

23-7631
No.

ORIGINAL

IN THE



SUPREME COURT OF THE UNITED STATES

DR. JULIE C. ABRIL, PH.D. PETITIONER

vs.

STATE OF COLORADO - RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
THE DISTRICT COURT OF LA PLATA COUNTY, COLORADO

PETITION FOR WRIT OF CERTIORARI

DR. JULIE C. ABRIL, PH.D.

822 BURNHAM LANE

BAYFIELD, COLORADO 81122

970-903-3501

QUESTIONS PRESENTED

Crime Victims Act; Credible Fear; Need for Self-Protection from Harm

1. Do *crime victims* have the right to full participation in the confidential mental health justice system proceedings within the State of Colorado, as they are enunciated in the Crime Victims Act (Public Law 98-473)?
2. Should a *crime victim* lose their 2nd Amendment right to bear arms for three years simply because of a failure of a State of Colorado District Court judge?
3. Does the State of Colorado have the authority to label a *crime victim* who has already sustained permanent injuries because of violent criminal victimization a "mental defective" - or any other derogatory term that may cause undue, unconstitutional i.e., "cruel and unusual" psychological distress and additional disabling trauma – thereby adding "insult to injury?" Can any state do this to a *crime victim* who is already suffering at the hands of criminal offenders?
4. Do *crime victims* who have suffered permanent, disabling conditions, such as Post Traumatic Stress Disorder and traumatic brain injuries, lose their right to request Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101) accommodations in the confidential mental health justice system?
5. Does the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101) apply to the confidential mental health justice system?
6. How many degradations and humiliations must a *crime victim* endure within the confidential mental health justice system and from its facilitators before the same and equal rights to justice are afforded to a *crime victim* as enunciated within the Crime Victim Act (Public Law 98-473) are extended to Petitioner and other likewise similarly-situated individuals across the Nation?
7. Are *crime victims* entitled to remedies enunciated in the Crime Victims Act (Public Law 98-473) when the offense(s) are committed by any member of the confidential mental health court facilitation group who have violated their oaths of office?

8. Are *crime victims* entitled to remedies enunciated in the Crime Victims Act (Public Law 98-473) for criminal offenses when they are committed by health care providers who are employed by private and public hospitals who accept federal Medicare and Medicaid insurances for payment for their services?

LIST OF PARTIES

PETITIONER: Dr. Julie C. Abril, Ph.D.

RESPONDENT: La Plata County District Court, State of Colorado

ALL PARTIES APPEAR IN THE CAPTION ON THE COVER PAGE.

THERE ARE NO OTHER RELATED CASES.

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In the
Supreme Court of the United States
Petition for Writ of Certiorari

Petitioner respectfully prays that a writ of certiorari
issue to review the judgement below.

OPINIONS BELOW

For cases from state courts:

The opinions of the La Plata County District Court appear in Appendix E to the petition and are unpublished.

JURISDICTION

For the cases from state courts:

The case(s) on which the highest state court decided my case was April 15th, 2024.

A copy of that decision appears at Appendix E.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257 (a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

2nd Amendment of the United States Constitution

5th Amendment of the United States Constitution

8th Amendment of the United States Constitution

14th Amendment of the United States Constitution

Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101)

Crime Victims Rights Act of 1984 (Public Law 98-473)

Colorado Revised Statutes § 27-65-106

Colorado Revised Statutes § 13-5-142(3)

Colorado Revised Statutes § 27-65-109(3)

STATEMENT OF THE CASE

PRELUDE

The 21st century has seen a rise in social acceptance of varying causes of mental health problems. No longer are mental health disorders viewed as “mental defects” or as organically-based immutable characteristics of the mind. Post Traumatic Stress Disorder (PTSD), for example, is now widely-accepted within society to be a core facilitator of mental and behavioral health issues plaguing the United States today. Issues of childhood victimization and neglect are often viewed by many within society as a core driver of such social pathogens as homelessness and substance abuse. As U.S. society advances in its understanding and treatments developed for such mental health conditions as PTSD, the legal system must advance as well. Unfortunately, the current mental health justice system present in the United States is woefully lacking in its responses to mental health disorders that are neither organically-based nor the result of some sort of ‘mental defect’ of the mind of those individuals who are subject to the court’s oversight. The time is ripe to make necessary and prudent decisions to guide the mental health justice system to provide legal protections for individuals who may find themselves subject to such oversight now and into the future.

Within this present matter, Petitioner Abril seeks the U.S.S.C. to determine if (1) the *constitutional rights to due process as afforded to criminal defendants* must also be extended to disabled individuals who find themselves under the jurisdiction of the mental health justice system, as the powers of said system have the same socially-disabling effects as those of the criminal justice system; (2) if the constitutional rights afforded to crime victims within the Crime Victims’ Rights Act (18 U.S.C. § 3771) in all matters within the legal and social spheres must also be extended to the mental health justice system as well, (3) if the constitutional rights afforded to disabled individuals from Americans with Disabilities Act of 1990 are to be extended to those individuals who find themselves subject to the mental health justice system, and (4) if the actions and outcomes of the mental health justice system must not violate the 8th Amendment prohibition of cruel and unusual punishments. Within the present matter, Petitioner Abril demonstrates where the U.S.S.C. must provide guidance to lower courts in matters involving these very questions of Constitutional weight.

STATEMENT OF THE CASE

INTRODUCTION

Petitioner, Dr. Julie C. Abril, Ph.D., is a disabled person with severe, lifelong disabilities (Post-Traumatic Stress Disorder and a traumatic brain injury) caused by her being a target of violent victimization - *a crime victim* - beginning in her early childhood and now receives Social Security Disability Insurance (SSDI) monthly payments as her sole source of income. At the time of this filing, Petitioner is also a cancer patient who is being treated for Stage 3-B cancer. Petitioner hereby requests *Americans with Disabilities Act of 1990* (42 U.S.C. §§ 12101) accommodations legally afforded to her. Petitioner will be making her arguments that the La Plata County District Court of the State of Colorado violated her rights enunciated in the *Crime Victims Act of 1984* (Public Law 98-473), the *Americans with Disabilities Act of 1990* (42 U.S.C. §§ 12101), the 2nd Amendment of the United States Constitution the right to bear arms, the 8th Amendment the United States Constitution the right to be free from "cruel and unusual" punishment, and her right to a fair and impartial decision in the confidential Mental Health court justice system ruling in the State of Colorado La Plata County District case number 21MH17.

BACKGROUND

Petitioner, Dr. Julie C. Abril, Ph.D., hereafter Dr. Abril, earned the doctorate of the Philosophy of Criminology, Law and Society from the University of California, Irvine Division in 2005. She has published globally on topics related to victimization among vulnerable populations. She has conducted innovative field research in

prisons, within Native American Indian reservations in Colorado, around the United States, and among other “hard-to-reach” populations. Dr. Abril’s 11 books and other scientific research publications are held in such esteemed and rarified collections as the Smithsonian Institution Libraries and Archives, Harvard University, Yale University, Columbia University, and other great and storied collections where she also received specialized training during her career. Her research has been funded by the U.S. Department of Justice / Bureau of Justice Statistics and the U.S. Department of Health and Human Services / National Institutes of Health.

Dr. Abril was recognized for her research in 2017 with the Bonnie S. Fisher Career Achievement Award from the Division of Victimology of the American Society of Criminology for her significant contributions to the discipline of victimology. Dr. Abril is the most recognized authority on violent victimization around the world. Most germane to the present matter before the United States Supreme Court are her scientific, philosophical, and intellectual ties as a student under Emeritus Professors Gilbert Geis and Paul Jesilow of the University of California, Irvine, Department of Criminology, Law and Society. These two esteemed scientists founded the field of fraud investigation, now well-established throughout the world.

Dr. Gilbert Geis founded the modern field of white-collar (elite) crime investigation. Dr. Geis authored 28 books, over 500 peer-reviewed publications on fraud, various types of white-collar crime, and victimization. He was recognized around the world as the premier authority on these topics and generally in any area of criminology. Professor Geis was elected President of the American Society of

Criminology (ASC), Association of Certified Fraud Examiners, and served at the behest of President Lyndon B. Johnson's Commission on Criminal Justice and, generally, anything related to criminal justice in the United States until his passing. More information about Emeritus Professor Gilbert Geis can be found on Wikipedia or from his other colleagues and former ASC Presidents Professor Sally S. Simpson at the University of Maryland, Emeritus Professor John Braithwaite at the Australian National University and Emerita Professor Kitty Calavita at the University of California, Irvine, Department of Criminology, Law and Society.

Emeritus Professor Paul Jesilow was a highly-regarded fraud expert and a student of Dr. Gilbert Geis, too, whose own area of expertise is known around the world, especially in Sweden. Dr. Jesilow focused on physician fraud in the federal Medicare and Medicaid healthcare arenas. Professor Jesilow traveled around the world researching fraud in a variety of health care settings. Dr. Jesilow was awarded numerous citations for his work uncovering fraud in the federal Medicare and Medicaid insurance programs committed by physicians and various other healthcare providers. Dr. Jesilow was also a Fulbright scholar prior to his passing.

With this background knowledge, Petitioner Dr. Abril, was labeled by the State of Colorado, as a "mental defective" (description in letter from State of Colorado Bureau of Investigation (C.I.B.) Application for Firearm Denial dated 01/04/2023

Appendix A.

HISTORICAL CIRCUMSTANCES

CRIME VICTIM / WITNESS Credible Fear of Immediate Life - Threatening - Need for Self Protection with a Firearm

I was ten years old when my brother, Charlie Richard Abril, Jr (DOB 04/06/196[REDACTED] DOD 08/15/202[REDACTED]) and I, witnessed our father, Charlie Richard Abril, Sr (DOB 04/04/194[REDACTED] DOD unknown), kill our newborn twin siblings on the commands of our mother, Susan Fay Abril (DOB 08/17/194[REDACTED]).¹ It was 1978 in Fresno, CA when this horrible, life-altering, violent event occurred. I would forever be changed and irrevocably harmed by that violent event. This crime would not be reported until 2001 (University of California, Irvine Police Report Number #01-0857 Appendix B). Charlie Jr. often sought to intimidate and harass me to silence me about the double homicide from 1978, as well as to cover-up severe sexual abuse I endured at the hands of my father. My seven siblings - the twins who were murdered that day - and the five who survived - four would succumb to suicide. I alone survived.

My brother, Charlie Abril, Jr., was a violent criminal offender from whom I feared for my safety. In the filings to the lower State of Colorado courts, I included voluminous documentation from the Contra Costa County Superior Court in California numerous records of his felony convictions and incarcerations in state and federal institutions for violent offenses such as weapons charges, felon in possession of a weapon, violence against his spouse, false imprisonment, and other violent

¹ Susan Fay Abril (maiden name: Parker).

charges. His first felony conviction resulted in his dishonorable discharge from the U.S. Army for "bad conduct" for violence against his commanding officer for which he served time in the U.S. military prison at the age of eighteen years old (Appendix C is Charlie Abril, Jr.'s DD-214). His violent criminal behavior devolved from there.

For my lifetime, I feared for my safety from this individual. I had a well-founded fear from Charlie Jr. based on a life of physical and sexual violence he directed toward me and our younger sister, Leilani Caroline. He caused me great debilitating harm in my early childhood and early adolescence. I am a disabled person because of him and his violent behaviors he directed towards me. I lived in fear from him. I still fear him even though he is now dead.

My younger brother, too, Timothy Mathew Abril (DOB 01/28/197[] DOD 12/06/200[]), is now deceased. He too engaged in harassment regarding the double homicides at the behest of my mother, Susan Fay Abril (see attached Eastern New Mexico University Police Report # 0309-028 in Appendix D). I know Susan Abril told Timothy Abril to harass me at my professorial place of employment at Eastern New Mexico State University because, as she recently in August 2022 said to me over the phone about her and my father "*we paid Timothy to do that!*" I contacted the Waukee, Iowa - her new location of residence - police department Chief of Police and Lt. Long of the Investigations Division via e-mail to contact Susan Abril to order her to stop harassing me.

My mother – Susan Fay Abril age 78 - is the last person still alive who is responsible for the double homicides from 1978. I am the last living victim and

witness to this terrible, violent, life-altering event that occurred in Fresno, California in 1978.

SOURCES OF FEAR

The sources of my fear are both my mother's and my father's families. I am of mixed race and ethnic heritages arising from the 1967 racially-based tumultuous period in the southwest United States. My mother's racial and ethnic background is Cherokee Indian and appears Anglo/white; whilst my father was Yaqui Native American and appeared very dark-skinned brown.

Allow me to explain the relevance of these facts in the context of the harsh, brutal realities of those who experienced the activities of the 1960's Arizona desert society and the social authenticities wherein which extreme poverty, the physical pain of hunger collided with social class divisions and bloody intimate violence which were the norms of the time and there was no way to escape this reality. People - being human beings - were forced to do whatever human beings will do to survive when they are physically hungry with no access to food even if that means engaging in activities that violates codes of conduct and human decency that might appear to be unnatural to most others outside the social milieu of this reality.

My mother's family who originated from Parker, Oklahoma - being Anglo-appearing aligned with the prison-based group known as the Hell's Angel's. My brother, Charlie Jr., having himself been in and out of prisons and appearing Anglo, aligned with the Hell's Angles for his own safety, no doubt. A female cousin resides in Bullhead City, Arizona (a short distance from my current home in Colorado) is also

affiliated with this group where numerous others reside. Consider now what this means to my own personal safety.

My father's family – being dark-skinned Yaqui Native people originating from Mexico – is aligned with a 'different' group; a group that for many generations had always traversed the U.S. / Mexican border region. My father had a cousin on Arizona's death row who was eventually executed by the State of Arizona for a double murder he was 'obligated' to fulfill, as his two victims stole the drugs from his 'employer.'² My blood cousin, Joey Ceja, never 'gave up' his 'employer' thereby honorably going to his state-sponsored death and thus bringing great credibility to my paternal family in the eyes of his criminal associates. My biological paternal family had always been considered just "a bunch of dumb Indians" by outsiders until Joey Ceja brought recognition and honor to our family, albeit distorted in the perception of outsiders.³ Now, my father's family – my blood relatives – were able to

² Historical background: Relevant to the story but not directly related to the case at hand. Joey Ceja served the maximum sentence a human being could survive imprisoned on death row without losing his sanity. See, F. 3d 1368 - *Ceja v. Stewart* (1998), which addresses the duration of time served on death row. See, also, *State v. Ceja*, 113 Ariz. 39, 546 P.2d 6 (1976); *State v. Ceja*, 115 Ariz. 413, 565 P.2d 1274 (1977); *State v. Ceja*, 126 Ariz. 35, 612 P.2d 491 (1980).

³ *Mi abulita* (my grandmother) Julia Calderon and *mi tia* Christina Calderon, for whom Petitioner, Dr. Abril, was named were *coyotes* (smugglers) in the 1940's who

brought people into the United States through routes across various Arizona American Indian reservations. They would cover them with old materials such as wood, blankets, bikes, and other refuse. When stopped by the U.S. Border Patrol she and her daughters, *mi tia* Francis and another *tia*, heard the Border agents say of *mi familia*, “*Oh, they’re just a bunch of dumb Indians*” and walk away from *mi familia* allowing them to pass. *Mi abulita* did this work for many years unabated. My family carried this historical notion – indeed a historical trauma – of being considered ‘dumb’ for a long time. Indeed, too long. Dr. Julie C. Abril’s paternal grandparents, Francisco Abril and Julia Calderon – a married couple by law, her father’s parents – owned a small adobe brick house in the area now-known as Guadalupe, Arizona on 17th Street and Tonta Street, before it was deceptively taken from them by the State of Arizona for development into Highway 87 that now runs through the tribal area and since provided to the Pascua Yaqui Tribe of Arizona – a federally-recognized American Indian tribe – for use as its own tribal land. My father and his eight then-living siblings were each provided with only \$87.00 as recompense by the State of Arizona for the small single-room adobe brick house and the land upon which it sat on the site at 17th Street and Tonta Street in Guadalupe, Arizona, next to the Town of Tempe. For historical perspective, when Petitioner, Dr. Abril, attempted to enroll in the Pascua Yaqui Tribe of Arizona, beginning in 1983 before the Tribe was fully recognized, while she was then-residing in San Francisco, she would eventually be told by the then-Tribal Enrollment Officer in 2022, she would not be allowed to enroll

develop their own 'business' – which I will not further write about herein for my own personal safety. Now this 'business' is being threatened by my mother which now then places me in a dangerous situation.

- My blood relations – both my mother's and father's families - belong to two distinct and competing criminal organizations a.k.a. "families."
- My mother, Susan Abril, has intimate, personal knowledge of these two distinct criminal organizations, which then places her in grave danger - which then gives her yet another clear *motive* to place Petitioner, Dr. Abril, in danger yet again.
- My mother, Susan Fay Abril, age 78, the only living yet-to-be-charged party to a double homicide who is now living (hiding) in Waukee, Iowa.
- Susan Abril is currently directing criminal actions of intimidation and harassment toward me from her home located at [REDACTED] S.E. Holiday Crest Circle in Waukee, Iowa – against a victim and witness to the double homicide in 1978 in

in the tribe because Petitioner was deemed to be "white." Thus is the status of Native American Indian racial and ethnic affairs in Arizona at the time of this filing in 2023. As a side note, Petitioner never needed any of the misconceived 'benefits' of tribal enrollment such as education, health, welfare, housing, employment, or any other type of benefit of tribal enrollment then nor now. Further, a small piece of paper – an identity document – bestowed by a fractured and combative tribal group cannot provide to Dr. Abril what is in her blood.

Fresno, CA, now living in southwest Colorado (see Bayfield Marshal Report #22-01776 in Appendix G). Susan Abril is using her maiden name of Parker and employing her two adult nieces Tracy Garcia and Jaimie Pilpott Parker, both of whom may live in Indiana to aid in this harassment via phone and various social media. I do not believe these nieces are aware of Susan Abril's involvement in the double homicide from 1978 in Fresno, California.

I, Dr. Abril, have a credible, well-founded fear of violence, a clear and present danger to my personal safety and physical and psychological well-being. I refuse to be any more descriptive of the nature of my father's 'family enterprise' because my personal safety will be immediately jeopardized. I will be writing my own death authorization from my father's family if I further describe this 'enterprise' which I do not know more about other than that to which I overheard as a very young child at a great distance. My mother was there too when this 'family enterprise' was mentioned and discussed.

Susan Abril is not 'blood' in the culturally-defined sense of the term. She does not have the 'blood.' 'Blood' in this sub-cultural group is critical for surviving within this unique sub-cultural environment. According to this unique sub-culture's definitions and perceptions of members of this sub-culture, Dr. Abril is considered to be '*la bruja*' (by blood passed down from her grandfather to her father's father, Francisco Abril). 'Blood' = being a paternal familial lineage. Susan Abril cannot possibly share.

Dr. Abril's father's family has always considered Susan Abril to be to be 'white.' They have never liked her since her parents were married for this reason. This is a horrible, dangerous racial classification and designation for her safety now that her father is deceased. More so now especially since the social times and norms in the United States have begun to change regarding race and ethnicity identification and social uprising are becoming familiar once again. Susan Abril, my mother, is putting me in danger just to save herself from those from my father's family.

STATEMENTS OF FACTS:

Petitioner, Dr. Abril, entered the confidential mental health care system facility located in Colorado in late March 2021 to escape potential violence from my brother Charlie Abril, Jr. Approximately a year later, on December 24th, 2022 when Petitioner attempted to legally purchase a firearm, Petitioner was notified she was "denied" because her name and date of birth had been entered into the Colorado Bureau of Investigation (C.I.B.), as well as the Federal Bureau of Instigation (F.B.I.) records as a "Prohibited" person. Upon a request to appeal the denial, Petitioner was informed by the C.I.B., she had been adjudicated a "mental defective" by the La Plata County District Court. The next morning after learning of this adjudication, Petitioner began a long, arduous, and expensive legal social scientific investigatory process to uncover how this could have occurred. Many motions were filed with the La Plata County District Court since January 5th, 2023; the first time Petitioner was notified of the adjudication as "mental defective."

Petitioner has made numerous requests to the La Plata County District Court Judges who were initially assigned to the confidential Mental Health case number 21MH17. Both Judges Todd Norvell, who quietly resigned from the Bench (after being appointed in 2017 by then-Governor John Hickenlooper (D). Soon after being informed by Petitioner, Dr. Abril, who had initiated a social-scientific investigation into the matter, and next to Judge Anthony Nathaniel Baca, who would then be hearing the appeals of Petitioner about fraudulent testimony and criminal conduct uncovered by the forensic analysis by Petitioner, Dr. Abril, of the forgeries of her signatures and false testimonies of the nurse practitioner and physician in the case against her. The appeals to the La Plata County District Court of Colorado have gone unheard and silenced by Judge Baca to this date.

REASONS FOR GRANTING THE WRIT

Judge Anthony Nathaniel Baca has sealed the case according to Colorado Revised Statute § 27-65-106. By sealing the case without Court review of the illegal and fraudulent testimony contained therein and, thus denying Petitioner's request to substitute her own psychologist's legitimate medical testimony which is contrary to that which was submitted by Centennial Peaks hospital staff and forgeries by court-appointed attorney Ms. Casias, Judge Baca has (1) administratively-barred Petitioner, Dr. Abril, from legally purchasing a firearm for an additional three years based on Colorado Revised Statute § 27-65-109(7)(b) *[...]"no less than three years before the date of written request:"],* until February 23, 2025, without due process of law, contrary to the 2nd Amendment of the United States Constitution. (2) Judge

Baca has refused to accommodate Petitioner's rights to reasonable disability accommodations from using her own psychologist's testimony in place of the fraudulent medical testimony used against her in the matter; and thus denied Petitioner's rights accorded to her under the *Americans with Disabilities Act of 1990* (42 U.S.C. §§ 12101). (3) Judge Baca has denied Petitioner's right to full participation in the confidential mental health justice system processes contrary to the rights afforded to *crime victims* in the *Crime Victims Act* (Public Law 98-473). (4) Judge Baca has conveyed to Petitioner and other similarly-situated disabled persons in the County of La Plata, Colorado that psychologically-disabled persons do not have any rights afforded to them as do other non-crime victims. And, that justice will not be provided to *crime victims* in the confidential mental health courts of La Plata County, Colorado. This is the perception that Judge Baca has provided to the citizenry of Colorado. As any reasonable person knows, perception is reality. (5) Judge Baca has degraded and humiliated Petitioner, Dr. Abril - *a crime victim* - contrary to the stated outlines enunciated in the *Crime Victims Act* (Public Law 98-473). Dr. Abril continues to suffer great and lasting humiliations and degradations due to Judge Baca's failing in his basic duty as a judicial officer to read the case file in its entirety before sealing the matter and not considering the evidence of fraud, deception, and legal malfeasance committed against her.

Other considerations for the Court: (6) Are *crime victims* entitled to remedies enunciated the *Crime Victims Act* (Public Law 98-473)? (7) Having been labeled a "mental defective" by the State of Colorado has caused Plaintiff, Dr. Abril, great

psychological pain, and emotional distress. This is “cruel and unusual punishment” for a crime Dr. Abril did not commit, a clear violation of the 8th Amendment of the Constitution of the United States. This labeling has brought back painful childhood traumas, and old memories of being called a “retard,” stupid, ‘dumb’, and other such similar degrading names by agents of the state such as schoolteachers and others - now once again ‘officially’ by the State of Colorado - from whom Dr. Abril has tried hard to forget. When I read the recent letter from the State of Colorado dated December 23, 2022 that reads “adjudicated” . . . “mental defective” and hold it next to my framed Ph.D. from the University of California, Irvine and the many certificates, honors, and accolades from Yale University, Harvard University, and unique scientific distinctions few individuals will ever likely achieve, I just cry for a long time. This pain is unbearable, undeserved, and wholly without basis in fact, legal or scientific merit. Please, Honorable Justices of the Highest Court in the Land, use your unique endowed legal powers to take this label away from me now. I beg you to do so immediately for I can no longer stand the pain of this label. I am NOT a mental defective! This morning, before I arose to write this appeal and the days while I worked on this manuscript to the United States Supreme Court, I had to convince myself time and time again, “Yes, I am smart enough to do this!” A dream I often had – to address the United States Supreme Court - but never knew how I would fulfill. Finally, I ask of you to consider this, (8) Are *crime victims* entitled to remedies, as enunciated in the *Crime Victims Act* (Public Law 98-473), for criminal offenses committed by health care providers who are employed or contracted by

private, public, and non-profit hospitals and other health care facilities and centers who accept Medicare and Medicaid insurances for payment of services? This would help a lot of people who are victimized by health care providers.

PUBLIC POLICY IMPACT OF REMEDIES ON FRAUD AND ABUSE

Extending financial remedies to *crime victims* – especially the mentally ill – of fraud, abuse and other deviant behaviors and criminal conduct by health care providers who are right now shielded from financial remedies by iron-clad arbitration clauses in Medicare and Medicaid health care insurance policies, would place the financial burdens on health care providers. Criminal conduct prosecuted outside of health care settings, however, such as that which occurred in the La Plata County District Court setting, would not likely be subject to arbitration clauses. Thank you for your time and consideration of the dire needs experienced by the many mentally-ill Americans who desperately need the confidential mental health care justice system now operating without oversight nor Constitutional protections within the State of Colorado right now.

CONCLUSION

The petition for writ of certiorari should be granted.

Respectfully submitted,

Dr. Julie C. Abril, Ph.D.



DATE: 1 June 2024
13 May 2024