

APPENDIX D

STATEMENT BY LESLIE HAGAN

I am a victim of abuse and discrimination by judges and courts in the United States. My human rights have been violated by judges, both as an individual in my own litigation, and as a human rights advocate. My litigation has been subjected to unconstitutional due process in the courts and I have received injustice. I have been subjected to punishment and defamation and intimidation and coercion by judges because of my opposition to abuse and human rights violations. I confirm from personal experience and from witnessing the abuses of other litigants for about a decade that what Mr. Hazari reports is true and correct.

For almost a decade, I have assisted disabled and sick litigants to cope and oppose their abuse and discrimination by various courts. The problem is very serious and affects many individuals and their families. These human rights violations are not the same as the human rights violations that the United Nations normally involves itself with. These human rights violations are very real, very potent, they have a crippling and traumatic effect on human lives that last a lifetime. Each victim reaches a point of having to give up pursuing justice, and to have to accept the abuse and injustice being done to them. They want to never deal with the courts again. Their trauma and their fear is so powerful that they do not want to talk about their cruel, inhuman and degrading treatment.

One judge took me into her chambers and explained that the problem of judicial abuse and human rights violations of disabled litigants is a very serious problem. She explained that without my advocacy, she would have punished the disabled party and given adverse rulings, which the customary administration of justice requires. She interviewed me to learn about the experience of the disabled pro se litigant and listened attentively. She encouraged me to advocate for disabled and sick litigants. She had perceived that disabled litigants get injured by the legal process and felt this is cruel and inhuman and degrading, and acknowledged that they can easily end up being treated unjustly and punished by a court. She felt that this must be prevented and it could not be done by the litigant. She said that I am doing an important job, and explained that there should be ADA certified disability advocates available in every court to ensure that every judge accommodates every invisibly disabled pro se litigant. She confirmed to me that the justice system is not designed to give access to disabled litigants especially invisibly disabled persons, whose disability is not discernible.

My explanation to the judge was based on my training as an ADA certified disability advocate by Karin Huffer. I explained that invisibly disabled pro se litigants shut down and go into survival mode when they are abused by the superior force of a judge. They go into a constantly reactive state and are not able to function like a normal litigant, so they become mentally 'absent from the proceedings'.

These litigants have subtle visible symptoms that result from the inner turmoil and overwhelming reactions from their abuse that control their inner experience and their minds. Their treatment by courts results in stress disorder and post-traumatic stress injury which is a form of physical traumatic brain injury which can be seen on a SPECT scan for example. I explained that every trauma-related neuropathway can be re-activated by a triggering event that then keeps the survivor in a constant reactive state. This results in them being unable to cope and become much more psychologically and functionally impaired, without showing any visible signs such as changes in skin color. I explained that they cannot function or participate, but no one can perceive this unless you are trained to understand how stress and Legal Abuse Syndrome (ICD Code Z65.3) affects a disabled person. Such a person quickly perceives that justice is 'not blind' but is cruel, unfair, unkind, disrespectful, and accusatory to the disabled pro se litigant and that "lies prevail". I confirmed that what the litigant perceives is what I have personally experienced and it has helped me greatly to perceive it in others.

I explained to the judge that disabled pro se litigants are triggered by the cruel, inhuman and degrading treatment of judges and denial of accommodation based on memory of their past abuse by the judge. I explained that once they suffer from traumatic brain injury caused by their cruel, inhuman and degrading

treatment by the judge, they are compromised. They become symptomatic from many types of events, and when they are symptomatic, they cannot participate in litigation. I explained that routine events in litigation can be debilitating, and make them symptomatic, such as receiving emails, or just opening the inbox to check emails, traveling to court, receiving information from attorneys. They have lost trust in attorneys' ethics and in the judge's neutrality, which is proven more and more true as the litigation proceeds and they receive more cruel, inhuman and degrading treatment. They have a deep sense of man's inhumanity to man. They start to receive fines and punishment for being unable to participate, and this reinforces their feelings and beliefs about the court. I explained that a disability advocate has to understand and look for the symptoms of emotional stress, how they affect the specific person and to anticipate how their participation in the court will be affected.

I explained to the judge that such a litigant loses quality of life, and loses their health due to their cruel, inhuman and degrading treatment by judges. The job of an advocate becomes increasingly hard as disability accommodation is denied or is not meaningful, and the litigation goes on for a long time.

Such litigants are also stigmatized by the perceptions of others and their anticipation of the perception of the public about being characterized by the judge as doing something wrong. They become more easily overwhelmed, agitated, frustrated, moody, and feel desperate, and feel they are losing control or need to take control, which they cannot. They cannot relax and have difficulty quieting their mind and concentrating. They feel increasingly bad about themselves, lonely, worthless and depressed. They develop very low self-esteem, and try to avoid others as much as possible and be left alone. They have physical symptoms, the common ones being low energy, headaches, upset stomach, diarrhea, constipation, nausea. They have aches and pains and tense muscles, chest pains and rapid heartbeat, high blood pressure. They develop insomnia, get frequent colds and infections. Commonly they lose sexual desire and ability. They develop increasing nervousness and shaking, ringing in their ears, cold and sweaty hands, dry mouth, and clench their jaws and grind their teeth.

This psychological 'torture' keeps repeating in the court, because no judge wants to know or understand the experience of the disabled pro se litigant, and they operate with unconscious bias and discriminate, and become resentful if criticized for doing so. I have witnessed victims with good cases freeze or end up unable to explain their side and suffer prejudice as a result.

I explained to the judge that common cognitive symptoms that are caused by cruel, inhuman and degrading treatment by judges include constant worrying, racing thoughts, forgetfulness and disorganization, inability to focus, poor judgment, and being constantly pessimistic or seeing only the negative side. They also develop behavioral symptoms such as changes in appetite, either not eating or eating too much. They procrastinate and avoid responsibilities. They have increased use of alcohol, drugs or cigarettes. They exhibit more nervous behaviors, such as nail biting, fidgeting, and pacing.

Coping mechanisms are triggered by the disabled litigant's experience of these cognitive and behavioral symptoms that accompany the loss of health and the traumatic brain injuries caused by their cruel, inhuman and degrading treatment by the court. They go into survival mode and may resort to coping by fight, flight, freeze, or fawn which results in their being misjudged further.

What I have seen again and again in the courts is that the disabled pro se litigant is psychologically tortured by the court. They cannot withdraw from the litigation without serious harm. They cannot fail to appear without punishment, or the risk of contempt or being forced to come to the court. They cannot fail to do what the judge expects, and because they cannot do what the judge expects, they are perceived as disobeying and being uncooperative or not having a good case. They cannot complain about their treatment because their complaint increases their torture. The stakes are very high for them, and almost always they are punished, badly damaged and receive injustice, and end up with lifelong trauma.

All these elements contribute to their inability to participate in the legal process. Courts exclude them from their own litigation, and the judge will accuse them and conclude things in the record that are completely false and do not represent the truth about the disabled litigant. These litigants can even lose

the support of friends and family who don't understand what is going on. I explained to the judge that these factors damage the mental function and the emotions of the disabled pro se litigant so much as to make litigation impossible without compassion and understanding by the judge and I thanked her for being such a judge.

I wish to disclose privately the information that I have that concerns my litigation and also the cruel, inhuman and degrading treatment of other victims whom I have assisted to stop their abuse by judges who have discriminated against them and punished them and delivered injustice to them. If there is a pathway for remedies available through this channel, some of the victims may choose to also testify. I do not wish to write their personal information in this submission, but can discuss some of the information confidentially. More victims may come forward if they become aware that there is actually a way to change the legal system to stop the discrimination and the torture of disabled litigants.

The information that I can provide confirms what Mr. Hazari is reporting on our behalf and gives a larger perspective on this pervasive and significant human rights problem in the courts.

I certify that what I have stated is true and correct.

5 December 2024

A handwritten signature in blue ink that reads "Leslie Hagan" followed by "A.P.R." in smaller letters.

Leslie Hagan