

Dr. Farbman, not myself.

Q. Understood. Is it correct to say that in terms of what Ms. Belford also reported is that she had been medicated with Xanax on and off since childhood for panic attacks?

A. Yes.

Q. Was that said to you or to

Dr. Farbman?

A. Both.

MR. IBRIHAM: Thank you very much, sir.

THE WITNESS: You're welcome.

BY MR. BOSTIC:

Q. Let me start with the self report incident that Mr. Ibriham Gonzalez asked you about. Is it your testimony that that was not personally reported to you?

A. Yes.

Q. Okay. Isn't it true that Dr. Farbman only did the psychological testing, administered the testing that you talked about earlier this morning?

A. Part of his process is also to interview the person that's being tested.

1 Q. So there will be a separate  
2 interview by Dr. Farbman documenting the self  
3 reported child abuse?

4 A. Well, let me --

5 Q. No, answer my question, please,  
6 then you can explain.

7 A. Well, I have a concern about the  
8 way you're -- the language that you're using in  
9 your question, if I may, Your Honor.

10 THE COURT: Was there an interview  
11 separate and apart from the test?

12 THE WITNESS: Yes.

13 THE COURT: Was that conducted by  
14 Dr. Farbman?

15 THE WITNESS: Yes.

16 THE COURT: All right. Proceed.

17 MR. BOSTIC: Thank you.

18 BY MR. BOSTIC:

19 Q. Now, in your report, that's noted  
20 in your report; is that correct, your report  
21 concerning Christine Belford?

22 A. It's noted in the report that's  
23 coauthored by myself and Dr. Farbman that  
24 Christine Belford expressed concern that based

1 on an incident that took place in a  
2 pediatrician's office that she had concerns  
3 about a report of child abuse. She was not  
4 admitting to child abuse.

5 Q. Okay.

6 MR. BOSTIC: If I may approach,  
7 Your Honor. Defense Exhibit 188. Counsel, I  
8 think you guys have a copy of this. If I may  
9 approach.

10 THE COURT: You may, Mr. Bostic.

11 BY MR. BOSTIC:

12 Q. Sir, I have handed you what's  
13 marked as Defense Exhibit 188. Can you identify  
14 that for the record, please?

15 A. Yes. This is a narrative report  
16 summarizing the interview and test data that was  
17 performed by Dr. Farbman.

18 Q. Now, in that report, would you  
19 read into the record the sentence starting with  
20 "she" and end with "abuse"?

21 MR. WEEDE: Your Honor, objection.

22 THE COURT: Basis?

23 MR. WEEDE: Hearsay. That's not  
24 his statement.

1 MR. BOSTIC: Your Honor,  
2 Dr. Romirowsky indicated this is his and  
3 Dr. Farbman's report.

4 Q. And let me do it this way. Would  
5 you turn to the last page of that document, sir.  
6 Do you see it?

7 A. Yes.

8 MR. BOSTIC: Your Honor, I would  
9 move for Exhibit 188 to be admitted to the  
10 record for limited purposes.

11 MR. WEEDE: Your Honor, I'm going  
12 to object to that. There is all kinds of other  
13 statements in it. If he's using it -- may I  
14 have a side-bar, please?

15 THE COURT: You may. Let me  
16 inquire the witness. Doctor, in terms of doing  
17 evaluations like this, I take it you interview  
18 different people; correct?

19 THE WITNESS: Yes.

20 THE COURT: You consult different  
21 sources of information; correct?

22 THE WITNESS: Yes.

23 THE COURT: And you use those  
24 sources of information as the basis of the

1 report that you write; is that correct?

2 THE WITNESS: Well, in this  
3 particular case the report that you're referring  
4 to or that Mr. Bostic is referring to only  
5 refers to an interview between Christine Belford  
6 and Dr. Irwin Farbman, no other collateral  
7 sources of information, so it's an interview  
8 with Farbman, and test results.

9 THE COURT: And it's all from  
10 Ms. Belford? In other words, when you say -- is  
11 the only source of information here Ms. Belford  
12 and the test results?

13 THE WITNESS: Yes.

14 THE COURT: I'm going to overrule  
15 the objection, Mr. Weede.

16 You may proceed, Mr. Bostic.

17 BY MR. BOSTIC:

18 Q. Now, would you pull up Defense  
19 Exhibit 188. And would you highlight for me,  
20 please, the line she spoke of an incident to  
21 abuse. It's in the first paragraph, second  
22 sentence. I'm sorry, the third paragraph under  
23 general behavior. I guess the line she spoke of  
24 an incident, the second line there to abuse.

1 Would you read that out loud for the jury, sir?

2 A. "She spoke of an incident  
3 occurring in the office of her 2 3/4 year old  
4 daughter's Lee's pediatrician that led to a risk  
5 that she would be charged with child abuse."

6 Q. Let me stop you there. You talk  
7 about your methodical way of conducting these  
8 forensic evaluations earlier; is that correct?

9 A. Yes.

10 Q. Now, you can pull that down.

11 Now, wouldn't it be fair to say  
12 that prior to signing this report, you read the  
13 contents of the report?

14 A. Sure.

15 Q. And it would be fair to say that  
16 you were well aware of that statement?

17 A. Yes.

18 Q. Now, with respect to your  
19 methodology, during your interviews and  
20 conversations with Christine Belford, you never  
21 further explored that statement within the  
22 context of the report, Defense Exhibit 188?

23 A. Correct.

24 Q. And neither did you attempt to

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So this  
statement  
was never  
further  
investigated  
like all  
the rest.

1 X talk to Dr. Blalock, did you?

2 A. No.

3 Q. Now, with respect to your  
4 interviews with the government, you had two  
5 separate interviews with the government in  
6 connection with this case, in connection -- I'm  
7 sorry, my apologies.

8 With respect to the interviews  
9 that you had with the government related to this  
10 case, I believe there were two separate ones?

11 A. To two separate interviews with  
12 the government.

13 Q. Yes.

14 Mr. Ibriham Gonzalez started to  
15 ask you about this. With respect to the first  
16 interview, how long were you talking to the  
17 government and the case agent in this case, how  
18 long was that interview?

19 A. I don't recall specifically. I  
20 could ballpark it at around a couple of hours.

21 Q. Okay. A couple of hours. Two to  
22 four hours, would that be fair to say?

23 A. I think that's an exaggeration. I  
24 think it would be a couple of hours.

1 Q. Two hours, then. Two. Okay.

2 Let's go with two.

3 A. Approximately.

4 Q. During the course of that  
5 interview, you made a misstatement to the  
6 government regarding when you told them that  
7 Christine Belford give David initially legal and  
8 sole custody of the children. You made a  
9 misstatement in connection with telling them  
10 that during your first interview?

11 A. I don't think I understand what  
12 the misstatement is that you're referring to.

13 Q. Let me rephrase it. You met with  
14 the government on June 4th, 2015; is that  
15 correct?

16 A. I don't recall the date.

17 Q. But prior to that meeting, you met  
18 with them in April of 2014, also, or sometime in  
19 2014?

20 A. I don't recall specifically.

21 Q. Do you remember meeting with them  
22 in 2014?

23 A. Not specifically.

24 Q. Okay. Do you remember in the



1 second meeting with the government, whenever  
2 that took place, informing the government that  
3 you noted at the time of the custody hearing you  
4 said that Christine said that David, the  
5 children to go live with David Matusiewicz, by  
6 that you added this that Christine did not say,  
7 but you added that she said until she could find  
8 appropriate housing. Do you remember saying  
9 that to the government on 20 -- I'm sorry, on --  
10 sometime this year?

11 A. You're asking me if she reported  
12 to me or I reported to the government?

13 Q. You reported to the government  
14 something that Christine Belford did not tell  
15 you, the piece being that she said the children  
16 should live with David, but only until she could  
17 find appropriate housing, until she could find  
18 appropriate housing, that was something that you  
19 told the government that Christine never said to  
20 you?

21 A. No, that's an accurate statement.

22 Q. That's an accurate statement?

23 Okay.

24 Let me -- that's an accurate

1 statement. I'll leave it.

2 Now, before I walk away, let me  
3 ask you from that inquiry, I'm going to ask you  
4 whether if you recall, if you recall when you  
5 met with the government in the two meetings that  
6 we talked about, whether Special Agent Joseph  
7 Gordon from the FBI was present, this gentleman  
8 right there?

9 A. Was he ever present in a meeting?

10 Q. Was he present in the meetings  
11 that you had with the government, the two  
12 meetings we talked about?

13 A. I believe he was present. He was  
14 definitely present at the first, and I don't  
15 recall about the second.

16 Q. Okay. Now, during your testimony  
17 earlier, you talk about multi-personality  
18 disorder, and I think you referred to it also as  
19 dissociative -- help me out here?

20 A. Dissociative identity disorder.

21 Q. Dissociative identity disorder.

22 Is that generally lumped under the context of  
23 personality disorder?

24 A. I'm not really sure how the DSM-V,

1 which is the new compendium of all mental  
2 disorders classifies it, under which category.  
3 It's not a specific personality disorder.

4 Q. It's not a specific personality  
5 disorder? But it would be classified in the  
6 medical, the DMS --

7 A. DSM.

8 Q. DSM-V; correct?

9 A. Correct.

10 Q. And during your interviews and  
11 meetings with Christine back regarding the  
12 evaluation that took place sometime in 2006, you  
13 noted in your report that you had concerns about  
14 whether or not -- let me find it in your report  
15 -- whether Chris had indications of infantile  
16 alcohol syndrome, I think it's page two of your  
17 report, the second to last paragraph?

18 MR. WEEDE: Your Honor, I don't  
19 have page two of the report. I have what  
20 appears to be a search warrant affidavit on the  
21 second page.

22 MR. BOSTIC: My apologies. I'll  
23 get you a copy.

24 MR. WEEDE: Your Honor, I would

1 just ask to make sure the witness has a copy of  
2 page two, as well.

3 THE COURT: I think Mr. Bostic was  
4 just searching for an affidavit stuck in the  
5 report. We actually do have a complete report  
6 just with an additional superfluous page.

7 MR. BOSTIC: Your Honor, we move  
8 to withdraw that.

9 THE COURT: We'll sort that out  
10 later, Mr. Bostic. Go ahead.

11 BY MR. BOSTIC:

12 Q. Do you see where I'm talking  
13 about?

14 A. I do, yes. I think you're  
15 referencing to a description of Christine  
16 Belford's mother.

17 Q. Cristine Belford's mother, so you  
18 were talking about the mother, not Christine  
19 herself, is that what you're saying?

20 A. What I'm saying is -- well, why  
21 don't ask you the question --

22 Q. Let's -- can you pull up the real  
23 page two. Would the real page two please stand  
24 up. The real page two of Dr. Romirowsky's

1 report. Exhibit 188. And as we're getting that  
2 done, you referred to Christine Belford as Chris  
3 in the context of your report, 188; is that  
4 correct?

5 A. Yes.

6 Q. So let's turn to the second to the  
7 last paragraph, if you can pull it up. And can  
8 you read aloud that entire paragraph. And I'm  
9 sorry, the entire first two sentences of that  
10 paragraph, beginning with Chris' mother and  
11 ending with alcohol syndrome?

12 A. "Chris' mother is 59 years old.

13 She had been drinking during the entire  
14 pregnancy with Chris and Chris was born with low  
15 birth weight. But there were other indications  
16 of an infantile alcohol syndrome."

17 Q. You just told me that you thought  
18 you were talking about Christine's mother when  
19 you wrote that paragraph, but that was  
20 incorrect, you were talking about Christine  
21 Belford?

22 A. I was talking about -- I thought  
23 you were asking the question about who was the  
24 alleged person drinking, that was the mother.

1 My answer is that and I'm acknowledging that  
2 Christine reported that because her mother had  
3 been drinking during the pregnancy that led to  
4 Christine's own birth, that I wrote what I  
5 wrote. That there were indications that  
6 Christine was reporting that she had been born  
7 with low birth weight, and other indications of  
8 an infantile alcohol syndrome.

9 Q. Are you saying to the ladies and  
10 gentlemen of the jury that you thought when I  
11 asked you about whether there was indication  
12 that Christine may have been suffering from  
13 infantile alcohol syndrome, that you believe I  
14 was talking about whether or not the mother  
15 suffered from that diagnosis?

16 A. No, I think we have clarified  
17 that, and I apologize if I created any confusion  
18 that Christine reported about herself, and  
19 that's what the report reflects.

20 Q. And in your report, the infantile  
21 alcohol syndrome reference is to Christine  
22 Belford, not her mother?

23 A. Yes.

24 Q. Okay. Now, you would agree with

me, would you not, that children -- let me strike that and go back.

Did you get any records or investigate further with Christine Belford or her mother or anyone else about what could, in fact, be a severe medical or diagnoses that could impact upon other actions or behaviors of Christine Belford?

Doesn't  
a  
psychologist  
or  
forensic  
psychologist  
investigate  
collateral  
resources to  
properly diagnose

A. I don't believe I had obtained any medical records.

Q. Okay. And you would agree with me that a person who is exposed to a lot of alcohol in the womb and who may suffer from infantile alcohol syndrome, also is likely to develop additional problems such as other mental health diseases?

A. That's a possibility.

Q. And one of the possibilities is personality disorder, am I not correct?

A. Personality disorders are --

Q. Answer my question first. Is one of the possibilities that the person who suffers from infantile alcohol syndrome may also suffer from a related mental health disease in the

1 category of personality disorder?

2 A. I think that's a possibility.

3 Q. Okay.

4 A. It's typically --

5 Q. You answered my question?

6 A. I didn't complete my answer.

7 Q. You want to complete it?

8 A. I do.

9 Q. Go ahead.

10 A. It's typically understood that  
11 personality disorders are what are called  
12 characterological disorders, that they are not  
13 biochemically determined, but are rather based  
14 on childhood experiences.

15 Q. Would personality disorders  
16 include anxiety?

17 A. No.

18 Q. Let me ask you this. Would it be  
19 fair to say also that a child who or a person  
20 who suffers from infantile alcoholic syndrome  
21 could also develop bipolar later on in life?

22 A. There are two separate categories,  
23 there is not a correlation between -- first of  
24 all, there is no formal proof that she's ever



1 been diagnosed as having had -- this is a self  
2 report, not a medical diagnosis, number one.

3 Secondly, there is no specific  
4 correlation that I'm aware of between anyone who  
5 has, in fact, been diagnosed with infantile  
6 alcohol syndrome that they go on to later  
7 develop bipolar disorder.

8 Q. As part of your continuing  
9 education, you stay abreast of developments in  
10 the field; am I correct?

11 A. You are correct.

12 Q. And --

13 MR. BOSTIC: If I may have a  
14 moment, Your Honor?

15 THE COURT: You may.

16 Members of the jury, we're talking  
17 about stray exhibits, one Saturday I was working  
18 getting ready for a trial without a paralegal  
19 and I happened to staple my child's art project  
20 in the middle of the exhibit, so it found its  
21 way into evidence. It just goes to show you the  
22 dangers of a lawyer operating a copy machine  
23 without professional assistance.

24 MR. BOSTIC: May I approach, Your

1 Honor.

2 THE COURT: You may.

3 BY MR. BOSTIC:

4 Q. Dr. Romirowsky, I have handed you  
5 what's marked for identification purposes,  
6 Defense Exhibit Number 347. You can take this  
7 down.

8 Can you look at that document  
9 briefly and I'm going to ask you some questions  
10 as to the nature of the publication and the  
11 agency involved before I go any further with it.  
12 Maybe I can move this forward because I see  
13 you're trying to read the entire document.  
14 Right now if you go to the bottom of the first  
15 page, Defense Exhibit 347, would it be fair to  
16 say that this is a publication from the US  
17 Department of Health and Human Services?

18 A. Yes.

19 Q. Substance Abuse Mental Health  
20 Services Administration?

21 A. Yes.

22 Q. And would it be fair to say that  
23 in the -- I believe the -- I'm sorry, under the  
24 section that talks about which disorders occur

with FASD, and do you understand what FASD is right?

A. I do.

Q. Tell the jury what it is?

A. Fetal alcohol spectrum disorder.

Q. Okay. And if you go down this document, would you agree with me that one of the disorders that may concur with fetal alcohol syndrome disorder is bipolar disorder?

A. Yes.

Q. Okay. Now --

A. Just to be clear, it is saying can occur, not caused by. It's an important distinction.

Q. Did I at any time in that series of questions to you say that FASD causes bipolar?

A. I'm just clarifying.

Q. Would you answer my question, please, and answer my questions directly? Thank you.

Now, during the -- you testified earlier that you were hired by David Matusiewicz; is that right?

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A. Yes.

Q. In connection with the custody hearing?

A. Yes.

Q. And in fact -- strike this.

You know the attorney Berkowitz that was handling the case at that time for David Matusiewicz when you were hired?

A. I do know Mr. Berkowitz.

Q. And you and Mr. Berkowitz are pretty good friends?

A. We have a professional relationship in the sense that he and I are both involved in custody actions from time to time.

Q. And Mr. Berkowitz had hired you on several other occasions in the past before he requested that you get involved in the custody hearing matter?

A. I suppose. I don't recall specifically how many or when.

Q. And at some point before you completed preparation of this report, David and Mr. Berkowitz separated, Mr. Berkowitz was replaced as counsel?

we were told by one of David's other lawyers that Attorney Berkowitz + Dr. Romirowsky had the type of "friendly professional" relationship of "I'll scratch your back if you'll scratch mine" and that the replacement of Attorney Berkowitz absolutely affected the opinion of Dr. Romirowsky in the custody evaluation.

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A. Yes.

Q. Now, after you completed the custody matter and you testified or whatever, and after the custody was over, without --

MR. BOSTIC: Your Honor, may I see the court at side-bar very briefly.

THE COURT: You may.

(Side-bar discussion:)

MR. BOSTIC: Your Honor, I have a couple of questions for this witness about how long did he maintain a relationship with Christine Belford after he completed the work in the child custody matter, and most of it occurred during the time that the kids were missing.

THE COURT: Right.

MR. BOSTIC: I do not intend to open the door, I'm not going to ask him about that, but I wanted to let the Court know that so if any counsel have any concerns right now we can work it out.

THE COURT: The proffer is I'm going to ask him is it true that you maintained contact with Christine Belford even after your

1 professional commitments were met?

2 MR. BOSTIC: Right.

3 THE COURT: Anything other than  
4 that?

5 MR. BOSTIC: And I think that's  
6 probably where -- that's all I will do with  
7 that.

8 MR. McCALL: Can I talk to  
9 Mr. Weede for a minute?

10 MR. WEEDE: Just to the extent  
11 that I could have what I would proffer is that,  
12 I mean, I get to ask on redirect, what was the  
13 context of those conversations and what was  
14 said.

15 MR. McCALL: So there is not a  
16 false impression that there was some sort of  
17 social contact, there is a context to the  
18 contact.

19 MR. BOSTIC: The context, the  
20 contact from my perspective, Your Honor, is that  
21 Christine reached out to Samuel Romirowsky to  
22 talk about the kidnapping and perhaps some of  
23 her experience while the kids were missing. And  
24 the reason I'm asking to get that in is that we

1 expect to present Dr. Otto who will talk about  
2 the fact that Dr. Romirowsky maintained an  
3 inappropriate relationship with Christine  
4 Belford in terms of -- not in terms of client  
5 or -- a relationship which likely  
6 contraindicates the testimony as before as well  
7 as Dr. Otto is going to say he's compromised and  
8 I'm going to ask the court to allow me to argue  
9 that during the closing that his testimony,  
10 Dr. Romirowsky's testimony should be taken in  
11 the context of a professional who is  
12 compromised.

13 THE COURT: Without reaching the  
14 issue about that and how that all needs to be  
15 played out, we're talking about an extrinsic  
16 attack on the witness. Given the fact that the  
17 witness is a professional, I need to parse that  
18 out. I'm not expressing any views on that at  
19 the moment, but I will say this to Mr. Bostic,  
20 that is I think if you inquire of the witness  
21 did he maintain contact, it's at least fair for  
22 the government to ask what the contact consist  
23 of. I don't think you can go there and then  
24 handcuff the government from clarifying on

1 redirect.

2 MR. BOSTIC: Your Honor, if I ask  
3 the question then did you have relations with  
4 Christine Belford during the time the children  
5 were kidnapped, would that then open the door to  
6 further discussions?

7 THE COURT: I think the  
8 government's concern is there is an impression  
9 there was something improper with the contact,  
10 the nature of the contact and I think it's fair  
11 on the their end to want to clarify that.

12 MR. BOSTIC: That's fine, Your  
13 Honor.

14 THE COURT: You'll have to make  
15 your tactical judgment about where you want to  
16 go.

17 MR. BOSTIC: So I don't have to  
18 come back to side-bar, I want to also get into  
19 an issue with how he evaluates other -- he talks  
20 about being a forensic psychologist and  
21 \* evaluating individuals. I want to give him a  
22 hypothetical about a situation in which he made  
23 the decision that I believe was also -- you know  
24 what -- I believe that this doctor once



1 recommended to Family Court that a child  
2 pedophile would be allowed to reengage after his  
3 rights were terminated, after his parental  
4 rights were terminated because he sexually  
5 abused one of his daughters, and this individual  
6 was hired by the father for that purpose, and he  
7 testified for the father, rights should be --

I have a copy  
of the case  
they are  
referring to  
here. It  
is a real  
case. I  
will send  
it when I  
come across  
it again.

8 THE COURT: Do I hear an  
9 objection?

10 MR. WEEDE: Yes, there is a strong  
11 objection.

12 THE COURT: I don't think without  
13 relitigating the fact and merits of that case  
14 there would be any way to give any probative  
15 weight to the assessment that Dr. Romirowsky  
16 did, so I will preclude that.

17 MR. BOSTIC: Very well. Thank  
18 you.

19 (End of side-bar.)

20 THE COURT: I notice as soon as  
21 the noise goes off, the conversation comes down.  
22 The good news is we can't hear you, either.

23 MR. BOSTIC: Your Honor, I'm just  
24 about finished.

1 THE COURT: And again, members of  
2 the jury, we're just clarifying evidentiary  
3 points and wise counsel before wading in will do  
4 that, that's the reason that we huddle.

5 BY MR. BOSTIC:

6 Q. You said that you were appointed  
7 by the court on a petition in connection with  
8 the TPR hearing matter, and that you were  
9 actually hired by Ms. Belford to conduct the  
10 evaluation of David Matusiewicz?

11 A. Yes, I believe I was selected -- I  
12 believe that the court order permitted Christine  
13 Belford to choose an evaluator and she chose me.

14 Q. So were you working on behalf of  
15 the court at that point to conduct your  
16 evaluation of David Matusiewicz, or were you  
17 working on Christine's Belford's behalf?

18 A. I'm always working on behalf of  
19 the court, on behalf of the children, really.

20 Q. As you testified earlier, when  
21 you're working on behalf of the court, you share  
22 information back and forth with the parties in  
23 the particular litigation?

24 A. Yes.

1 Q. Now, the communications -- strike  
2 that.

3 You had some communications with  
4 Christine Belford in connection with your  
5 intended testimony at the termination of  
6 parental rights hearing?

7 A. Yes.

8 Q. And it would be fair to say you  
9 never shared those communications with David \*  
10 Matusiewicz?

11 A. Yes.

12 Q. Nor his lawyer?

13 A. Yes.

14 Q. And, in fact, in one of those few  
15 -- strike that.

16 And would it be fair to say that  
17 after your testimony at the termination of  
18 rights hearing, you sent Christine Belford an \*  
19 E-mail asking her how did I do?

20 A. That's true.

21 Q. Did you share that with the court,  
22 that E-mail exchange?

23 A. After the proceeding was  
24 concluded? That was --

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Q. Did you share it with the court?

A. No, the proceeding was concluded.

Q. And you didn't share it earlier with the court either while the proceeding was still going forward?

A. That would be improper.

Q. Is it proper for you to have side conversations with a party to the litigation -- strike that. I withdraw that.

Now, if you can pull back up for me Dr. Romirowsky's report because I want to make certain that we get this fully in. 188. And highlight that paragraph in the general behavior. Just that paragraph.

And with respect to the allegations that Christine told you about that were noticed by Dr. Blalock, do you know whether or not Dr. Blalock referred any charges or filed any complaints against Christine in connection with what he saw and what Christine reported to you?

A. So if I'm to understand your question, you're asking whether -- you're referring to allegations, and I'm not aware that

there were allegations.

Q. Okay.

A. And I'm also -- I'm trying to answer your question. I'm not aware of any report that Dr. Blalock, who is a mandated reporter, made to any agency regarding child abuse.

Q. So you're saying that Christine falsely self reported about the incident?

A. She was a very candid open book if you will, so she talked about the fact that she may have had as an infant this fetal alcohol spectrum disorder. She didn't present any evidence that she was actually ever diagnosed with it. And the response -- we're sort of straddling two issues here.

In the report that you're asking me to take a look at, she was the one that said that she had concerns that there were possible allegations that could be made against her, and she goes on to explain that Dr. Blalock had supposedly withdrawn his criticism over treatment of her daughter and that it was a non-issue.

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1 Q. I just want to make certain that  
2 we're clear, then I'm going to sit down. My  
3 last question to you had nothing to do with  
4 infantile alcoholic syndrome.

5 MR. WEEDE: Your Honor, is there a  
6 question here? I'm asking if there is a  
7 question.

8 MR. BOSTIC: I'm asking a  
9 question.

10 BY MR. BOSTIC:

11 Q. My last question to you,  
12 Dr. Romirowsky, had nothing to do --

13 MR. WEEDE: Your Honor, same  
14 objection.

15 THE COURT: You're going to end  
16 with the question?

17 MR. BOSTIC: Yes, I will end with  
18 "isn't that true", Your Honor. Thank you.

19 BY MR. BOSTIC:

20 Q. My last question to you regarding  
21 the paragraph that is on the screen had nothing  
22 to do with infantile alcoholic syndrome, isn't  
23 that correct?

24 A. Yes.

MR. BOSTIC: Thank you.

THE COURT: Mr. Edelin, we covered you already; correct?

MR. EDELIN: Yes, Your Honor.

THE COURT: Mr. Weede, you may have the floor for redirect.

MR. WEEDE: If I may, I have one issue I would like to discuss with the court at side-bar before I proceed.

THE COURT: But we were just there.

MR. WEEDE: I think the Court will indulge me.

(Side-bar discussion:)

MR. WEEDE: Your Honor, this is the defense exhibit which they admitted over my objection. I would point to page four of that exhibit in which Christine relays all of the allegations related to the PFA and her fear of David. As far as I'm concerned, this is now in evidence and I can go over it with Dr. Romirowsky.

MR. BOSTIC: Your Honor, may I respond?

The govt keeps trying to use the PFA from 2006 against David to show fear, even though according to the transcribed telephone transcripts between Chr's + David Chr's tells David she was NEVER afraid of him.

In my opinion, Christine's fear depended on what audience was listening

1 THE COURT: You may.

2 MR. BOSTIC: I asked the Court to  
3 allow me to admit it in a limited fashion.

4 Obviously --

5 THE COURT: Let Mr. Bostic finish.

6 MR. BOSTIC: Right. In a limited  
7 purpose to deal with a singular issue that does  
8 not relate to --

9 THE COURT: Here is how I'm going  
10 to resolve this. While I don't know that  
11 Mr. Bostic was that specific in his limited  
12 proffer, it was cross-examination of the  
13 government witness who I will add is a very  
14 experienced courtroom witness, not a novice by  
15 any means. For this purposes, I don't think the  
16 government should wade into this.

17 MR. WEEDE: I will if I may, Your  
18 Honor, I just -- the one last point is the  
19 ultimate conclusions of the testing were  
20 certainly brought at issue.

21 MR. BOSTIC: Yes.

22 THE COURT: Okay. Make sure we're

23 --

24 MR. BOSTIC: I read it quickly.



Yes.

MR. WEEDE: Good: Thank you.

(End of side-bar.)

MR. WEEDE: If I may, Your Honor.

THE COURT: You may

REDIRECT EXAMINATION

BY MR. WEEDE:

Q. Dr. Romirowsky, Mr. Bostic referred to you a section in that report in which Christine self reported this issue with the pediatrician's office; correct?

A. Correct.

Q. You mentioned a mandatory reporter, what does that mean?

A. A mandatory reporter by law applies to a variety of professionals that come into contact with children who are required by law to make a report to Child Protective Services, Department of Family Services in Delaware, if they hear from a child something that is suspicious of child abuse, they have to report it. They don't have to reach a conclusion about it, but they have to report it to the appropriate agency to investigate whether

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1 this child has been abused.

2 Q. And to your knowledge was there  
3 ever any report by Dr. Blalock of child abuse  
4 against Ms. Belford?

5 A. Not to my knowledge.

6 Q. Do you even know if Dr. Blalock  
7 was the girls' treating pediatrician?

8 A. I don't specifically know that.  
9 It's reported in the interview that Christine  
10 Belford had with Dr. Farbman, that at the time  
11 that she was concerned about whatever incident  
12 took place that Dr. Blalock wasn't the  
13 pediatrician.

14 Q. And there was some discussion of  
15 multiple personality disorder, again, and again,  
16 in your diagnosis, did you see anything  
17 consistent with their being multiple personality  
18 disorder --

19 A. Not whatsoever.

20 Q. -- with Ms. Belford?

21 And I would note that this is a  
22 Defense Exhibit 188, if I could have the Elmo,  
23 please.

24 MR. WEEDE: If you could unkill

me, Judge, I would appreciate.

THE COURT: Any more side bars,

Mr. Weede?

MR. WEEDE: No, no more side bars

with this witness at this time.

Y MR. WEEDE:

Q. This is the report that Mr. Bostic showed you. I don't think he focused on this paragraph. Can we read in that first and second line, please, under summary?

A. Sure.

"There are no indications from the CAP that Chris represents a risk to the physical well-being of a child. Nor is there the suggestion in the PAI" -- that's the personality assessment inventory -- "that she is a violent or impulse dominated person. Indeed, on that instrument the interpersonal scale scores favor empathy and compassion over control and domineering proclivities. Within the protective tests the importance of a secure and benign family life is emphasized. It was the fear that this was devolving within her own marriage that increased stress and frustration for her. The

I guess I don't understand the concept of the importance of a secure + benign family life when you are trying to seduce your husband's employee at his office - seems contradictory to me. It's a repeated cycle that she carried onto her 3rd marriage partner, Mr Purcell.

1 absence of unity in her family of origin  
2 contributed to the intolerance of this in her  
3 own marriage. The cognitive capacity for  
4 employing reason over impulse in addressing  
5 problems is well demonstrated in the Wisconsin  
6 Card Sorting test."

7 Q. Thank you, Dr. Romirowsky. And  
8 again, that's consistent the evaluation that you  
9 performed?

10 A. It is.

11 Q. With all the tests that were  
12 administered on Ms. Belford?

13 A. Yes.

14 Q. With your interviews with her?

15 A. Yes.

16 Q. With you watching her with the  
17 children?

18 A. Yes.

19 Q. One last thing I think. You  
20 mentioned that Mr. Bostic asked you if you  
21 shared a certain E-mail or communication with  
22 the Court after the proceedings were concluded?

23 A. Yes.

24 Q. You said that would be improper?

1 A. I'm sorry.

2 Q. You said that would be improper?

3 A. No, I said it was improper -- he  
4 asked me if I shared it with the judge.

5 Q. - Sorry, that's what I meant. I  
6 apologized. And that would be improper?

7 A. Yes.

8 Q. Why?

9 A. My understanding of the rules of  
10 court is that you should not have what's called  
11 ex parte communication, meaning I just can't go  
12 and share information with the judge, I need to  
13 bring it to the courtroom, need to bring it to  
14 the jury, need to share it with the attorneys, I  
15 can't just go off and start sharing information  
16 with the judge.

17 MR. WEEDE: Your Honor, if I may  
18 have a moment?

19 That's all I have, Your Honor, for  
20 this witness.

21 MR. BOSTIC: Your Honor, if I may  
22 have one question on recross so it's clear

23 RECROSS-EXAMINATION

24 BY MR. BOSTIC:

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Q. There is a process by which that just described, you could have shared that information with the court by sending it to the attorneys and having them bring it to the court's attention; isn't that correct, so it would not be ex parte?

A. If there was still something pending before the court, but I think after I testified, my role in that matter was concluded.

Q. You said it would be improper for you to share it with the court, and I'm asking you, because you just testified that there is a mechanism by which you could have shared it with the court, one is you can send it to the lawyers and have Ms. Belford or David Matusiewicz's attorney share it with the court and that would not be ex parte; is that correct?

A. That's correct. And in fact I did, because after the hearing at the same time that I had communicated with Ms. Belford, I also spoke with Mr. Roberts, who was Mr. Matusiewicz's attorney in those proceedings.

Q. The lawyer ask the question that he doesn't know the answer to sometimes gets a

Did Dr. Romirowski ask Attorney Roberts how Dr. Romirowski did in court also?

1 surprise. But didn't you just testify to me  
2 earlier this morning that you did not share that  
3 information with David Matusiewicz or his  
4 attorney?

5 A. During the court proceeding.

6 MR. BOSTIC: Okay. Thank you.

7 MR. IBRAHIM: Judge.

8 BY MR. IBRAHIM:

9 Q. Hello again, Doctor. How are you?

10 A. Still fine.

11 Q. Excellent.

12 Dr. Blalock, do you know

13 Dr. Blalock's first name?

14 A. I don't.

15 Q. Am I correct to say that in terms  
16 of mandatory reporting, that's all confidential;  
17 true?

18 A. I believe that the -- yes, I  
19 believe it is true, that's confidential.

20 Q. So the fact of the matter is you  
21 would not have been told by Dr. Blalock or  
22 anyone else if such a report was made?

23 A. That's correct.

24 MR. IBRAHIM: Thank you, sir.

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THE COURT: Anything further from  
any counsel?

MR. WEEDE: No, Your Honor.

THE COURT: All right. The  
witness is excused.

Please call your next witness.

MR. McANDREW: Your Honor, we'll  
next call Ami Farrall. Counsel, with this  
witness we may be looking at Exhibit 565.

MR. IBRAHIM: Thank you.

THE CLERK: Can you please state  
and spell your full name for the record.

THE WITNESS: Ami Marie Farrall,  
A-M-I, F-A-R-R-A-L-L.

AMI FARRALL,  
the deponent herein, having first  
been duly sworn on oath, was  
examined and testified as follows:

THE COURT: Ms. Farrall, pull the  
microphone close to you, please. That will help  
us all. Thanks.

DIRECT EXAMINATION.

BY MR. McANDREW: