardly believe it when, *seven hours after my first call to the police*, the dispatcher asked me how many girls were missing and what their ages were. The dispatcher promised to send out an officer, but no one ever arrived. Fighting panic and frustration, I drove to the police station and told yet another officer about the restraining order and that the girls had been gone for seven hours. After I left, that Officer went to a two-hour dinner and never contacted me again.

I asked the police for help nine separate times that night – two times in person and seven times on the phone. The police continued to ignore my cries for help.

At 3:25 a.m., Simon's girlfriend called me to tell me that she had been on the phone with Simon when she heard shooting, and that she believed he and the girls were dead. I couldn't believe what she was telling me. I later learned that Simon had driven up to the Castle Rock Police station at 3:20 a.m. and opened fire with a semi-automatic handgun he had purchased

earlier that evening, after he had abducted the children. The police returned fire, spraying the truck with bullets. After Simon was killed, they searched his truck and found the bodies of my three little girls inside. I was told that Simon had killed them earlier that evening.

After hearing about the shooting, I drove to the police station. As I attempted to approach Simon's truck, I was taken away by the police and then to the local sheriff's office. Officials refused to give me any information about whether the girls were alive. They ignored my pleas to see my girls. The experience revictimized me all over again. They detained me in a room for 12 hours and interrogated me throughout the early morning hours, as if I had a role in the children's deaths. They refused to let me see or call my family. It was absolutely the most traumatic, horrific, and exhausting experience of my life!

The media knew my girls were dead before my family or I did. I was finally told by state officials around 8am that Simon had murdered the girls before he arrived at the police station. However, I never learned any other details about how, when, and where the girls died. I continue to seek this information to this day. I need to know the truth.

Several family members and I asked the authorities to identify the girls' bodies, but we were not permitted to view their bodies until six days later – when they lay in their caskets. My daughters' death certificates and the coroners' reports state no place, date, or time of death. It saddened me not to be able to put this information on their gravestones.

The authorities also never let my family and I examine Simon's truck. They disposed of the truck within three weeks of the girls' death. I have yet to read any investigation into my girls' deaths. Castle Rock has denied my request for this information. I don't believe it exists.

I also never received an explanation for why Simon was approved in the FBI's background check system when he went to purchase the gun that night. Under federal law, gun dealers can't sell guns to people subject to domestic violence restraining orders.

Today, nearly eight years after my tragedy, I continue to seek a thorough investigation into my babies' deaths. I see nothing being done in Castle

Rock or nationwide to make police accountable to domestic violence victims. It's like rubbing salt in my wounds.

So why did the police ignore my calls for help? Was it because I was a woman? A victim of domestic violence? A Latina? Because the police were just plain lazy? I continue to seek answers to these questions.

We rely on the courts and the police for protection against violence. But I learned from my tragedy that the police have no accountability. The safety of my children was of such little consequence that the police took no action to protect my babies. If our government won't protect us, we should know that. We should know that we are on our own when our lives are at risk.

Had I known that the police would do nothing to locate Rebecca, Katheryn, and Leslie or enforce my restraining order, I would have taken the situation into my own hands by looking for my children with my family and friends. I might have even bought a gun to protect us from Simon's terror. Perhaps if I had taken these measures, I would have averted this tragedy. But then I might be imprisoned right now. That is the dilemma for abused women in the United States.

This tragedy has devastated my life. After the girls' deaths, I was treated like a leper in my community. My co-workers told me that I did something to deserve what happened to me, that I filed the lawsuit because I was money-hungry, and that I would hurt them as taxpayers. People I didn't even know would walk up to me, point their finger at me, and say "you're *that* mother." The tragedy also damaged my relationship with my son, my family, and my friends. I have moved away from Colorado to try to escape the painful memories. I've left my old job and founded an organization called the Three Peas Foundation in my three daughters' memory. I've lost all faith in my government, in the law, and in humanity. I suffer many health problems that are directly related to the stress and grief from losing my girls. My psychologist says that the trauma of having my three daughters killed and my problems with the legal system have impacted me in ALL areas of my life, especially psychologically and physically.

I brought a lawsuit against the Castle Rock Police Department in the U.S. courts and pursued it to the highest court in the land, the U.S. Supreme Court. The Court found that I had no right to expect the protective order to

be enforced by the police, denied me the right to go to trial and tell my story, and dismissed the case.

I brought this petition to the Inter-American Commission on Human Rights because I have been denied justice in the United States. It's too late for Rebecca, Katheryn, and Leslie but it's not too late to create good law and policies for others. Police have to be required to enforce restraining orders or else these orders are meaningless and give a false sense of security. We need to hold the U.S. government accountable.

I can't lose three children and not do something about it. This is the only way I know to make that right. All I can do is give this my best, to try to change the system, to make the world a little bit safer.