

Good afternoon. My name is Hera McLeod. Ten years ago, my 15-month-old son Prince McLeod was drowned on the fourth unsupervised visit with his father. Many who hear about my custody case are quick to dismiss it as “the extreme example”, but I assure you that in the last ten years since I’ve been studying and advocating for Family court reform – I’ve seen a very common thread running through cases (particularly those where children are in danger). Judges don’t have the training required to properly assess cases that involve elements of Domestic Violence and Child Abuse.

And if you don’t believe my words – let’s take a quick look at what the judge in my case said:

“I’m in Family Law because I have to be. It’s a required 18-month rotation. I don’t like it. And if I could choose not to do it, I would not do it. And it’s for these kinds of cases.”

“Let me tell you what I conclude this case is not about - it’s a lot of smoke, it’s a lot of smoke. Well, there’s a lot of smoke. The difficulty is that with all that smoke I can’t see clearly. I don’t have the answers. I don’t have any superior knowledge beyond anybody else. What I do know is I’m going to make the decision based upon the law and based upon the testimony that I’ve heard in court and based upon what I think, right or wrong, is in the best interest of this child.”

Unfortunately for my son, what this judge thought – because he didn’t have access to the superior knowledge he referenced (which this bill addresses) – wasn’t in the best interest of my son. He sentenced my son to death, because of his assumptions – bias – and a lack of knowledge of how to properly assess a case that involved Domestic Violence and Child Abuse.

This same judge told me that for my son’s case to reach the threshold of a “Child in Need of Action – CINA” case – he’d have to come home to me with cigarette burns on his back.

My son came home to me in a body bag. I’ll never forget the moments I had with Prince before I closed his casket for the last time. I told him I was sorry that I couldn’t protect him – that I knew he wasn’t the first child this happened to – but that I would make it my life’s purpose to help ensure he’d be one of the last. That the next child whose life rested in the hands of the court – that child would be saved.

I’m asking you all to take a step that those before you were unwilling to take to protect the children who will come next. SB 17 doesn’t fix everything that’s wrong with Family Court or our justice system, but it’s a necessary step that would give our judges the tools required to make the right decision – the decision that would save the children who come next.