

TIME LINE FOR GRADY
Amended Dates in Indictment:
November 8,1999—April 26,2000
Location Named in the Indictment:
3391 East 66th Street
Cleveland, Ohio

1998

July 1998 - June 1999

- > Grady lived with Faith and children at: 3391 East 66th Street, Cleveland, Ohio > **This is the location named in the indictment**

1999

June 6,1999

- > Grady, Faith, and children moved to:
5319 Mound Street, Cleveland, Ohio

October, 1999

- > Faith left Grady and the children
- > Grady and children spoke to Social Worker Ms. Washington at the Red Cross

October 24,1999

- > house on Mound Street burned down

October 31,1999

- »• Grady placed children at Providence House until he found housing for children

November 3,1999

- » Providence House called Grady to get permission to take Kristen to Emergency Room > Grady took Kristen himself to St. Michael's. There was a crayon in her ear. She was treated and released.

November 10,1999

- > Home visit with Grady, Faith, and 4 children
- * Providence House Notes: Good Visit

November 14,1999

- *• Home visit with Grady, Faith, 4 children and grandparents '> Providence House Notes: Went well

November 21,1999

- > Home Visit with 4 children

November 22,1999

- »• Social Worker, Carmen Santiago walked in on Kristen fondling herself with a comb on "private back area" > Carmen:
"I asked her what she was doing" > Kristen:
"nothing" She said nothing further

November 24,1999

- »• 4 children discharged into Grady and Faith's custody
- > Providence House Notes: Father has found stable housing for his family. County currently involved. >
Family moved to:
3624 East 54th Street, Cleveland, Ohio

Late November, 1999

- > Michelle Payee, CFS, came to the house as is protocol after children are in Providence House >• Grady and Faith reported to her that Kristen told them about how a worker named Joyce abused Kristen, Aaron, and Ryan
- * Michelle Payee said everything seemed fine in the household >
No follow-up

Remainder of 1999

- > Children remained in Grady's custody until April 27, 2000

2000

April 24, 2000

- * Faith taken away by police after Faith hit Grady with car

April 27,2000

- > Grady brought 3 youngest children, Katelyn, Aaron, and Kristen went to Providence House due to concerns of domestic violence by his wife in the home

May 7,2000

- > Social Worker Elizabeth Vincent noticed a bump on Aaron's penis with puss coming out of it
- * Aaron taken to Metro hospital and tested for STD's
- > Tests came back negative
- > Faith picked up by police after altercation with Grady at their home

May 10- May 14

- * On one of these dates, Ryan was taken to Geauga County Hospital

May 17,2000

- > CPO granted against Faith in Domestic Relations court

May 18, 2000

- * Emergency staff meeting called by Child and Family Services at Jane Edna House regarding allegations of physical abuse raised by the children (not sexual abuse)
- > Parties Present:
 - > Grady/Faith/Grady's mother and father/Lauren/Hillary (Grady's younger sister)/Jocelyn Johnstone (Social Worker)/Barbara Mumin (Supervisor)
- > Children and Family Services gained custody of children
- > Ryan went into the custody of Lauren on this date

Between May 18 - June 6, 2000

- > Paternal aunt, Lauren Mierjewski, took temporary custody of 4 children > Ryan-5/18/00 > Katelyn, Kristen, and Aaron- 6/6/00
- * Lauren took children to Southpointe Meridia because they had the chicken pox

June, 2000

- > Visitation by Grady and Faith approved by Child and Family Services

June 14, 2000

- > 4 children taken out of Lauren's care and placed in custody in Toledo > Lauren told Shawna (Faith's sister) that she wanted to adopt children > 2 boys were placed in one foster family, 2 girls with another

July 2000

- > Grady visits children at Metzenbaum Center

September 12,2000

- > Child and Family Services case plan, which included information about lack of sexual abuse in the family, was accepted by Magistrate Peter Murray
- > Faith and Grady pled guilty to abuse and neglect charge (told by the prosecutor that pleading guilty would get their case going faster)

September 26, 2000

- > Kristen and Katelyn examined at the Adolescent Clinic at Mercy Hospital
- > Kristen's allegations of sexual abuse contradicted by the fact that the hymen is intact, and the fact that she was touched with a Q-tip on the hymen and labia and stated she had never been touched there before. Also, Kristen called her private parts "buddy," but in the exam, she referred to them as private parts.

October 19, 2000

- > visitation of children by Grady and Faith terminated after allegations of sexual abuse arose for the first time after Kristen and Katelyn were examined on September 26, 2000

November 7, 2000

- > Ryan and Aaron examined at St. Vincent Mercy Medical Center. > Ryan spoke of sexual abuse, but also made statements that did not make sense, such as "Daddy put his penis in my penis."

NOTES

June 1998 -January 1999. Please note that in June 1998, when I voluntarily moved out of my home, it was I who contacted Children's and Family Services for help because my wife and her friend were physically abusing/neglecting our children. It was only after my wife was arrested and posted bond that she and the same friend went down to Children's and Family Services and told them the lies that I was physically abusing her and the children. My wife did this out of revenge for her being arrested (later pleading guilty to domestic violence). During my wife's criminal arraignment, the judge (Perk) issued a criminal protection order against my wife, ordering her to stay away from the children and me. Right after the children and I found a new home (3391 East 66th Street), my wife learned through her attorney where we lived and sent Children's Services to my new home. They conducted a rigorous investigation (this was the same address the police used 2 years later when filing a report of alleged sex offenses). Children's Services started this investigation in late July 1998, and ended it in January 1999 with no findings of any abuses. The case was closed, and a letter was mailed to my wife and I stating the agency was closing the child abuse case because of "unsubstantiated" findings.

October 24,1999. Another domestic violence incident occurred, and my wife violently left. After I went to the hospital for injuries, police were called and a complaint filed. The police and prosecutor eventually did nothing to have my wife arrested. The next day, upon returning home from the prosecutor's office, I found my home on fire. The American Red Cross got involved, and was made aware of the domestic violence. They recommended that I place my children at the Providence House Shelter until I could find new housing.

October 31,1999. My sister Lauren Miercejewski and I transported the children to Providence House Shelter; and the shelter's director, Cassandra Sharp, took the intake information. We informed her of the domestic violence situation, and she assured us that the children would be safe. I eventually found new housing 3 days before Thanksgiving. Upon taking the children out of the shelter, they complained of abuse by a childcare giver named Joyce. I immediately called the Child Abuse Hotline and reported the abuse, and had my children checked at Metro Health Medical Center - they were ok.

April 24, 2000. My wife had found her way back into our lives right around Thanksgiving. For the next couple of months all was peaceful at my home - until the evening of April 24 when an argument emptied between my wife and myself, resulting in two of my sons and I being assaulted by her. She again left home, kidnapping our youngest son. She was apprehended by police, but they would not arrest her (like before); they returned my son and told her to leave. My wife was

eventually arrested again, for another domestic violence incident, in front of my home at 3624 East 54th Street on May 7, 2000.

Late April 2000. After my wife was arrested, she was straight-out released from jail, pending indictments on felony assaults and felony domestic violence. MY WIFE HAD OUR UTILITIES SHUT OFF, and I soon accepted that I could no longer protect my children. I had to contact the Providence House Shelter again (I couldn't get help anywhere else); and they took all the children except my oldest son Ryan, who was too old for their facility. Consequently, Ryan and I were 'on our own' and had to leave the county to get help. We ended up in a shelter in Geauga County, 40 miles southeast of Cleveland. I contacted Children's Services in Cleveland, to let them know what was going on; and apparently my wife had already pulled the same stunt as in the summer of 1998, telling them lies of abuse - and this time sexual abuse. Cleveland Children's Services contacted Geauga Children's Services; and the police came to the shelter, questioned me and Ryan, and left. I immediately went back to Cleveland and found an attorney who helped me file for a Domestic Violence Civil Protection Order.

May 17, 2000. The Civil Domestic Violence Protection/ Custodian Order was granted for 3 years, making me permanent custodian of the children - and ordering my wife to keep away from the children and me. I made prior arrangements with a men-with-children-of-domestic-violence shelter out in Lancaster, California, the only people who wanted to help. They agreed to help me, provided I could verify the above protection order. Before the children and I were able to leave, I got a call from a social worker asking me to come down to the office. Suspecting nothing, I went to the office to learn they had made a telephone ex-parte hearing behind my back and the children were being removed from my custody. My wife was responsible for this, too, having made false statements against me for child abuse and sex abuse. The sex abuse was never formally brought up until after Juvenile Court closed an adjudication case against my wife and I in September 2000. At the time of the removal of my children, Children's Services documentation said it was because of domestic violence and alleged child abuse (physical) and neglect. In fact, it was their own case plan that completely ruled out sexual abuse.

May 21, 2000. My wife and I were dragged through the adjudication process at the juvenile courts. I was appointed legal counsel, and my wife's father hired a less-than-perfect civil attorney from his Masonic lodge. Both attorneys rarely attended the hearings with me and my wife. Visitation orders were handed down, giving us supervised visitation rights at a local children's home (Metzenbaum). Meanwhile, my sister Lauren Miercejewski assumed temporary custody of the children (June 2000), but because of the stress returned the children to county behind my back. The children were then placed in specialized foster care in Toledo, Ohio, in late June 2000. Children's Services failed to notify me of the children's new placement for

weeks. I had to file many complaints at the Cuyahoga County Ombudsman's Office (Ms. Washington) because of misconduct and dereliction of duty of the caseworkers and supervisors. They would not return any of my calls (hundreds), and would not help me with the referrals needed to complete the case plan objectives they had laid down. It was like they never wanted me to succeed getting my children home. When visiting my children at the Children's Home in July 2000, I found them glad to see me but very stressed. Ryan and Kristen kept telling me how their foster parents were abusing them physically, that they were forcing them to stay in the house, not allowing them outside to play. When I asked them how they were being abused, they showed me rug burns on their elbows and stomachs; saying how the foster parents were slamming them on the floor when they did something wrong. I immediately reported this abuse to an on-call caseworker at the home. She said it would be investigated, but it never was.

July 2000. The foster parents claimed that the children supposedly walked up to them one day and said that - not only me - but my wife and her entire family had brutally raped them. They claimed that my children were displaying bizarre sexualized behaviors (never before witnessed by anyone when the children were in Cleveland). Granted, before the children left my sister's for Toledo, they were emotionally traumatized due to the ongoing pandemonium - the assaults on them by my wife, the jumping around from one home to another, being torn away from the only people and environment they had ever known, being placed 104 miles from their home. (Ryan and Kristen had been diagnosed with Attention Deficit Disorder by our family doctor many years before.) If the judge and prosecutor would have allowed my attorneys the right to produce entire medical records from Cleveland, it would have shot down the state's allegations against me. At trial two of the key prosecution witnesses admitted they were given only 'choice' medical documents to use in their prosecution of me. The exculpatory evidence was denied by the trial judge; my attorneys argued and lost.

Pretrial, April-June 2001. My court-appointed attorney, Richard Agopian, found huge discrepancies in the dates of the alleged offenses (as listed in the indictments) and contradictions and inconsistencies in the children's and caretakers' hearsay statements. Once the prosecutor learned that I was nowhere around my children from June 1, 2000 to July 1, 2000, he was permitted to change the dates by 9 months. Even then, I did not have the children in my care as they were at the Providence House Shelter when we had the fire to our home in November 2000. Agopian protested, saying that changing the dates was extremely unconstitutional and that my rights to due process were being violated. The judge quickly permitted the prosecutor a bill of particulars (change of offense dates), in which the new dates were again contradictory - this time with the children's physical exams where no abuse was ever found.

Please note - during the trial I saw 3 Cleveland Police reports generated by Detective Sherlyn Howard of the Sex Crimes Unit. She never testified at the trial, but her reports contained the initial allegations - giving conflicting dates and addresses. We did live at those addresses but not at the times given on the reports (utility bills and rent receipts prove that we lived elsewhere).

Notwithstanding the fact that the Children's Services investigations of 1998 - 1999, in the same time frame as that of the police reports, revealed nothing. The biggest enigma is that the police reports were written as though they were taken fresh off a crime scene - if so, why wasn't anyone arrested at the time, on the dates and at the addresses listed in the reports? At the time the police report alleges to have taken detailed statements of the children, they were younger and unable to speak in sentences. My attorneys said it wasn't worth fighting these points. Something about it just doesn't add up.