

Testimony Before the Senate Standing Committees on Judiciary, and Children & Families

Presented by: Olesya Lek

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Honorable Kenan Kurt, Chief of Staff & Counsel, Senate Standing Committee on Judiciary,
Honorable James Ostaszewski, Counsel & Legislative Director, Senate Standing Committee on
Children & Families,

Esteemed members of the Committees,

I come before you today, driven by a mother's love and a journey through despair that has ignited a passion for legal advocacy within me. My experience navigating the family court system, seeking a just outcome for my daughter, Susan Lek, now 8 years old, has been a testament to a system that, in its delays and opacity, often fails those it intends to protect.

My case (number 3009100/2019) remains unresolved since October 18, 2021, the date when a post-trial memorandum was filed with the court. An interim decision, once seen as a beacon of hope on January 13, 2020, has now become a distant memory. At that time, Susan was a young child of 5; now, she is approaching her ninth year. Her formative years are fleeting, overshadowed by a legal cloud of uncertainty, leaving her future hanging in the balance.

Faced with a mother's greatest fear—helplessness—I have been propelled down an unexpected path: pursuing a legal education. This decision was born out of a dire need to advocate for families, to bring about change in a system where, all too often, the wheels of justice grind too slowly for the swift timeline of childhood.

It became evident to me that the intense love and commitment a parent has for their child's well-being, though paramount, are not always sufficient within the confines of our current legal framework. This is especially true when the system shows deficiencies in efficiently processing cases with the urgency they require, particularly those involving the futures of our children.

Therefore, I stand before you to advocate for vital reforms:

1. The establishment of protocols for regular, mandated reviews of ongoing cases, ensuring that none, especially those concerning the welfare of children, are left stagnant due to procedural bottlenecks.
2. A requirement for consistent communication on case advancements, reasons for delays, and clear, projected timelines, granting families the right to necessary information and the ability to plan their lives.
3. The prioritization of cases involving children, with an enforced standard for swift and compassionate judgment centered around the child's best interests and holistic well-being.

The pursuit of a legal degree out of helplessness signifies more than personal growth; it underscores the desperate measures parents are forced to consider when the systems of protection falter. We trust in these systems to recognize and respond to the gravity of our children's situations—to understand that while justice delayed could be justice denied, for our children, **it translates to childhood denied.**

I urge this esteemed body to harness its legislative power to reform the facets of our judicial system that have left countless parents feeling powerless and children, like my Susan, stranded in uncertainty. It is imperative to remember that the best interest of the child standard loses its significance without the structure to ensure its timely execution.

Your dedication to justice and the sanctity of childhood is both acknowledged and deeply appreciated. Today, I appeal for transformative action that reaffirms these values and protects our children's right to a stable, unperturbed childhood.

In closing, I wish to underscore the gravity of the situation by sharing a harrowing list of children whose lives were tragically cut short in New York State alone due to failures in the family court system:

- Ella Vitalis (1) Blunt force trauma killed by her parents Brooklyn 2023
- Iazia Zanoor (2) – Stabbed to death by father. Suffolk, July 2023.
- Eleanor Carey (3 mos) – Shot to death by father with a crossbow. Broome, June 2023.
- Ava Wood (14) – Shot by father in murder-suicide. Onondaga, Jan. 2023.
- Zachary Merdy (7) – Drowned by mother. Kings, Sept. 2022.
- Liliana Merdy (4) – Drowned by mother. Kings, Sept. 2022.
- Oliver Bondarev (3 mos) - Drowned by mother. Kings, Sept. 2022.
- Jace Eubanks (4) – Killed by blunt force trauma by his mother’s boyfriend. Kings, Sept. 2021.
- Julissia Batties (7) – Killed by blunt force trauma while in custody of abusive mother. Bronx, Aug. 2021.
- Olivia Patchin (5) – Killed by mother who leapt off building with her in murder-suicide. Kings, Jan. 2021.
- Thomas Valva (8) – Father and his girlfriend suffocated and left him in freezing garage. Suffolk, Jan. 2020.
- Abaynesh Schlecht Tedla (5) – Killed by father, slit throat in murder-suicide. New York, Nov. 2019.
- Ari Ase (8) – Carbon monox. by mother in murder-suicide. Onondaga, July 2019.
- Maya Ase (7) – Carbon monox. by mother in murder-suicide. Onondaga, July 2019.
- John Savage (3) – Carbon monox. by mother in murder-suicide. Onondaga, July 2019.
- Ivan Walker (2) – Drowned by father. Staten Island, June 2019.
- Elia Walker (3) – Drowned by father. Staten Island, June 2019.
- Autumn Coleman/ “Zoey Pereira” (3) – Burned in car by father in att. murder-suicide. Queens, May 2019.
- Jovani Ligurgo (2) – Shot to death by father in murder-suicide. Suffolk, June 2018.

- Vincent Nicolai (7) – Pushed off building by mother in murder-suicide. Manhattan, May 2018.
- Gabriella Maria Boyd (2) – Stabbed to death by mother. Westchester, Apr. 2018.
- Gabrielle White (7) – Suffocated by father. Westchester, June 2017.
- Victoria Brooks (18) – Stabbed to death by father. Monroe, Nov. 2016.
- Kyra Franchetti (2) – Shot to death by father in murder-suicide. Nassau, July 2016.
- Deanna Hochman (13) – Shot to death by father in murder-suicide. Westchester, Feb. 2015.
- Alissa Hochman (18) – Shot to death by father in murder-suicide. Westchester, Feb. 2015.
- Gabriella Collins (6) – Carbon monox. by father. Onondaga, Aug. 2014.
- Jerry Kenmoe (8) – Strangled to death by father in murder-suicide. Queens, June 2014.
- Kirill Kanarikov (3) – Thrown off high-rise by father in murder-suicide. Manhattan, Dec. 2013.
- Allison Oney (3) – Shot to death by father in murder-suicide. Broome, May 2012.
- Jesse James Smith (15 mos) – Blunt force trauma by father. Warren, Feb. 2012.
- Jason “Jake” Reish (4) – Strangled to death by mother. Westchester, Oct. 2012.
- Noel Parcels (10) – Shot to death by father in murder-suicide. Warren, Sept. 2011.
- Mia Parcels (3) – Shot to death by father in murder-suicide. Warren, Sept. 2011.
- Molly Friedlander (10) – Shot to death by father. Westchester, Oct. 2011.
- Gregory Friedlander (8) – Shot to death by father. Westchester, Oct. 2011.
- Ameen Washington (3) – Drowned by father. Onondaga, Nov. 2011.
- Lauren Belius (6) – Stabbed to death by mother’s boyfriend. Oneida, July 2011.
- Hunter Resch (7) – Shot by father in murder-suicide. Monroe, Feb. 2010.
- Khaliff Hankerson (5) – Shot to death by father in murder-suicide. Columbia, Apr. 2010.
- Xavier Ashline (3 mos) – Stabbed to death by father. Steuben, June 2010.
- Jewell Brewer (6) – Drowned by mother. Nassau, Feb. 2008.
- Michael Brewer (5) – Drowned by mother. Nassau, Feb. 2008.
- Demesyieux Brewer (18 mos) – Drowned by mother. Nassau, Feb. 2008¹.

Each name represents a life lost and a family forever shattered. These cases are a clarion call for reform, urging us to take swift and decisive action to prevent further tragedies.

Respectfully submitted,
Olesya Lek

¹ www.centerforjudicialexcellence.org